PART IB

OPERATION OF STATE GOVERNMENT

SECTION 1 – H630 - DEPARTMENT OF EDUCATION

1.1. (SDE: Appropriation Transfer Prohibition) The amounts appropriated herein for aid to subdivisions, allocations to school districts, or special line items shall not be transferred and must be expended in accordance with the intent of the appropriation, except that the department may transfer funds that are deducted and retained from a school district's transportation allocation to reimburse the department for the cost of unauthorized mileage. This transfer must be agreed upon by both the school district and the department. Those funds may be transferred into the department's school bus transportation operating account.

1.2. (SDE: Comprehensive Health Assessment) All school districts shall participate, to the fullest extent possible, in the Medicaid program by seeking appropriate reimbursement for services and administration of health and social services. Reimbursements to the school districts shall not be used to supplant funds currently being spent on health and social services.

1.3. (SDE: State Aid to Classrooms) (A) For the current fiscal year, the total pupil count is projected to be ~~770,504~~ *771,758*, which includes ~~712,097~~ *710,055* traditional school districts, ~~57,665~~ *60,967* charter school authorizers, and ~~742~~ *736* special school districts. The total appropriations for State Aid to Classrooms represent an average per pupil appropriation of ~~$5,884~~ *$6,023*. The average total per pupil funding, excluding revenue and local bond issues, is projected to be ~~$8,914~~ *$9,341* from state sources, ~~$1,225~~ *$1,428* from federal sources, and ~~$8,936~~ *$9,805* from local sources. This is an average total funding level of ~~$19,075~~ *$20,574*, excluding revenues of local bond issues.

(B) The State Minimum Teacher Salary Schedule for the current fiscal year is as follows, and districts have flexibility to pay above these levels:

~~YRS EXP~~	~~CLASS 3 BACHELORS DEGREE~~	~~CLASS 1 MASTERS DEGREE~~	~~CLASS 7 MASTERS DEGREE +30 HOURS~~	~~CLASS 8 DR DEGREE~~
~~0~~	~~$48,500~~	~~$52,500~~	~~$54,000~~	~~$56,500~~
~~1~~	~~$48,750~~	~~$52,750~~	~~$54,250~~	~~$57,000~~
~~2~~	~~$49,000~~	~~$53,000~~	~~$54,500~~	~~$57,500~~
~~3~~	~~$49,250~~	~~$53,250~~	~~$54,750~~	~~$58,000~~
~~4~~	~~$49,500~~	~~$53,500~~	~~$55,000~~	~~$58,500~~
~~5~~	~~$50,500~~	~~$54,500~~	~~$55,500~~	~~$59,000~~
~~6~~	~~$51,000~~	~~$55,000~~	~~$56,000~~	~~$59,500~~
~~7~~	~~$51,500~~	~~$55,500~~	~~$56,500~~	~~$60,500~~
~~8~~	~~$52,000~~	~~$56,000~~	~~$57,000~~	~~$62,000~~
~~9~~	~~$52,500~~	~~$56,500~~	~~$57,500~~	~~$63,500~~

~~10~~	~~$53,500~~	~~$57,500~~	~~$58,500~~	~~$64,750~~
~~11~~	~~$54,000~~	~~$58,000~~	~~$59,500~~	~~$66,000~~
~~12~~	~~$54,500~~	~~$58,750~~	~~$60,500~~	~~$67,250~~
~~13~~	~~$55,000~~	~~$59,500~~	~~$61,500~~	~~$68,500~~
~~14~~	~~$55,500~~	~~$60,250~~	~~$62,500~~	~~$69,750~~
~~15~~	~~$56,000~~	~~$61,000~~	~~$63,500~~	~~$71,000~~
~~16~~	~~$56,500~~	~~$61,750~~	~~$64,500~~	~~$72,250~~
~~17~~	~~$57,000~~	~~$62,500~~	~~$65,500~~	~~$73,500~~
~~18~~	~~$57,500~~	~~$63,250~~	~~$66,000~~	~~$74,000~~
~~19~~	~~$58,500~~	~~$64,250~~	~~$66,500~~	~~$74,500~~
~~20~~	~~$59,000~~	~~$64,750~~	~~$67,000~~	~~$75,250~~
~~21~~	~~$59,500~~	~~$65,250~~	~~$67,500~~	~~$76,000~~
~~22~~	~~$60,000~~	~~$65,750~~	~~$68,000~~	~~$76,750~~
~~23~~	~~$60,500~~	~~$66,250~~	~~$68,500~~	~~$77,250~~
~~24~~	~~$61,000~~	~~$66,750~~	~~$69,000~~	~~$77,500~~
~~25~~	~~$61,500~~	~~$67,250~~	~~$69,500~~	~~$77,750~~
~~26~~	~~$62,000~~	~~$67,750~~	~~$70,000~~	~~$78,000~~
~~27~~	~~$62,250~~	~~$68,000~~	~~$70,250~~	~~$78,250~~
~~28+~~	~~$62,500~~	~~$68,250~~	~~$70,500~~	~~$78,500~~

	CLASS 3	*CLASS 1*	*CLASS 7*	*CLASS 8*
	BACHELORS	*MASTERS*	*MASTERS*	*DR*
YRS	*DEGREE*	*DEGREE*	*DEGREE*	*DEGREE*
EXP			*+30 HOURS*	
0	*$50,500*	*$54,500*	*$56,000*	*$58,500*
1	*$50,750*	*$54,750*	*$56,250*	*$59,000*
2	*$51,000*	*$55,000*	*$56,500*	*$59,500*
3	*$51,250*	*$55,250*	*$56,750*	*$60,000*
4	*$51,500*	*$55,500*	*$57,000*	*$60,500*
5	*$52,500*	*$56,500*	*$57,500*	*$61,000*
6	*$53,000*	*$57,000*	*$58,000*	*$61,500*
7	*$53,500*	*$57,500*	*$58,500*	*$62,500*
8	*$54,000*	*$58,000*	*$59,000*	*$64,000*
9	*$54,500*	*$58,500*	*$59,500*	*$65,500*
10	*$55,500*	*$59,500*	*$60,500*	*$66,750*
11	*$56,000*	*$60,000*	*$61,500*	*$68,000*
12	*$56,500*	*$60,750*	*$62,500*	*$69,250*

13	*$57,000*	*$61,500*	*$63,500*	*$70,500*
14	*$57,500*	*$62,250*	*$64,500*	*$71,750*
15	*$58,000*	*$63,000*	*$65,500*	*$73,000*
16	*$58,500*	*$63,750*	*$66,500*	*$74,250*
17	*$59,000*	*$64,500*	*$67,500*	*$75,500*
18	*$59,500*	*$65,250*	*$68,000*	*$76,000*
19	*$60,500*	*$66,250*	*$68,500*	*$76,500*
20	*$61,000*	*$66,750*	*$69,000*	*$77,250*
21	*$61,500*	*$67,250*	*$69,500*	*$78,000*
22	*$62,000*	*$67,750*	*$70,000*	*$78,750*
23	*$62,500*	*$68,250*	*$70,500*	*$79,250*
24	*$63,000*	*$68,750*	*$71,000*	*$79,500*
25	*$63,500*	*$69,250*	*$71,500*	*$79,750*
26	*$64,000*	*$69,750*	*$72,000*	*$80,000*
27	*$64,250*	*$70,000*	*$72,250*	*$80,250*
28+	*$64,500*	*$70,250*	*$72,500*	*$80,500*

(C)*(1)* For the current fiscal year, the funds appropriated for State Aid to Classrooms represent the State's contribution to the Aid to Classrooms program for direct instruction of students in kindergarten through grade twelve in our state, which is seventy-five percent of the total salary and employer contribution cost of funding one teacher for every 11.2 students. The salary used to determine the amount of funding required for the state effort is based on that of a teacher having a master's degree and twelve years of experience, which equates to ~~$58,750~~ *$60,750* on the statewide minimum salary schedule for the current fiscal year and including fringe benefits of ~~$19,129~~ *$19,628*, for a total of ~~$77,879~~ *$80,378*. The types of teachers used in the calculation of student-teacher ratio includes those teachers eligible pursuant to Section 59-20-50(4)(b). This includes classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the State. School districts are required to meet the statewide minimum salary schedule in the current fiscal year and are required to provide the annual step increase pursuant to Section 59-20-50. No school district is required to increase teacher salaries above the amount necessary to meet the statewide minimum salary schedule as prescribed in this act. For the current fiscal year, the provisions of Section 59-20-50(3) of the 1976 Code, as amended, are suspended.

~~(D)~~*(2)* To allocate the funds, the department will calculate the total number of weighted pupil units (WPUs) in each school district and in the State. The funds appropriated herein for State Aid to Classrooms represent the state share of the total Aid to Classrooms program, which is seventy-five percent. The local required effort is twenty-five percent of the total program. The total Aid to Classrooms funding for each district is calculated based on the district's percentage of the total statewide weighted pupils multiplied by the total Aid to Classrooms program. The district's local share is calculated by multiplying the total local share by the district's imputed index of taxpaying ability, which is the district's relative fiscal capacity compared to that of all other districts in the State. The State Aid to Classrooms amount allocated to each district will be determined by subtracting the calculation of the district's local share from the calculation of the district's total Aid to Classrooms projected funding. The Statewide Public Charter School District

and any approved institution of higher education authorizing charter schools shall receive one hundred percent of the Aid to Classrooms funding from the State. For Fiscal Year ~~2025-26~~ *2026-27*, no local match is required for the State Aid to Classroom EIA distributions for the base funding rolled up from the previous fiscal year. *The department will make any necessary adjustments to account for the state share for Charter and Special Districts.*

~~(E) Each district will receive either the amount determined by this new methodology or the actual state funding received in Fiscal Year 2021-22 from State Aid to Classrooms, Aid School Districts, Student Health and Fitness, Guidance/Career Specialists, Handicapped – Profoundly Mentally, EIA - Aid to Districts, EIA - Students at Risk of School Failure, Allocations EIA – Teacher Salaries, Allocations EIA – Employer Contributions, EIA – Student Health and Fitness Act - Nurses, and EIA - South Carolina Public Charter Schools.~~

(D) The Statewide Public Charter School District and any approved institution of higher education (IHE) authorizing charter schools shall receive additional charter district funding to increase the district's amount received from one hundred percent of the Aid to Classrooms funding from the State by a percentage equal to the district's weighted pupils for students attending a brick and mortar or virtual school as determined in this subitem divided by the total charter district weighted pupils as determined by the pupil classification weightings in subitem (N). The weights for students attending brick and mortar and virtual schools are only used to determine the additional charter district funding and are not included in total weighted pupils used to calculate Aid to Classrooms funding under subitem (C). Three- and four-year-old students with a disability, who are eligible for services under IDEA and enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or registered IHE, shall be included in student counts solely for the purposes of receiving the additional weighting for students attending a brick and mortar charter school.

(E) Additional charter district funding student weights:

(1) Enrolled in brick-and-mortar school	*1.25*
(2) Enrolled in virtual charter school	*0.50*

(F) Each district will receive either the amount determined by this new methodology including the additional charter district funding or the actual state funding received in Fiscal Year 2025-26 from State Aid to Classrooms less the amount received by the district due to 0.20 of the Precareer and Career Technology weight of 1.20 in Fiscal Year 2025-26.

~~(F)~~*(G)* To provide flexibility, each district may expend the funds as determined by the local school board of trustees to meet the educational needs of students as defined in Section 59-1-50, Chapter 18, Title 59, and as delineated in a child's Individualized Education Program (IEP). Pursuant to Section 59-20-80, each school board of trustees must make available by September first of each fiscal year its annual budget that includes state, local, and federal investments in education. The budget must be available on the district's website. The department, in collaboration with local school districts, will provide a template that each district must use in reporting its budget.

~~(G)~~*(H)* To provide transparency, Revenue and Fiscal Affairs will document annually, through an online financial dashboard, the expenditure of all state, local, and federal funds by each district and by each charter school authorizer and other relevant data to include its fund balance and average fund balance for the reporting year. The districts shall report monthly, to the Department of Education, their monthly fund balance that will be used to calculate an average. To ensure that the public reporting meets the needs of educators, parents, citizens, and policymakers, the department, in conjunction with Revenue and Fiscal Affairs, will consult

routinely with a group of educators, parents, citizens, and policymakers. District expenditures for the prior fiscal year must be published on the department's website for public disclosure by January 1.

~~(H)~~*(I)* If a traditional school district, charter school authorizer, or special school district fails to submit expenditure data needed for the online financial dashboard, the Revenue and Fiscal Affairs Office will notify the Department of Education. Within thirty days of such notification, the Department of Education must then withhold ten percent of all state payments to the district or authorizer until the district or authorizer complies and all payments will then be made.

~~(I)~~*(J)* To ensure accountability, each district's annual audit that is submitted to the Department of Education pursuant to Section 59-17-100 must be conducted using an auditing firm from an approved list provided by the State Auditor. The State Auditor will develop standards and criteria for determining qualifying auditors. Each district's annual audit must be available on the district's website.

~~(J)~~*(K)* For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school shall receive and distribute state Aid to Classroom funds to the charter school. ~~Students enrolled in charter schools authorized by the South Carolina Public Charter School District or an institution of higher education will receive in addition to the base weight of 1.00 or in addition to the disability weight of 2.60 an additional weight based upon the type of charter school that they attend.~~ These ~~additional~~ funds must support the provision of educational services for children served by a charter school that does not receive local revenues. ~~These students are also eligible to receive additional weights for personalized instruction. The department will make any necessary adjustments to account for the state share for Charter and Special Districts.~~ *The South Carolina Public Charter School District and institution of higher education sponsoring a public charter school shall publish on its website the methodology used to allocate these funds to each public charter school.*

~~(K) Three and four year old students with a disability, who are eligible for services under IDEA and enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or registered IHE, shall be included in student counts solely for the purposes of receiving the additional weighting for students attending a brick and mortar charter school.~~

(L) For Fiscal Year ~~2025-26~~ *2026-27*, special districts and alternative schools will receive the amount received in the prior fiscal year from these funds.

(M) The Revenue and Fiscal Affairs Office, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Revenue and Fiscal Affairs Office, shall also post on their website the one hundred thirty-five-day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Revenue and Fiscal Affairs Office, including the projected numbers and the exact numbers.

(N) For the current fiscal year, the pupil classification weightings are as follows:

(1) K-12 pupils or base students including homebound students 1.00

Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code shall receive a weighting of 2.10.

(2) Weights for students with disabilities as documented by their Individualized Education Program (IEP) 2.60
~~(3) Precareer and Career Technology 1.20~~
~~(4) Charter school students~~
~~(a) Enrolled in brick and mortar school 1.25~~
~~(b) Enrolled in virtual charter school 0.50~~
~~(5)~~ Additional weights for personalized instruction:
(a) Gifted and Talented 0.15
(b) Academic Assistance 0.15
(c) Limited English Proficiency 0.20
(d) Pupils in Poverty 0.50

(O) The Department of Education will review the child count data for all of the districts and charter school authorizers in the State and identify any school district or charter school authorizer whose percentage of total enrolled students with IEPs is outside of the typical percentage range based on national and state data. The department will then conduct a focused review of the district's special education population and provide technical assistance, as needed, to ensure that students with disabilities are being appropriately identified and served.

(P) Students in poverty are students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care.

(Q) Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP), International Baccalaureate (IB), and Cambridge International courses in high school. Districts shall set-aside twelve percent of the funds for serving artistically gifted and talented students in grades three through twelve.

(R) Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state approved assessments in grades three through eight and high school assessments for grades nine through twelve. The additional weight generates funds needed to provide additional instructional services to these students.

(S) Students with limited English proficiency are students who require intensive English language instruction programs and whose families require specialized parental involvement intervention.

(T) Further, the Department of Education may use school district student counts for personalized instruction as collected in the same manner as the prior fiscal year, PowerSchool or other available existing data sources as determined by the department to calculate the school district add on weightings for the personalized instruction classifications and the determination of the school districts monetary entitlement. End of year adjustments shall be based on the one hundred thirty-five-day student average daily membership for all classifications. During the current fiscal year, the department will update PowerSchool calculations, reports, screen development, documentation, and training to incorporate the new pupil classification weightings and to make final district allocation adjustments by June 30. The department must provide districts with technical assistance with regard to student count changes in PowerSchool.

(U) Up to ten percent of any funds appropriated for State Aid to Classrooms at the end of the fiscal year may be carried forward into the subsequent fiscal year and allocated to school districts, the South Carolina Public Charter School District, and an institution of higher education that authorizes charter schools pursuant to this provision. The additional funds must first support increases in

student enrollment and any balance may be allocated proportionately utilizing weighted pupil units to districts. Any additional unexpended funds shall revert to the general fund or to the EIA Fund.

(V) With the funds that the Department of Education receives for health insurance for school districts *in the current fiscal year*, the department shall allocate the funds to school districts proportionately utilizing weighted pupil units. *Any funding received for health insurance for school districts in prior fiscal years is not required to be distributed proportionally.* The department shall allocate to districts funds received for retirement benefits through the State Aid to Classrooms formula.

(W) In the event of a mid-year across-the-board budget reduction, which reduces the total appropriation of general funds for State Aid to Classrooms, the Department of Education is directed to first reduce the amount of funds allocated to traditional school districts, charter school authorizers, and the special school districts for proportional funding under this provision.

~~(X) The South Carolina Revenue and Fiscal Affairs Office shall review the student weightings used in the State Aid to Classrooms funding formula and examine methods to improve the alignment of State Aid to Classrooms funding with student enrollment while ensuring districts and charter authorizers receive more consistent distributions. The agency must consider input from policymakers and relevant stakeholders as determined by the Revenue and Fiscal Affairs Office. Any recommendations for changes to the formula must be submitted to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, the Governor, and the Superintendent of Education by December 1, 2025.~~

1.4. (SDE: Employer Contributions/Allocations) It is the intent of the General Assembly that the appropriation contained herein for "Public School Employee Benefits" shall not be utilized to provide employer contributions for any portion of a school district employee's salary that is federally funded.

State funds allocated for school district employer contributions must be allocated by the formula and must be used first by each district to cover the cost of fringe benefits for personnel required by the Defined Program, food service personnel and other personnel required by law. Once a district has expended all state allocated funds for fringe benefits, the district may utilize food service revenues to fund a proportionate share of fringe benefits costs for food service personnel.

The Department of Juvenile Justice and the Department of Corrections' school districts must be allocated funds under the fringe benefits program in accordance with criteria established for all school districts.

1.5. (SDE: Employer Contributions/Obligations) In order to finalize each school district's allocations of Employer Contributions funds for retiree insurance from the prior fiscal year, the Department of Education is authorized to adjust a school district's allocation in the current fiscal year accordingly to reflect actual payroll and payments to the Retirement System from the prior fiscal year. In the event the Department of Education is notified that an educational subdivision has failed to remit proper payments to cover Employee Fringe Benefit obligations, the Department of Education is directed to withhold the educational subdivision's state funds until such obligations are met.

1.6. (SDE: Educational Responsibility/Foster Care) The responsibility for providing a free and appropriate public education program for all children including disabled students is vested in the public school district wherein a child of lawful school age resides in a foster home, group home, orphanage, or a state operated health care facility including a facility for treatment of mental illness or chemical dependence and habilitation centers for persons with intellectual disabilities or persons with related conditions located within the jurisdiction of the school district or alternative residences. The districts concerned may agree upon acceptable local cost reimbursement. If no agreement is reached, districts providing education shall receive from the district where the child last resided

before placement in a facility an additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. If a child from out of state is residing in a facility owned and/or operated by a for profit entity, the district providing educational services shall be reimbursed by the for profit entity the local district's local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. Participation will be evidenced by a written agreement from the IEP team or 504 team, written referral, or the school district initiating the placement process. School districts providing the education shall notify the nonresident district in writing within forty-five calendar days that a student from the nonresident district is receiving education services pursuant to the provisions of the proviso. The notice shall also contain the student's name, date of birth, and disabling condition if available. If appropriate financial arrangements cannot be effected between institutions of the state, including independent school districts under the authority of the Department of Behavioral Health and Development Disabilities, Office of Intellectual and Developmental Disabilities, and school districts, institutions receiving educational appropriations shall pay the local base student cost multiplied by the appropriate pupil weighting. Children residing in institutions of state agencies shall be educated with nondisabled children in the public school districts if appropriate to their educational needs. Such institutions shall determine, on an individual basis, which children residing in the institution might be eligible to receive appropriate educational services in a public school setting. Once these children are identified, the institution shall convene an IEP meeting with officials of the public school district in which the institution is located. If it is determined by the committee that the least restrictive environment in which to implement the child's IEP is a public school setting, then the school district in which the institution is located must provide the educational services. However, that school district may enter into contractual agreements with any other school district having schools located within a forty-five mile radius of the institution. The cost for educating such children shall be allocated in the following manner: the school district where the child last resided before being placed in an institution shall pay to the school district providing the educational services an amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act; the school district providing the educational services shall be able to count the child for all funding sources, both state and federal. The institution and school district, through contractual agreements, will address the special education and related services to be provided to students. Should the school district wherein the institution is located determine that the child cannot be appropriately served in a public school setting, then the institution may request a due process hearing pursuant to the procedures provided for in the Individuals with Disabilities Education Act.

The agreed upon acceptable local cost reimbursement or the additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to out-of-district students, shall be paid within sixty days of billing, provided the billing district has provided a copy of the invoice to both the Superintendent and the finance office of the district being invoiced. Should the district not pay within sixty days, the billing district can seek relief from the Department of Education. The department shall withhold EFA funding equal to the billing from the district refusing to pay and submit the funding (equal to the invoice) to the billing school district.

The agency placing a child in any situation that requires changing school districts, must work with the schools to assure that all required school records, including confidential records**,** are transferred from the sending to the receiving school within three working days. School records to be transferred should include grade transcripts, state birth certificate, certificate of immunization, social

security card, attendance records, discipline records, IEP's, psychological reports (or notation in the school records that a psychological report on the child is available at the school district office) and any other records necessary for the appropriate placement of the child in the new school. School districts must release all records upon presentation of a court order or appropriate permission for confidential release. If evaluation or placement is pending, the receiving school district is responsible to secure information and to complete the placement. The receiving school will maintain appropriate confidentiality of all records received on a child. Upon discharge or release from the treatment facility, the agency placing the child in the receiving school must work with the school district where the student will reside after treatment to assure continuity of the student's education.

1.7. (SDE: Instruction in Juvenile Detention Centers) It shall be the responsibility of the school district where a local juvenile detention center is located to provide adequate teaching staff and to ensure compliance with the educational requirements of this State. Students housed in local juvenile detention centers are to be included in the average daily membership count of students for that district and reimbursement by the Department of Education made accordingly.

1.8. (SDE: Revenue Authorization) The State Department of Education is hereby authorized to collect, expend, and carry forward revenues in the following areas to offset the cost of providing such services: the sale of publications, manuals and forms, the sale of Apple Tags, royalties, contributions, donations, foundation funds, special grants and contracts, brochures, photo copies, listings and labels, Directory of South Carolina Schools, student health record cards, items to be recycled, and high school diplomas and certificates; the collection of out-of-state and in-state investigation fees, registration fees for non-SDE employees, recurring facility inspection fees, teacher certification fees; the handling of audio-visual film; the provision of contract computer services to school districts and other state agencies, joint broadcast service to school districts, and education-related statistics through agreement with the National Center for Education Statistics; the lease or sale of programs of television, audio or microcomputer software; the lease or sale of virtual courses to other states; the collection of damage fees for instructional materials and the sale of unusable instructional materials; sale of fuel; use and repair of transportation equipment; fees for Medicaid reimbursable transportation; the receipt of insurance and warranty payments on Department of Education equipment and the sale of used school buses and support equipment. The Department of Education is authorized to collect revenue for deposit into the State General Fund for testing material purchases and test rescoring fees. The Department of Education is authorized to expend revenue collected for lost and damaged instructional materials and the sale of unusable instructional materials for the purpose of contracting for the purchase and maintenance of a statewide textbook inventory management system, provided that schools' newly-adopted instructional materials needs are met first.

1.9. (SDE: School District Bank Accounts) Each school district in this State, upon the approval of the district's governing body, may maintain its own bank account for the purpose of making disbursement of school district funds as necessary to conduct school district business and each county treasurer is hereby authorized to transfer such amount as needed, upon receipt of a written order certified by the district governing body or their designee. Such order shall contain a statement that such amount is for immediate disbursement for the payment of correct and legal obligation of the school district.

1.10. (SDE: Travel/Outside of Continental U.S.) School District allocations from General Funds, lottery, and EIA funds shall not be used for travel outside of the continental United States. The International Baccalaureate Program shall be exempt from this restriction.

1.11. (SDE: Year End Closeout) The State Department of Education is authorized to expend federal and earmarked funds (not including state or EIA funds) in the current fiscal year for expenditures incurred in the prior year; however, state funds appropriated

in Part IA, Section 1, X, Aid to School Districts, for the Children's Case Resolution System or private placements for services provided to children with disabilities may be used for those expenditures in prior fiscal years. The department is also authorized to use appropriated funds to pay for textbooks shipped in the fourth quarter of the prior fiscal year.

1.12. (SDE: Transportation Collaboration) The Department of Education School Bus Maintenance Shops shall be permitted, on a cost reimbursable-plus basis, to deliver transportation maintenance and services to vehicles owned or operated by public agencies in South Carolina.

School buses operated by school districts, other governmental agencies or head start agencies for the purpose of transporting students for school or school related activities shall not be subject to state motor fuel taxes. Further, that school districts, other governmental agencies or head start agencies may purchase this fuel, on a cost reimbursable-plus basis, from the Department of Education School Bus Maintenance Shops.

1.13. (SDE: School Bus Insurance) The Department of Education shall maintain comprehensive and collision insurance or self-insure state-owned buses. In no event shall the department charge local school districts for damages to the buses which are commonly covered by insurance.

1.14. (SDE: Teacher Data Collection) Of the non-program funds appropriated to the Department of Education, it and the Commission on Higher Education shall share data about the teaching profession in South Carolina. The data sharing should ensure: (1) a systematic report on teacher supply and demand information; and (2) data to determine classes being taught by public school teachers out of field of their preparation. The data collection should include but not be limited to: classes/subjects taught, number of students taught, percentage of teacher education graduates from South Carolina colleges/universities who go into teaching, percentage of teacher education graduates who teach in public schools in South Carolina, percentage of new teachers who leave the South Carolina teaching profession in the first three years of public school teaching due to unsuccessful evaluations, percentage of new teachers who leave the profession in the first three years of public school teaching in South Carolina who have successful evaluations, turnover rate of teachers and certification areas with highest vacancies. All database items should be set up so that it can be disaggregated by ethnicity, gender, geographic location, etc.

1.15. (SDE: School Bus Driver CDL) From funds provided in Part IA, Section 1, VII.B., local school districts shall request a criminal record history from the South Carolina Law Enforcement Division for past conviction of any crime before the initial employment of a school bus driver or school bus aide. The Department of Education and the school districts shall be treated as a charitable organization for purposes of the fee charged for the criminal records search.

1.16. (SDE: School Bus Purchase) Any procurement of school buses with funds appropriated in this act or any other appropriation bill must meet specifications developed by the School Bus Specification Committee as established by the State Superintendent of Education. The School Bus Specifications Committee shall allow for input from all school bus chassis and body manufacturers. However, if it is safe, more economical, and in the public interest, the department may use the school bus specifications of another state in the procurement of school buses. If the department uses the specifications of another state, the department must submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing the methodology by which the alternative specifications were determined to be safe, more economical, and in the public interest, when compared to the specifications set forth by the School Bus Specifications Committee.

1.17. (SDE: Buses, Parts, and/or Fuel) Funds appropriated for other operating in program VII.B. - Bus Shops and funds appropriated in VII.C. - Buses may be used to purchase buses, fuel, parts, or other school bus related items. All funds appropriated for bus fuel, parts/supplies, maintenance, and bus purchases may be carried forward from the prior fiscal year and expended in the current fiscal year to support bus transportation services.

1.18. (SDE: Mitford Transportation Costs) Transportation costs for the transporting of students from the Mitford area of Fairfield County to schools in the Great Falls area of Chester County is not the responsibility of and shall not be borne by the Chester County School District. These transportation costs shall continue to be the responsibility of the State Department of Education.

1.19. (SDE: Proviso Allocations) In the event an official General Fund revenue shortfall is declared by the Board of Economic Advisors, the Department of Education may reduce any allocation in Section 1 specifically designated by proviso in accordance with the lower Board of Economic Advisors revenue estimate as directed by the Executive Budget Office.

1.20. (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor funds required for debt service or bonded indebtedness. All school districts must report the student teacher ratio for every classroom to the Department of Education at the forty-fifth and the one hundred and thirty-fifth day mark. The department shall report this information to the General Assembly for the current school year.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district's per pupil expenditures must be utilized within the In$ite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership services, as defined by In$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken.

The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

(i) the transaction amount;

(ii) the name of the payee; and

(iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, of the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

1.21. (SDE: Medical Examination and Security Reimbursement/Expenditures) From funds authorized in Part IA, Section 1, VII.B. Other Operating Expenses, the Department of Education may directly pay, or reimburse employees, for the cost of a medical examination as required in Part 391, Subpart E of the Federal Motor Carrier Safety Regulations, for employees that are required to operate a state vehicle transporting hazardous materials and that are required to undergo a national security background check because of the required Hazmat endorsement to their CDL.

1.22. (SDE: Budget Reduction) In compensating for any reduction in funding or an operating deficit publicly recognized by the School Board of Trustees, local districts must give priority to preserving classroom teachers and operations. Funding reductions should first be applied to administrative and non-classroom expenses before classroom expenses are affected.

1.23. (SDE: School District Furlough) Should there be a midyear reduction in state funding to the districts, school districts may institute employee furlough programs for district-level and school-level professional staff. Before any of these employees may be furloughed, the chairman of the governing body of the school district must certify that all fund flexibility provided by the General Assembly has been utilized by the district and that the furlough is necessary to avoid a year-end deficit and a reduction in force. The certification must include a detailed report by the superintendent of the specific action taken by the district to avoid a year-end deficit. The certification and report must be in writing and delivered to the State Superintendent of Education and a copy must be forwarded to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

The local school district board of trustees may implement a furlough of personnel once certification to the State Superintendent documents all funding flexibility has been exhausted and continued year-end deficits exist. Local school boards of trustees shall have the authority to authorize furloughs of these employees in the manner in which it sees fit. However, instructional personnel may be furloughed for up to five non-instructional days if not prohibited by an applicable employment contract with the district and provided district administrators are furloughed for twice the number of days. District administrators may only be furloughed on non-instructional days and may not be furloughed for a period exceeding ten days. District administrators shall be defined by the Department of Education using the Professional Certified Staff (PCS) System. For individuals not coded in PCS, the determination shall be made based upon whether the individual performs the functions outlined in position codes identified by the department as administration. Educators who would have received a year's experience credit had a furlough not been implemented, shall not have their experience credit negatively impacted because of a furlough implementation.

During any furlough, affected employees shall be entitled to participate in the same benefits as otherwise available to them except for receiving their salaries. As to those benefits that require employer and employee contributions including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the district will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. Placement of an employee on furlough under this provision does not constitute a grievance or appeal under any employee grievance procedure. The district may allocate the employee's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs.

Each local school district must prominently post on the district's internet website and make available for public viewing and downloading the most recent version of the school district's policy manual and administrative rule manual.

This proviso shall not abrogate the terms of any contract between any school district and its employees.

1.24. (SDE: School Lunch/Attendance Supervisors) For those counties in which an entity other than the school district administers the school lunch supervisor and/or attendance supervisor programs, the school districts in that county shall transfer to the entity the amount available in the previous fiscal year for administration of the school lunch supervisor and/or attendance supervisor programs. Each district shall transfer a pro rata share of the total cost based upon the percentage of state EFA funds distributed to the districts within the county.

1.25. (SDE: No Discrimination Requirement) State funds must not be appropriated to a school that discriminates against or participates with or is a member of an association with policies that discriminate or afford different treatment of students based on race or national origin.

1.26. (SDE: Medicaid Cash Match Accounting) The department is granted authority to transfer funds between budget lines and object codes to identify, reconcile, reimburse, and remit funds required for Medicaid cash match to the Department of Health and Human Services.

1.27. (SDE: Student Report Card-GPA) For each high school student, school districts shall be required to print the student's individual cumulative grade point average for grades nine through twelve on the student's report card.

1.28. (SDE: Lost & Damaged Instructional Materials Fees) Fees for lost and damaged instructional materials for the prior school year are due no later than December first of the current school year when invoiced by the Department of Education. The department may withhold instructional materials funding from schools that have not paid their fees by the payment deadline.

1.29. (SDE: State Aid to Classrooms Reserve Fund) There is created in the State Treasury a fund separate and distinct from the General Fund of the State and all other funds entitled the State Aid to Classrooms Reserve Fund. All unexpended general funds appropriated to the Department of Education for the State Aid to Classrooms in the current fiscal year shall be transferred to the State Aid to Classrooms Reserve Fund. In the event that the amount appropriated for the State Aid to Classrooms is insufficient to fully fund the designated student-teacher ratio as established by this act, revenues from the State Aid to Classrooms Reserve Fund may be used to supplement the funds appropriated. The General Assembly may make direct appropriations to this fund. All unexpended funds in the State Aid to Classrooms Reserve Fund and any interest accrued by the fund must remain in the fund and may be carried forward into the current fiscal year.

1.30. (SDE: Prohibit Advertising on School Buses) The Department of Education and local school districts are prohibited from selling space for or the placement of advertisements on the outside or inside of state-owned school buses.

1.31. (SDE: Residential Treatment Facilities Student Enrollment and Funding) Each South Carolina resident of lawful school age residing in licensed residential treatment facilities (RTFs) for children and adolescents identified on the State Qualified Providers list and meets the requirements of Section 44-7-130 of the 1976 Code, (students) shall be entitled to receive educational services from the school district in which the RTF is located (facility school district). The responsibility for providing appropriate educational programs and services for these students, both with and without disabilities, who are referred, authorized, or placed by the State is vested in the facility school districts. For purposes of this proviso, an authorization must be pursuant to a physician's determination of medical necessity. If clinically appropriate, the facility school district, the RTF, and the parent or guardian of a student referred or placed in a RTF may consider the appropriateness of providing the student's education program virtually through enrollment in either the facility district's virtual program, the South Carolina virtual school program provided through the Department of Education (Virtual SC), or a virtual charter school authorized by the South Carolina Public Charter School District, or a virtual charter school authorized by an approved institute of higher education. This decision should be made jointly with the best interest of the student and what is clinically indicated being considered.

A facility school district must provide the necessary educational programs and services directly to the student at the RTF's facility, provided that the RTF facility provides and maintains comparable adequate space for the educational programs and services consistent with all federal and state least restrictive environment requirements. Adequate space shall include appropriate electrical

support and Internet accessibility. Unless the parent or legal guardian of the student seeks to continue the student's enrollment in the resident school district under a medical homebound instruction program and the district approves, if appropriate, then, under these circumstances, the facility school district shall enroll the student and assume full legal and financial responsibility for the educational services including enrolling the student, approving the student's entry into a medical homebound instructional program, if appropriate, and receiving and expending funds, unless the resident school district undertakes to carry out its educational responsibilities for the student directly. Alternatively, a facility school district may choose to provide the necessary educational programs and services by contracting with the RTF provided that the RTF agrees to provide educational services to the student at the RTF's facility. Under these circumstances, the facility school district must enroll the student and pay the RTF for the educational services provided. If the facility school district determines the educational program being offered by the RTF does not meet the educational standards outlines in the contract, the facility district shall be justified in terminating the contract.

The facility school districts are entitled to receive the base student cost multiplied by the Education Finance Act pupil weighting for pupils in a Residential Treatment Facility of 2.10, as set forth in Proviso 1.3 of this act and any eligible categorical and federal funds. These funds may be retained by the facility school districts for the purpose of providing the educational programs and services directly to students referred or placed by the State or the facility school districts may use these funds to reimburse RTFs for the educational programs and services provided directly by the RTFs. A facility school district is entitled to reimbursement from a resident school district for the difference between: (1) the reasonable costs expended for the educational services provided directly by the facility school district or the amount paid to the RTF; and (2) the aggregate amount of federal and state funding received by the facility school district for that student. However, the reimbursement rate may not exceed $90 per student per day. Through a joint agreement with the facility school district and the RTF, the funding received for RTF students must be utilized to deliver an instructional program that meets the needs of the students, and when applicable, the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. Facility school districts providing the educational services shall notify the resident district in writing within forty-five calendar days that a student from the resident district is receiving educational services pursuant to the provisions of the proviso. Reimbursements shall be paid within sixty days of billing, provided the facility district has provided a copy of the invoice to both the District Superintendent and the finance office of the resident district being invoiced. Should the facility school district be unable to reach agreement with the resident school district regarding reasonable costs differences, the facility school district shall notify the Department of Education's Office of General Counsel. The Department of Education shall facilitate a resolution of the dispute between the facility school district and the resident school district within forty-five days of the notice of dispute. If the issue of reasonable cost differences should remain unresolved, a facility school district shall have the right to file a complaint in a Circuit Court. Should a resident school district fail to distribute the entitled funding to the facility school district by the one hundred thirty-five day count, the Department of Education is authorized to withhold the equivalent amount of EFA funds and transfer those funds to the facility school district.

RTF facilities on the State Qualified Provider List not located within the boundaries of the state shall be reimbursed at a rate that may not exceed $45 per student per day for education services and school districts shall be eligible to receive a base student cost weighted funding of 2.10 provided that the student remains enrolled in the school district. Facilities providing the educational services shall notify the resident district in writing within forty-five calendar days that a student from the resident district is receiving educational services pursuant to the provisions of the proviso. Reimbursements shall be paid within sixty days of billing, provided

the qualified facility has provided a copy of the invoice to both the District Superintendent and the finance office of the resident district being invoiced. Should the facility be unable to reach agreement with the resident school district regarding reasonable costs differences, the provider shall notify the Department of Education's Office of General Counsel. The Department of Education shall facilitate a resolution of the dispute between the facility and the resident school district within forty-five days of the notice of dispute. If the issue of reasonable cost differences should remain unresolved, a facility shall have the right to file a complaint in a Circuit Court. Additionally, qualified RTF providers' general education curriculum must be aligned to the South Carolina academic standards in the core content areas. All students with disabilities who are eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA), as amended, and the State Board of Education (SBE) regulations, as amended, shall receive special education and related services in the least restrictive environment by appropriately certified personnel. Students in a qualified RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned through their educational efforts. The resident school district and the RTF should develop a memorandum of understanding to outline the responsibilities of the RTF in providing the educational services and responsibilities, if any, of the resident school district while the student is housed in the RTF.

If a child from out of state is placed in a RTF by an out-of-state school district or agency, the child's home state remains responsible for the educational services. The facility school district may choose to provide the educational program to the child and, upon choosing to do so, shall contract with the appropriate entity for payment of educational serviced provided to the child. Out-of-state students provided educational services by a facility school district shall not be eligible for funding through the Education Finance Act.

If a child is placed in a RTF by the child's parent or guardian and is not referred, authorized, or placed by the State, the facility school district may choose to provide the educational program to the child, and upon doing so, must negotiate with the resident school district for services through medical homebound procedures. A facility school district is responsible for compliance with all child find requirements under Section 504 of the Rehabilitation Act of 1973 and Individuals with Disabilities Act of 2004 (IDEA).

All students enrolled in the facility school districts shall have access to the facility school districts' general education curriculum, which will be tied to the South Carolina academic standards in the core content areas. All students with disabilities who are eligible for special education and related services under the Individuals with IDEA, as amended, and the State Board of Education (SBE) regulations, as amended, shall receive special education and related services in the least restrictive environment by appropriately certified personnel. Students in an RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned through their educational efforts.

With respect to students enrolled in the facility school districts, for accountability purposes, the assessment and accountability measures for students residing in RTFs shall be attributed to a specific school only if the child physically attends the school. The performance of students residing in a RTF who receive their educational program on site at the RTF must be reflected on a separate line on the facility school district's report card and must not be included in the overall performance ratings of the facility school district. The Department of Education shall examine the feasibility of issuing report cards for RTFs. For the current fiscal year, a facility school district shall not have the district's state accreditation rating negatively impacted by deficiencies related to the delivery of an educational program at a RTF.

RTFs shall notify the facility school district as soon as practical, and before admission to the RTF if practical, of a student's admission to the RTF. RTFs, the facility school districts and the Department of Education shall use their best efforts to secure and/or exchange information, including documents and records necessary to provide appropriate educational services and/or related services as necessary to assist the facility school district in determining the resident school district. The Department of Education, in collaboration with state placing agencies, RTFs, facility school districts, and resident school districts, shall implement a system to follow the release of students from a RTF and re-enrollment in public, private, or special schools to ensure these students, when appropriate, are not recorded as dropouts.

1.32. (SDE: Special Schools Flexibility) For the current fiscal year, the special schools are authorized to transfer funds among funding categories, including capital funds.

1.33. (SDE: High School Driver Education) For the current fiscal year, the requirement for high schools to provide a course in driver education is suspended however, high schools may continue to offer driver education courses if they choose to do so.

1.34. (SDE: Carry Forward Authorization) For the current fiscal year, the Department of Education is authorized to carry forward and expend any General Fund balances for school bus transportation.

1.35. (SDE: Administrative Costs Report Posting) School districts must report the amount of funds spent on administrative costs, as defined by In$ight in the prior fiscal year and post the report on the districts website. School districts shall provide an electronic copy of this report to the Department of Education in conjunction with the financial audit report required by Section 59-17-100 of the 1976 Code. If a district fails to meet these requirements, they must be notified in writing by the department that the district has sixty days to comply with the reporting requirement. If the district does not report within sixty days, the department is authorized to reduce the district's State Aid to Classrooms cost by one percent until such time as the requirement is met. Once in compliance, any funds withheld will be returned to the district.

1.36. (SDE: Holocaust Funds) Funds appropriated to the Department of Education for the SC Council on Holocaust shall not be used for any other purpose nor transferred to any other program. In addition, in the event the department is required to implement a budget reduction, SC Council on Holocaust funds may not be reduced.

1.37. (SDE: Impute Index Value) For the current fiscal year and for the purposes of calculating the index of taxpaying ability the Department of Revenue shall impute an index value for owner-occupied residential property qualifying for the special four percent assessment ratio by adding the second preceding taxable year total school district reimbursements for Tier 1, 2, and Tier 3(A) and not to include the supplement distribution. The Department of Revenue shall not include sales ratio data in its calculation of the index of taxpaying ability. The methodology for the calculations for the remaining classes of property shall remain as required pursuant to the General Appropriations Act and other applicable provisions of law.

1.38. (SDE: State Aid to Classrooms State Share) A school district that does not recognize a State share of State Aid to Classrooms shall be supplemented with an amount equal to seventy-five percent of the school district with the least State financial requirement.

1.39. (SDE: Health Education) ~~(1)~~*(A)* Each school district is required to ensure that all comprehensive health education, reproductive health education, and family life education conducted within the district, whether by school district employees or a private entity, must utilize curriculum that complies with the provisions contained in Chapter 32, Title 59 *(Comprehensive Health Education Act CHEA)* and aligns to all standards and regulations adopted by the South Carolina State Board of Education. *A school*

district must fulfill all of the requirements of CHEA and must not violate any portion of CHEA. Each school within the district must provide evidence of CHEA compliance to the school district, and the school district must annually provide evidence of CHEA compliance to the Department of Education accounting for each school within the district. The department has the right to review all materials used by school districts to provide oversight of a district's report of CHEA compliance and make a final determination. Each district shall publish on its website the title and publisher of all health education materials it has approved, adopted, and used in the classroom. If the department determines that a district is non-compliant with mandated health education upon review of the district's annual CHE Compliance Survey or if the district fails to publish the title and publisher of *all* materials on its website, then the Department of Education shall withhold ~~one~~ *ten* percent of the district's funds allocated in Part IA, Section 1, X - Student Health and Fitness Act until the department determines the district is in compliance.

~~(2)~~*(B)* Any person may complain in a signed, notarized writing to the chairman of the governing board of a school district that matter not in compliance with the requirements of Chapter 32, Title 59 is being taught in the district. Upon receiving a notarized complaint, the chairman of the governing board must ensure that the complaint is immediately investigated and, if the complaint is determined to be founded, that immediate action is taken to correct the violation. If corrective action is not taken within 60 days of such a determination, or if no investigation is made within 60 days of the chairman's receipt of the notarized statement, then the complainant may within 60 calendar days, give written notice to the department. The notice must include the original notarized complaint. If, upon investigation, the department determines that the district has not taken appropriate immediate action to correct a violation, then the Department of Education shall withhold ~~one~~ *ten* percent of the district's funds allocated in Part IA, Section 1, X - Student Health and Fitness Act until the department determines the district is in compliance.

1.40. (SDE: Bus Lease/Purchase) The Department of Education is permitted to purchase or lease school buses in order to continue replacement of the state's school bus fleet.

1.41. (SDE: School Enrollment Policy) For the current fiscal year, any school district with an open enrollment policy for all schools or certain schools which had previously accepted certain students residing outside of the district to an academic magnet school in the district must continue to accept these students and their siblings for enrollment at the academic magnet school under the same terms and conditions these students were previously permitted to attend the school.

1.42. (SDE: District Funding Flexibility) For the current fiscal year, districts must utilize funding flexibility provided herein to ensure that district approved safety precautions are in place at every school.

1.43. (SDE: Transportation Maintenance Facilities) For the current fiscal year, a school district wishing to include school bus maintenance in a contract with a private vendor may enter into an agreement with the Department of Education whereby the department releases the school district to include school bus maintenance in the private vendor contract.

1.44. (SDE: School District Activity Bus Advertisements) School Districts may sell commercial advertising space on the outside or inside of district owned activity buses. However, as defined and determined by the local school board, a school district may not sell such commercial advertising if the advertisement promotes a political candidate, ideology, or cause, a product that could be harmful to children, or a product that appeals to the prurient interest. Revenue generated from the sale of commercial advertising space shall be retained by the school district.

1.45. (SDE: School District Property) The requirements of Section 59-19-250 of the 1976 Code, as amended, which requires the consent of a governing board of a county in order for school trustees to sell or lease school property whenever they deem it expedient to do so are suspended for the current fiscal year.

1.46. (SDE: Full-Day 4K) (A) Eligible students residing in any school district or attending any charter school authorized by the South Carolina Public Charter School District or an approved institution of higher education may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the availability of space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

(B) A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds. No school district can be denied participation in CERDEP or be denied CERDEP funding pursuant to the terms of this provision.

(C) 4K programs in public schools and non-profit independent schools participating in CERDEP are not required to be approved, registered, or licensed by the Department of Social Services in order to participate in CERDEP. Instead, the Department of Education and the Office of First Steps are responsible for ensuring that providers deliver high-quality educational programs pursuant to Section 59-156-160.

(D) Public and private providers shall be funded for instructional costs at a minimum rate of $5,100 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for reimbursement at a minimum of $620 per eligible child transported. First Steps and the Department of Education must provide an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive at a minimum of $1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding at a minimum of $10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward funds and federal funds to supplement the amount expended for materials and equipment. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool based on the one hundred and thirty-five day student average

daily membership. For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive reimbursement for these children if funds are available. By September 1, the Department of Education and the Office of First Steps must collect the documented waiting lists, share the lists, and determine a process to notify parents of eligible students of available slots in all approved providers. *School districts participating in the EOC wait list pilot are exempt from the September 1 requirement.* The Department of Education is required to offer waivers allowing students with disabilities to be served in multi-categorical classroom settings based on similar cognition and abilities. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

(E) Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department, during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations for the current fiscal year to account for the findings.

(F) Of the funds appropriated, $300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Early Reading Development and Education Program (CERDEP) and to issue findings in a report to the General Assembly by March first of each year. To aid in this evaluation, the Education Oversight Committee shall determine and obtain the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program, including average daily attendance data, so that consistent enrollment may be determined. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a public or private provider including those funded by CERDEP, Head Start, SC Child Care Scholarships, EIA, Title I, district-funded, and all other federal, state, or local public sources. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades along with information, recommendations, and a timeline for how the state can increase the number of students served in high-quality programs. To aid in the accurate reporting of four-year-olds in poverty served in formal education programs in public schools in South Carolina, the Department of Education must provide to the EOC data related to four-year-olds served in formal education programs funded with other state, local, or federal funds, including Title 1 and EIA-District-funded programs, denoting full- or partial-day status. *The Education Oversight Committee also shall annually evaluate the availability of space in public and private providers to increase the number of CERDEP classrooms*

to serve additional students whose family income is three hundred percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services.

(G) For eligible children residing in school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in CERDEP.

(H) For the current fiscal year, the Office of First Steps may expend: (1) up to $2,000,000 to pilot a program to provide higher reimbursement rates to high-quality providers. The reimbursement rate for students enrolled by child care providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to $250,000 to provide one-time supplemental, needs-based incentive grants in an amount not to exceed $30,000 for newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible students in a public, private, or Head Start setting during the prior fiscal year. These grants are designed to address building renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and staffing costs, and/or other obstacles currently preventing their participation in the program. The First Steps Board of Trustees shall develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are used solely to address documented barriers to program participation. Providers receiving this one-time supplement shall be expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March 15.

(I) If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures, available funds may be used to fund an extended program and to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. If a district chooses to fund summer enrollment, the program funding shall conform to the funding in this act for full year programs; however, it shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this act and end of year adjustments shall be based on the one hundred and thirty-five-day student average daily membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty days. Funds may also be used to provide parent engagement, professional development, and quality evaluations of programs. No later than April first, the Department of Education and the Office of First Steps shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants. The Office of First Steps is directed to determine if the provision of extended programs in private centers improves the ability of parents to enter the workforce or to pursue postsecondary training or industry credentials.

(J) On or before November 15, the Department of Education and the Office of First Steps shall share data that identifies the total number of children enrolled in CERDEP in both public and private providers. If available appropriations exceed the instructional costs of serving children enrolled in the program and if a waiting list of eligible children can be documented by the Department of Education and by the Office of First Steps, then the Executive Budget Office may authorize the transfer of funds between the Department of Education and the Office of First Steps.

(K) The Office of First Steps and the Department of Education shall collaborate with the South Carolina Head Start State Collaboration Office to inform parents of all publicly funded full-day 4K programs including Head Start by participating in PalmettoPreK and First5SC.

1.47. (SDE: Summer Reading Camps) For the current fiscal year, funds appropriated for summer reading camps must be allocated as follows: (1) up to twenty percent to the Department of Education to provide bus transportation for students attending the camps; (2) $700,000 allocated to the department to provide grants to support community partnerships whereby community organizations shall partner with local school districts to provide enrichment activities as part of after school programs or summer reading camps that utilize volunteers, mentors or tutors to provide instructional support to struggling readers in elementary schools that have a poverty index of forty percent or greater. All mentors and tutors that are a part of these after school programs or summer reading camps must have passed a SLED criminal background check. Participant to volunteer or teacher ratio must conform to that of the school district in which the program is located; and (3) the remainder on a per pupil allocation to each school district based on the number of students who substantially failed to demonstrate third-grade reading proficiency as indicated on the prior year's state assessment as defined by Section 59-155-120(10) of the 1976 Code. Summer reading camps must be at least six weeks in duration with a minimum of four days of instruction per week and four hours of instruction per day, or the equivalent minimum hours of instruction in the summer. School transportation shall be provided. The camps must be taught by compensated teachers who have at least an add-on literacy endorsement or who have documented and demonstrated substantial success in helping students comprehend grade-level texts. The Department of Education shall assist districts that cannot find qualified teachers to work in the summer camps. Districts may also choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and school districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith-based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. In the current school year, any student in third grade who substantially fails to demonstrate third-grade reading proficiency by the end of the school year must be offered the opportunity to attend a summer reading camp at no cost to the parent or guardian. The purpose of the reading camp is to provide students who are significantly below third-grade reading proficiency with the opportunity to receive quality, intensive instructional services, and support. A district may also include in the summer reading camps students who are not exhibiting reading proficiency at any grade and may charge fees for these students to attend the summer reading camps based on a sliding scale pursuant to Section 59-19-90, except where a child is found to be reading below grade level in the first, second or third grade. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student's participation in the summer reading camp.

1.48. (SDE: Interscholastic Athletic Association Dues) (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially

support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of sanctions that may be applied to a student, coach, team, or program and that takes into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

(2)(a) guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics including, but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would apply;

(3)(a) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel which consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional district;

(b) a member of the panel serves until his successor is appointed and qualifies. A vacancy on the panel is filled in the manner of the original appointment;

(c) members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling of the association, body, or entity to the panel. The appellate panel also must provide the final ruling in any appeal brought against a decision of the association, body, or entity;

(d) an appeal stays the determination of a sanction made by the association, body, or entity, or staff member of such, pending the outcome of the appeal;

(4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices;

(5) a uniform system applicable to all member schools at the varsity, sub-varsity, junior varsity, and middle school levels, establishing fines for the cancellation of a scheduled contest regardless of if the contest is in or out of region, including a member school refusing to schedule a mandatory region contest with another member school within the same region. At a minimum, the school canceling the scheduled contest must be fined an amount equal to the cost incurred for officials, tickets, and concessions or $1,000, whichever is greater. If the contest is rescheduled or cancelled for a documented health or safety reason, the school shall not be fined;

(6) does not permit, allow, or authorize students to earn compensation from the use of their name, image, and likeness (NIL); ~~and~~

(7) provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State*; and*

(8) a uniform system of school classification applicable to all member schools. If a multiplier is applied to enrolled students residing outside of the member school's attendance zone is implemented, it shall be applied to the numerical student population in grades 9-11 based upon the 45-day average daily membership of each member school. No member school shall be classified more than two classifications greater than the classification its numerical student population would have placed the school if a multiplier had not been applied.

(B) In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

1.49. (SDE: Reading/Literacy Coaches) (A) For the current fiscal year, of the funds appropriated for Reading/Literacy Coaches, the Department of Education shall retain up to $14,000,000 to be expended for the Palmetto Literacy Project. The Department shall identify schools in the Palmetto Literacy Project that have one-third or more of its third grade students scoring at the lowest achievement level on the statewide summative English language arts assessment. For each school identified and participating in the Palmetto Literacy Project in the prior school year, the Department of Education shall provide, at a minimum, the following support: provision of reading specialists, professional learning, and curriculum resources based on the science of reading. The reading specialist/coaches provided to the Palmetto Literacy Project schools shall be hired and evaluated annually by the Department of Education.

(B) The balance of funds appropriated to the Department for Reading/Literacy Coaches shall be allocated to school districts for schools not included in the Palmetto Literacy Project to support reading instruction and interventions which may include, but not be limited to, hiring reading/literacy coaches, interventionists, or professional development based on the science of reading. Expenditure of funding must be included in the district reading plan approved by the Department of Education.

(C) These funds must be allocated to school districts by the Department of Education as follows: for each primary and elementary school, the school district shall be eligible to receive up to $62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach.

(D) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district except in the event that the district can request and receive a waiver from the Department of Education to expend the funds on interventionists who spend more than fifty percent of their time providing direct support to struggling readers in grades kindergarten through grade five. The school district must align the placement of coaches to the district reading plan that is approved by the department.

(E) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155, Title 59.

(F) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(G) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

(1) holds a bachelor's degree or higher and an add-on endorsement for literacy coach or literacy specialist;

(2) holds a bachelor's degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or

(3) holds a master's degree or higher in reading or a closely-related field.

Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate.

(H) The Department of Education shall require:

(1) any school district receiving funding to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and

(2) any school district receiving funding to account for the specific amounts and uses of such funds.

(I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

(J) Any unspent or unallocated funds may be carried forward and expended for Summer Reading Camps.

1.50. (SDE: Sports Participation) Any school receiving state funds shall be required to allow a military dependent student who has transferred from their resident school district to another school district to participate in a sport that was not offered in the resident school district. Should a school fail to comply with this provision, the Department of Education shall withhold one percent of their total state allocation.

1.51. (SDE: Graduation Rates) For the current fiscal year, if a high school has a graduation rate of seventy percent or less, using appropriated funds a local school district board of trustees must provide a report detailing a plan to increase the graduation rate in accordance with the provisions of the Education Accountability Act to the State Board of Education.

1.52. (SDE: Proceeds from Sale of Bus Shop & Boat) For the current fiscal year the Department of Education is authorized to retain any funds received from the sale of any bus shop and the sale of the state-owned boat and expend those funds for transportation purposes.

1.53. (SDE: Teacher Certification Exemption) For the current fiscal year, a teacher certified at the secondary level may teach such courses in grades seven through twelve without having the add on certification for middle-level education. A teacher certified in elementary education may teach first grade without having the add on certification in early childhood education. Districts must report to the Department of Education and the Center for Educator Recruitment Retention and Advancement on the teachers and courses that utilize this exemption.

1.54. (SDE: Digital Instructional Materials) The Department of Education shall continue to create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that districts have options for

print/digital student materials to include class sets of print student editions, if needed. Funds appropriated for the purchase of instructional materials (print/digital) may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted instructional materials inventory, purchasing new kits or those adopted as supplemental from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility.

1.55. (SDE: Technology Technical Assistance) Of the funds appropriated in VIII.D - Technology for the K-12 Technology Initiative, the department is authorized to withhold up to $350,000 in order to provide technology technical assistance to school districts.

1.56. (SDE: Technology Technical Assistance) Funds appropriated to the Department of Education for Technology Technical Assistance must be used to increase the capacity of districts, first who are or were the original trial and plaintiff school districts in the Abbeville law suit, and then other districts that need such assistance. Funds shall be used by the department to assist school districts in procuring appropriate technology to include devices and infrastructure and to build capacity to offer online testing and increased access. For the current fiscal year, districts and individual public charter schools may request a waiver from the State Board of Education from the requirement that all assessments be administered online; however, any paper administrations must be completed according to the deadlines set by the department.

1.57. (SDE: Assistance Funding) For the current fiscal year, any funds appropriated to the Department of Education to assist districts that are or were Plaintiffs in the Abbeville law suit and funding appropriated to the department to provide technical assistance to underperforming districts may not be transferred to any other program, are not subject to flexibility, and may be carried forward and expended for the same purposes.

1.58. (SDE: Reporting and Procurement) Any state agency or school for which the department acts as the fiscal agent must comply with any state and federal reporting requirements using agency procedures and shall follow all state procurement laws.

1.59. (SDE: School Leadership) Of the funds appropriated to and retained by the department for Professional Development, $400,000 shall be used to contract with a non-profit statewide K-12 professional association located in South Carolina whose membership provides for the development and support of current and future school leaders. The provider must specialize in multiple assessments, executive coaching, and leadership development that provides the skills necessary for a progressive career path in school leadership.

1.60. (SDE: School Bus Drivers) For the current fiscal year, a driver candidate must possess a valid driver's license that meets the requirements in State and Federal law to operate commercial and non-commercial school bus type vehicles with no restrictions other than vision correction to qualify for issuance. Driver candidates must complete all Department of Education classroom and behind-the-wheel training requirements, including a medical examination and drug/alcohol testing, for initial certification as well as all Department of Education required in-service training annually to qualify for continued certification.

1.61. (SDE: Special Education Minutes Requirement) For the current fiscal year the required two-hundred fifty minutes of specialized instruction a student is required to receive in order to qualify for the special education weighting in the State Aid to

Classrooms is waived. A special education weighting may be applied for any public school child with an Individualized Education Program in effect, regardless of the number of minutes of instruction.

1.62. (SDE: Retired Educators Employment) For the current fiscal year school districts may notify retired educators of employment in writing on or before May 1. School districts employing retired educators pursuant to Section 9-1-1795 of the 1976 Code shall provide documentation of compliance with the earnings limitation exemptions to the department. The department shall verify the compliance and send the verification to the Public Employee Benefit Authority.

1.63. (SDE: Education Rate Program) For purposes of the federal Educational Rate Program, a child attending a state-funded four-year-old kindergarten program must be considered an elementary school student.

1.64. (SDE: Safe Schools Initiative) For the current fiscal year, the Department of Education and the State Law Enforcement Division shall continue to support, through the state level Threat Assessment Team, school threat assessment teams and training in school districts. Each school in the state shall continue to identify key staff and maintain a threat assessment team. The department shall work with stakeholders to provide professional development to staff serving on the team. The state level Threat Assessment Team shall continue to coordinate, collect, and compile Threat Assessment & School Safety Plans from each school district with their input. These plans shall be exempt from the provisions of Section 30-4-10, et seq of the 1976 Code. The Department of Education and the State Law Enforcement Division shall continue to provide the Governor and the General Assembly with recommendations regarding school safety which shall include any projected costs or necessary statute changes. For the current fiscal year, notwithstanding other provisions of law, the ability to possess a firearm on public school property is not extended to an enrolled student.

1.65. (SDE: Alternative Certification Programs) For the current fiscal year, the department, through the State Board of Education, is authorized to award a conditional teaching certificate to a person who is enrolled in an approved alternative certification program provided the person has earned a bachelor's degree from a regionally accredited college or university with a major, or major equivalence, as defined by the State Board of Education in guidelines developed by the department in a certification area for which the board has determined there exists a critical shortage of teachers, and the person has passed the appropriate teaching examination.

1.66. (SDE: Student Meals) For the current fiscal year, all school districts shall conduct an updated analysis identify students in poverty according to the provisions in Proviso 1.3 of this act and increase access to free school meals for these students. School districts shall use the criteria to directly certify pupils eligible for free and reduced-price school meals to the extent permitted under federal law. The local board of trustees of a district in which all schools are eligible to receive the free federal reimbursement rate for all reimbursable school breakfasts and lunches served, pursuant to the Community Eligibility Provision in Section 1759(a) of Title 42 of the United States Code, shall adopt a resolution indicating participation. If a district is unable to participate because participation causes a financial hardship, the local board of trustees shall adopt a resolution stating that it is unable to participate in CEP and demonstrate the financial hardship. The resolution shall be published on a public meeting agenda concurrently with the proposed district budget as an action item and shall be approved by a majority of the board. School districts shall ensure that the parents or guardians of students eligible for free and reduced lunch receive the necessary applications and instructions and upon request are provided with assistance in completing the paperwork. Schools shall not publicly identify or penalize a student who is unable to pay for a meal or accrues meal debt for any reason including, but not limited to, denying meals, serving alternative meals, discarding meals after serving them to a student, requiring chores or work in exchange for meals, prohibiting participation in

extracurricular activities, denying participation in graduation, withholding diplomas, or refusing transcript requests. Communications from the district regarding any meal debt owed must only be directed to the parent or guardian and may be sent home through the student.

1.67. (SDE: Consolidate Administrative Functions) For the current fiscal year, any school district that has an average daily membership of less than 1,500 students, has been designated in Fiscal Watch, Caution or Emergency status, has a risk assessment of medium or high, has a school or is a district with an accreditation status of probation or denied, or has a school or schools that have been in improvement status for three years may be directed by the State Superintendent of Education to consolidate administrative and professional services with one or more school districts. Administrative and professional services may include, but are not limited to: finance, human resources, procurement, administrative functions, transportation and collaboration on increasing instructional offerings. The Superintendent shall notify a district in writing that they meet one or more of the criteria. The district then has thirty business days from receipt of the notification to deliver a plan to the Superintendent for her approval. The Superintendent must either approve or amend the plan within fifteen days. Plans must be implemented within sixty days of approval. If a district fails to submit a plan, the Superintendent shall direct the consolidation of services with another school district and if the district fails to comply, the department shall withhold one percent of the district's State Aid to Classrooms allocation until the district does comply. At that time, the State Aid to Classrooms payments shall resume and any State Aid to Classrooms funds withheld shall be allocated to the district.

1.68. (SDE: Exceptional Needs Sports Participation) A student who meets the definition of "Exceptional needs child" in Section 12-6-3790 (A)(2) and the definition of "Qualifying Student" in Section 12-6-3790 (A)(5) of the 1976 Code shall be eligible to participate in any sport offered at the public school for which the child is zoned to attend.

1.69. (SDE: Teacher Salaries/SE Average) (A) The projected Southeastern average teacher salary shall be the average of the average teachers' salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year, the Southeastern average teacher salary is projected to be ~~$61,964~~ *$65,545*. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

(B) Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using at a minimum the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. For Fiscal Year ~~2025-26~~ *2026-27*, the requirement that school districts maintain local salary supplements per teacher no less than their prior fiscal year level is suspended.

(C) For purposes of this provision, teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

1.70. (SDE: School District Hold Harmless) If there is not an increase in state support for school districts that is disbursed pursuant to Proviso 1.3 in this act, any district that must use reserve funds to pay for teacher pay raises, to include step increases, shall be held harmless from the local school district's reserve fund requirement provisions in the Fiscal Accountability Act for the current fiscal year and upon approval by the Department of Education.

1.71. (SDE: Standards-Based Assessments Suspended) In the current fiscal year, the provisions of Section 59-18-325(C)(3) ~~of the 1976 Code~~ requiring science standards-based assessments of students in grade eight and social studies standards-based assessments of students in grades five and seven are suspended. Of the funds available due to the suspension of these assessments, $500,000 must be used by the Department of Education to fund ~~educator professional development regarding the South Carolina Computer Science and Digital Literacy Standards~~ *social studies curriculum and supplemental materials, development, and purchase*. The remainder of the funds shall be used to pay for industry certification/credentials as approved to measure College/Career Readiness for purposes of the state accountability system.

1.72. (SDE: ESSER Monthly Funding Report) ~~The Department of Education is required to submit a monthly report to the Department of Administration, Executive Budget Office documenting the expenditure of federal funds allocated to South Carolina through the Elementary and Secondary Emergency Education Relief Fund and the Emergency Assistance to Non-Public Schools Program. The Executive Budget Office, in collaboration with the Senate Finance Committee and the House Ways and Means Committee, shall determine how the data will be reported. The data shall document how federal funds are expended at the state and district level in accordance with federal guidelines on allowable expenditures and shall include information on how the funds have been used to offset the learning loss students are facing and mitigations taken due to the COVID-19 pandemic. The Department of Education and the Executive Budget Office shall post the monthly reports on their websites.~~

1.73. (SDE: Public School Virtual Program Funding) For the current fiscal year, all school districts and brick and mortar charter schools shall be permitted to offer a virtual education program for up to five percent of its student population based on the most recent 135 day ADM count without impacting any state funding. The Department of Education shall establish guidelines for the virtual program and parameters students must meet in order to participate in the virtual program. School districts must submit their plans for the virtual program to the State Board of Education for approval.

School districts offering a virtual program must report their ADM counts for students participating in their virtual program and the number of students participating face to face for the 5th, 45th, 90th, and 135th day to the Department of Education.

For every student participating in the virtual program above the five percent threshold, the school district will not receive 47.22% of the State per pupil funding provided to that district as reported in the latest Revenue and Fiscal Affairs revenue per pupil report pursuant to Proviso 1.3. This amount shall be withheld from State Aid to Classroom's district allocation.

The five percent threshold shall not apply to students whose IEP or 504 status requires their participation in a program administered in a virtual format.

1.74. (SDE: Funding for Schools Safety) (A) The funds appropriated for Funding for Schools Safety shall be made available for the direct benefit of all children of South Carolina enrolled in K-12 schools by funding security assessments and facilities upgrades aligned with school safety priorities. The department shall allocate these funds to the public school districts and charter school districts. Eligible school facility upgrades shall include:

~~(a)~~*(1)* classroom/internal door locks;

~~(b)~~*(2)* secure school entry points and access control;

~~(c)~~*(3)* window covers;

~~(d)~~*(4)* bulletproof glass or bulletproof film for windows or doors;

~~(e)~~*(5)* electronic or other technology; ~~and~~

~~(f)~~*(6)* ballistic proof doors*, meaning door assemblies designed to provide enhanced protection against forced entry and ballistic threats, which shall meet all of the following minimum requirements:*

(a) the door shall be designed for installation within existing door frames and shall not exceed a weight that would impede safe and effective operation by students and school personnel;

(b) the door assembly shall be tested and certified by an independent, United States government–authorized laboratory to meet nationally recognized ballistic-resistance standards for high-powered rifle fire; and

(c) the door assembly shall provide fire-resistance performance suitable for installation in school facilities, as determined through independent testing and verification; and

(7) the purchase of AEDs, AED maintenance, AED pads, AED battery replacements, CPR training kits or CPR training for faculty or staff, basic first aid training, and educational materials.

(B) School facilities eligible for safety upgrades under ~~this subsection~~ *item (A)* are defined as locations with daily student attendance and shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.

~~(B)~~*(C)* The department shall develop an application process for public and charter school districts to request funding for facilities upgrades aligned with school safety priorities and establish policies, procedures, and priorities for the making of awards pursuant to this subsection. Criteria for prioritizing the awarding of funding shall include, but not be limited to, percentage of students enrolled from low-income families, the age and condition of the existing school facilities to be upgraded as well as the ability to commence construction in a timely matter and the quality of the application. The criteria must also require that all proposed projects do not create new recurring annual expenses and comply with local, state, and federal building codes.

~~(C)~~*(D)* Applications must be submitted to the department by September 1, ~~2025~~ *2026*. Upon receipt of applications pursuant to the application process adopted by the department, the department shall prioritize the eligible projects with the greatest need using the established criteria and shall submit a list of recommended awards to the State Board of Education no later than December 31, ~~2025~~ *2026*. Funding shall be awarded upon an affirmative vote of the State Board.

~~(D)~~*(E)* The financial assistance provided to public school districts and charter school districts pursuant to this provision must be used for the eligible school facility project. The department is responsible for establishing policies and procedures to ensure that funds are expended in a manner consistent with this provision. Unexpended funds may be carried forward to be expended for the same purposes by the department and award recipients. Following the close of the fiscal year, the department shall submit a report of approved projects to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

~~(E)~~*(F)* Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department and school districts.

1.75. (SDE: Partisanship Curriculum) For the current fiscal year, of the funds allocated by the Department of Education to school districts, no monies shall be used by any school district or school to provide instruction in, to teach, instruct, or train any administrator, teacher, staff member, or employee to adopt or believe, or to approve for use, make use of, or carry out standards, curricula, lesson plans, textbooks, instructional materials, or instructional practices that serve to inculcate any of the following concepts: (1) one race or sex is inherently superior to another race or sex; (2) an individual, by virtue of his race or sex, is inherently

racist, sexist, or oppressive, whether consciously or unconsciously; (3) an individual should be discriminated against or receive adverse treatment solely or partly because of his race or sex; (4) an individual's moral standing or worth is necessarily determined by his race or sex; (5) an individual, by virtue of his race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (6) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his race or sex; (7) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race; and (8) fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex. Nothing contained herein shall be construed as prohibiting any professional development training for teachers related to issues of addressing unconscious bias within the context of teaching certain literary or historical concepts or issues related to the impacts of historical or past discriminatory policies.

1.76. (SDE: Retired Teacher Salary Negotiation) With funds appropriated for State Aid to Classrooms, when hiring retired teachers for the ~~2024-25~~ *2026-27* School Year, school districts uniformly may negotiate salaries below the school district salary schedule.

1.77. (SDE: Mask Mandate Prohibition) No school district, or any of its schools, may use any funds appropriated or authorized pursuant to this act to require that its students and/or employees wear a facemask at any of its education facilities. This prohibition extends to the announcement or enforcement of any such policy.

1.78. (SDE: Magnet School Athletics) From funds authorized or appropriated in the current fiscal year, any public magnet school which shares a physical campus with another public magnet school shall allow any student enrolled at a school on that physical campus to participate in an athletic sport not offered at the student's school of enrollment, provided the student meets all age and academic requirements for participation. For the purposes of determining athletic classification, competition status, or eligibility, schools with students participating pursuant to this provision shall not have their school enrollments joined or modified due to compliance with this provision, nor shall any school or student be subjected to a change in athletic classification competition status, or eligibility as a result of compliance with this provision. The Department of Education, all public schools, or all public school districts in this State, receiving or expending funds authorized or appropriated in the current fiscal year are prohibited from expending any funds to pay membership dues or other funds to any organization that changes or alters a school's or student's athletic classification, eligibility, or competition status as a result of any student, school, or school district's compliance with this provision, or to any organization that refuses to allow, accept, or approve participation pursuant to the terms of this provision. This provision shall not limit the ability of any magnet school student, provided the student meets all age and eligibility requirements, to otherwise elect to participate in sub-varsity or varsity athletics at the student's zoned or resident school.

1.79. (SDE: Charter School Management Organizations) A person paid or employed by an Education Management Organization (EMO) or a Charter Management Organization (CMO) shall not be allowed to serve on the board of any charter school sponsored by a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning. Any school violating this provision shall have fifty percent of all appropriated state funds withheld until the school becomes compliant with this provision. A person paid or employed by an EMO or a CMO shall not be allowed to serve on the board of any authorizer's board of a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning. Any authorizing board violating this provision shall have fifty percent of all appropriated state funds retained for operations withheld until the authorizer and its board becomes compliant with this provision.

1.80. (SDE: READY Program) Funds for the Resources for Early Acceleration and Development in Youth (READY) program must be awarded by the South Carolina First Steps to School Readiness Board of Trustees to First Steps local partnerships through a competitive and targeted grants process. Grant awards must prioritize evidenced-based programs for children from birth through age three who live in rural communities and in communities where kindergarten readiness scores are consistently below the state average. Of the funds appropriated, no more than ten percent may be distributed to any one county, and no more than three percent may be retained by the Office of First Steps for administering, monitoring, and evaluating the program. An annual report on the state's investment in early learning and development must be provided by the Office of First Steps to the General Assembly and the Governor by December 1st of the current fiscal year.

1.81. (SDE: Education Data Dashboard) The Education Oversight Committee is directed to maintain an Education Data Dashboard. The data dashboard must interface with existing systems to provide school districts, schools, policymakers, families, and the public with meaningful information on school district, school, and system progress. The Education Data Dashboard would use existing data to document educational attainment and growth as well as financial expenditures of state, local, and federal funds. The Department of Education and public school districts shall provide accountability and financial data as requested by the committee for the establishment of the dashboard. If a school or school district fails to submit expenditure data needed for the online dashboard, the Department of Education must then withhold ten percent of all state payments to the applicable school district or charter school authorizer until the district or authorizer complies and all payments will then be made.

1.82. (SDE: Teaching Transformation Pilot Program) (A) Subject to funding, on or before July 31st of the current fiscal year, $1,000,000 shall be allocated to the University of South Carolina's College of Education for the design and implementation of a pilot program to reinvent and transform the state's teaching profession. The goals of the pilot program are to:

(1) diversify the PK-12th grade educator workforce;

(2) address teacher shortages through innovations in educator development; and

(3) accelerate student learning.

(B) The pilot program shall support at least three diverse school districts which shall include a minimum of one, with a maximum of two, large urban districts and a minimum of two, with a maximum of four, rural districts in order to:

(1) incentivize the recruitment and preparation of high quality educators including a focus on diversifying the teaching workforce for high-need students and stipends for student teachers/residents;

(2) support the development of a coherent and financially sustainable system, based on current school funding models, of teacher leadership that improves learning environments and educator retention and effectiveness; and

(3) produce several models of the school-university-community partnerships in South Carolina, testing evidence-based elements of a coherent system of teacher development including, but not limited to:

(a) prototyping a paid teacher residency for South Carolina, modeled from the medical profession, to develop well-prepared new recruits to teaching and new school designs to support teacher learning and leadership;

(b) applying state of the art technology and tools that save time, not only to help teachers problem-solve instructional challenges, but also to teach students across schools and districts;

(c) reinventing the school day and/or school year calendar as teachers work on different contracts to create expanded and more personalized student learning as well as more opportunities for educators to lead;

(d) reducing teaching loads for some of the state's top teachers, including over six thousand who are National Board certified, so they can lead without leaving the classrooms; and

(e) rethinking the teacher salary schedule to:

(i) include opportunities for additional pay for increased responsibility, leadership roles, and expanded impact; and

(ii) prototype a menu of financial and nonfinancial incentives for effective educators to work in priority schools, subjects, and grade levels.

(C) State funding will support both an external evaluation of the pilot program as well as South Carolina districts participating in a national learning community of other school-university partnerships seeking to transform the educator workforce.

(D) The pilot program to transform the teaching profession will be in partnership with selected South Carolina Historically Black Colleges and Universities which will be critical to recruiting and developing teachers of color. In addition, the pilot program will be designed and developed in collaboration with national partners, Education Resource Strategies and Bank Street College, bringing respective expertise in resource reallocations for innovative school staffing in public education and recruiting and preparing diverse teachers through teaching residences. The pilot program will be anchored in data collection underway by SC-TEACHER, with a grant funded by the Carnegie Corporation of New York, as well as in effective educator practices from across the globe.

(E) The pilot program shall compliment and/or enhance the state's effective innovations in educator recruitment, induction, evaluation, and professional learning, and draw upon research evidence to create a transformative system of educator development including new ways to compensate teachers and principals that impact student learning and more efficient use of human capital across the State. Current teacher shortages cannot be addressed without transforming the teaching job and the profession itself.

(F) A report detailing the pilot program's success related to its stated goals including, but not limited to, the success of teacher recruitment and retention of those teachers shall be provided to the Governor, the Chairman of House Ways and Means, the Chairman of Senate Finance, and the Superintendent of Education by June 30th.

1.83. (SDE: Base Student Cost/EFA) For the current fiscal year, references to Base Student Cost and EFA for reimbursement purposes for other entities shall have the same meaning as in the previous fiscal year.

For the current fiscal year, references to Base Student Cost and EFA for withholding purposes shall mean a withholding of State Aid to Classroom and for purposes of Section 59-71-155(B) references to amounts appropriated under the EFA shall mean all amounts appropriated as State Aid to Classrooms.

1.84. (SDE: Surplus Property) (A) A school district must transfer, or offer for sale or lease, any surplus real property or property which has been vacant, unused, or unused for direct student instruction for the previous four school years and is not currently included in any district capital improvement plan for future use on or before July 1, ~~2025~~ *2026*. All school districts must publish on their website by September 15, ~~2025~~ *2026*, a list of properties that qualify under this provision.

(B) A school district shall comply with the requirements of this provision by transferring such property to another governmental subdivision or state agency that has provided written confirmation of an intent to accept the property for public use by December 31, ~~2025~~ *2026*. Any governmental subdivision or state agency providing such written confirmation must comply with all requirements related to the acquisition of real property or surplus property, and/or requirements related to the establishment of permanent improvement projects prior to accepting property transferred pursuant to this provision.

(C) If no governmental subdivision or state agency confirms an intent to accept the property, the district shall offer the property for sale or lease at fair market value as determined by a neutral appraiser and in compliance with existing law providing for sale or lease of such property by a school district. If a school district fails to comply with this provision, the Department of Education must withhold five percent of all state payments to the district until the district complies.

1.85. (SDE: Alternative Education Programs Options) The State Department of Education shall create, publish, and provide to all public schools in the State a list of alternative education programs that can award a high school diploma or high school equivalency credential. The list must include, but not be limited to, the Wil Lou Gray Opportunity School and the South Carolina Youth Challenge Academy. Schools shall distribute information provided by the Wil Lou Gray Opportunity School, the South Carolina Youth Challenge Academy, and any other appropriate alternative diploma-seeking education program to students age sixteen or older who are not on track for on-time graduation or who otherwise are at risk of dropping out of school. The names and addresses of all students age sixteen or older who are not on track for on-time graduation or who are otherwise at risk of dropping out of school, except for students who have opted out of disclosure of directory information under the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g will be made available to these institutions. Parents or students age eighteen or older may complete a form to opt the student out of the disclosure of student contact information with these institutions. The department shall develop this opt-out and each district shall make the form available on its website.

1.86. (SDE: Incentive Prohibition) No school district, or any of its schools, may use any funds appropriated or authorized pursuant to this act to offer students any monetary incentive or inducement to receive a COVID-19 vaccination.

1.87. (SDE: Reporting Requirements) ~~(A) For the current fiscal year, the college freshman reporting requirements of Section 59-101-130 are suspended. The Department of Education, in collaboration with the Education Oversight Committee, is authorized to use data that is already collected to report on the in-state and out-of-state college enrollment, college persistence, and post-secondary completion of South Carolina's high school graduates.~~

~~(B) The Department of Education shall work to streamline data collection timelines and processes to reduce burden and increase efficiency of data collection and reporting. For the current fiscal year, legislatively mandated due dates for school, district, and state plans including, but not limited to, District Strategic and School Renewal Plans, Read to Succeed Reading Plans, Academic Recovery Plans, District ADEPT Plans, and School Turnaround Plans are extended at the discretion of the Department of Education, but shall be due by June 30, 2026.~~

1.88. (SDE: ByteDance Ltd. Application Prohibition) No school district, or any of its schools, may use any funds appropriated or authorized pursuant to this act or use any devices or agency resources purchased or leased with any funds appropriated or authorized pursuant to this act to access the TikTok application. The prohibition extends to any application with any ownership by ByteDance Ltd., which is the parent company of TikTok.

1.89. (SDE: Student Technology Safety) The Department of Education is directed to create and maintain an approved list of third-party providers on an annual basis that provide technology to mitigate cyberbullying and assist in the prevention of self-harm, suicide, or possible harm to others by monitoring student digital activity on school-issued devices and accounts. Providers included on the list must meet all state and agency data use and governance policies and must be domiciled in the United States.

1.90. (SDE: Cash for Admissions) For the current fiscal year, any school district or school that receives funds appropriated in this act must accept cash as a payment option for admission to extracurricular activities.

1.91. (SDE: Abstinence Education Grant) For the current fiscal year, funds made available to the State of South Carolina under the provisions of Title V, Section 510, only may be awarded to other entities through a competitive grant process.

1.92. (SDE: Abstinence-Until-Marriage Emerging Programs) (A) From the funds appropriated to the Department of Education in this act as a Special Item and titled "Abstinence-Until-Marriage Emerging Programs", the department shall award a twelve-month grant for abstinence-until-marriage emerging programs. This funding shall be awarded by the department only to nonprofit 501(c)(3) agencies meeting all the A-H Title V, Section 510 definitions of Abstinence Education, as defined in the 2017 Social Security Act.

(B) Grants must be awarded utilizing a competitive grant process.

(C) Applicants must provide a budget and budget narrative to the department that explains how the funds will be used.

(D) Prior to application, proposed programs/curricula must be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirements for abstinence-until-marriage education programs.

(E) The department shall determine and develop the necessary application for awards.

(F) The programs implemented by the entity awarded a grant pursuant to this provision may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed. Organizations or individuals awarded grants must provide quarterly reports on expenditures and participation to the Department of Education and the Department of Social Services within forty days of the end of each quarter.

(G) Grantees failing to submit reports within forty days of the end of each quarter will be terminated.

1.93. (SDE: Abstinence Until Marriage Evidence-Based Programs Funding) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, grants must be awarded to separate private, nonprofit 501(c)(3) entities to provide Abstinence-Until-Marriage teen pregnancy prevention programs and services within the State that meet all of the A-H Title V, Section 510 definitions of Abstinence Education, as defined in the 2017 Social Security Act. Grants must be awarded utilizing a competitive grant process. Proposed programs/curricula must be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirement for abstinence-until-marriage education programs. Applicants must provide a budget for the proposed project for which the application is being made. Monies will be paid over a twelve month basis for services rendered. Unexpended funds shall be carried forward for the purpose of fulfilling the department's grant award notification. The programs implemented by the entity awarded a grant pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

1.94. (SDE: SC Future Makers and Tallo) With the funds appropriated to the Educational Oversight Committee for the Education Data Dashboard, the committee shall disburse funds to support the opportunity for middle and high school students, technical college students, and four-year college students to access SC Future Makers and Tallo to discover careers, apprenticeships, or internships in careers in advanced manufacturing and logistics and supply change management.

1.95. (SDE: Anti-Bullying/School Safety) To receive state funds allocated for State Aid to Classrooms, a school district *or charter district* shall implement a policy adopted by the State Board of Education that prohibits access to personal electronic communication devices by students during the school day. For purposes of this provision, a personal electronic communication

device is considered to be a device not authorized for classroom use by a student, utilized to access the Internet, wi-fi, or cellular telephone signals.

1.96. (SDE: District Accounting Systems and Best Practices) ~~(A) The Department of Education shall convene and staff a study committee to examine and propose necessary revisions for improving district accounting systems and best practices.~~

~~(B) The study committee shall be comprised of the following individuals who each should have background and expertise in education finance:~~

~~(1) one member appointed by the Governor; who shall serve as Chair of the task force;~~

~~(2) the State Superintendent of Education or their designee;~~

~~(3) the Chief Financial Officer of the State Department of Education;~~

~~(4) one member of the South Carolina House of Representatives appointed by the Chair of the House of Representatives Education and Public Works Committee;~~

~~(5) one member of the South Carolina Senate appointed by the Chair of the Senate Education Committee;~~

~~(6) one member appointed by the Chair of the House of Representatives Ways and Means Committee;~~

~~(7) one member appointed by the Chair of the Senate Finance Committee;~~

~~(8) one member appointed by the Chair of the Board of the Revenue and Fiscal Affairs Office;~~

~~(9) one member appointed by the Governor upon recommendation of the South Carolina Association of School Administrators;~~

~~(10) one member appointed by the Governor upon recommendation of the South Carolina School Boards Association; and~~

~~(11) one member appointed by the Governor upon recommendation of the South Carolina Association of School Business Officials.~~

~~(C) Members of the task force shall receive no compensation but may receive per diem and mileage from the South Carolina Department of Education as provided for boards and commissions.~~

~~(D) The task force must submit recommendations for potential reforms to the Governor, the Speaker of the House of Representatives, and the President of the Senate no later than May 31, 2026. Recommendations shall include, but not be limited to, the following areas:~~

~~(1) increased transparency for school district personnel, stakeholders, and policymakers;~~

~~(2) ensuring alignment to accounting standards across the State;~~

~~(3) ease of reporting;~~

~~(4) consolidation of multiple reports into a streamlined reporting format;~~

~~(5) consistency of data across districts; and~~

~~(6) increased efficiency for school district financial staff.~~

1.97. (SDE: Charter School Expenditures) Of the funds appropriated or authorized herein, a charter school authorizer shall not expend any state appropriated funds, or funds realized as a result of its operations, for any purposes other than those listed in Chapter 40, Title 59. If the Superintendent of Education discovers a violation of this provision, she may declare that the authorizer no longer has the authority to charter or authorize schools and all schools may apply to transfer to a different authorizer. Furthermore, the authorizer shall not demand or withhold any unspent appropriated funds held by or owed to a charter school that is leaving under the provisions of this item and may not charge any fees associated with the school moving to another authorizer.

1.98. (SDE: Carry Forward Reallocation) Carry forward funds from Lottery and Capital Reserve Fund proceeds appropriated for Facilities Assessments and Efficiency Studies during a prior fiscal year shall be reallocated to support school district shared services and capital infrastructure efforts. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department and school districts.

1.99. (SDE: School Nurses Unencumbered Time) Of the funds appropriated through the Department of Education for school districts, the department shall work with school districts to incorporate, where practical, school nurses into the statewide policy outlining penalties and exceptions to the unencumbered time requirements pursuant to Section 59-5-63.

1.100. (SDE: Literacy Funding) With funds appropriated for this fiscal year for implementation of Act 114 of 2024, which includes funding for summer reading camps, professional development, and reading/literacy coaches, all schools and districts, including charter schools and authorizers, must adhere to the provisions of Act 114 of 2024. Schools and districts, including charter schools and authorizers, failing to adhere to the provisions of Act 114 of 2024, are ineligible to receive state funding for implementation but must continue to adhere to the provisions in Act 114 of 2024.

1.101. (SDE: Strategic Compensation Pilot) (A) Of the funds appropriated to the Department of Education, the department shall establish a strategic compensation pilot program for which districts or charter schools may elect to apply. The department shall ensure through its awards that at least half of participants are in a “critical need geographic area” as designated annually by the State Board of Education.

(B) The criteria for the pilot application shall include, but not be limited to:

(1) measurement of educator effectiveness using student academic growth data as the primary indicator;

(2) additional measures of educator effectiveness including observation data, student survey data, attendance data, etc. as potential secondary indicators;

(3) ability to utilize student information systems and data governance policies to ensure appropriate rostering of students to their "educator(s)of record";

(4) demonstration of entrepreneurial spirit and willingness to implement a strategic compensation program that attracts, rewards, and recognizes educators;

(5) a quarterly reporting requirement to ensure key milestones are achieved and that fiscal stewardship and fidelity to core premise is evident; and

(6) evidence that the strategic compensation design is aligned with proven South Carolina efforts and/or proven national efforts that are backed by evidence.

(C) Districts and charters receiving funding under this pilot shall provide data as requested by the department to produce a report on the effectiveness of the pilot to be provided to the General Assembly, with particular emphasis placed on year-end data once available.

1.102. (SDE: 4K Teachers) Of the funds appropriated through the Department of Education for school districts, the department shall work with school districts to encourage, where practical, to include 4K teachers in the unencumbered time requirements in Section 59-5-63.

1.103. (SDE: Child Nutrition Programs) For the current fiscal year and subject to the appropriation of funds, child nutrition programs that serve school breakfast and/or school lunch shall not charge a qualifying student a reduced-price copayment. The

traditional $0.30 copayment for breakfast and $0.40 copayment for lunch may not be collected from the student. This restriction on payment collection does not change the requirements for processing meal applications. School districts shall continue to process meal applications and assign meal status based on income eligibility guidelines. Districts shall continue to claim meals based on assigned eligibility status. Meals counted by students that have a reduced meal status must be claimed for reimbursement as reduced meals. Reimbursements to school districts for reduced meals shall be reduced proportionately if sufficient funds are not appropriated to cover the full cost.

1.104. (SDE: School Mapping Data Program) (A) From the funds appropriated to the Department of Education to facilitate efficient emergency responses in public schools by public safety agencies in this State, the School Mapping Data Program is established as a statewide initiative within the State Department of Education. Subject to funding, the department shall contract with a vendor to provide school mapping data for each public school in the State. The data must be provided to each school district, local law enforcement agency, and public safety agency for use in response to emergencies. For purposes of this proviso, emergencies include, but are not limited to, any event in which a law enforcement officer, firefighter, rescue squad, emergency medical service provider, public safety telecommunicator, or any other emergency management provider may respond.

(B) School mapping data must:

(1) be compatible with software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school for which the data is provided without requiring such agencies to purchase additional software or requiring a fee to view or access the data;

(2) be compatible with security software platforms in use by the specific school for which the data is provided without requiring the local law enforcement agencies or school districts to purchase additional software or requiring a fee to view or access the data;

(3) be in a printable format and, if requested, be in a digital file format that may be integrated into interactive mobile platforms in use;

(4) be verified by the entity producing the data for accuracy by a walk-through of school buildings and grounds;

(5) be oriented true north;

(6) include accurate floor plans overlaid on current, verified aerial imagery of the campus, which must be updated by the department as it considers necessary;

(7) contain site-specific labeling that matches the structure of school buildings, including room labels, hallway names, and external door or stairwell numbers and locations of hazards, critical utility locations, key boxes, automated external defibrillators, and trauma kits;

(8) contain site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties;

(9) be overlaid with gridded x and y coordinates; and

(10) be updated and accessible within software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school.

(C) Each school district must be required to pay an annual maintenance fee to update their school map to ensure the school floor plans and aerial imagery are accurate and up-to-date. This fee may not exceed six hundred fifty dollars for each school.

(D) School mapping data is not subject to disclosure under the Freedom of Information Act. For purposes of this proviso, "school mapping data" means information collected pursuant to this proviso in an electronic or a digital format and provided to assist first responders in responding to emergencies at school.

1.105. (SDE: Palmetto Boys/Girls State) Of the funds appropriated to the State Department of Education, or carried forward from the prior fiscal year, the department shall provide $25,000 to Palmetto Boys State and $25,000 to Palmetto Girls State.

1.106. (SDE: Interscholastic Athletics) (A) No funds appropriated or authorized in this act that are distributed to a school district may be used to deny individual students who attend independent schools in this State the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(1) student resides within the attendance zone boundaries of the public school;

(2) independent school that the student attends is not a member of the South Carolina High School League;

(3) independent school attended by the student does not offer the particular sport for the student's gender;

(4) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(5) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(6) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport;

(7) student meets all public school district eligibility requirements with the exception of the:

(a) school district's school or class attendance requirements; and

(b) class and enrollment requirements of the association administering the interscholastic sports;

(8) student and the student's parent or guardian agree for the student to be subject to the code of conduct of the public school; and

(9) student was not expelled from the same public school during the same academic year.

(B) Additionally, a public school district may not expend funds to contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of independent school students in interscholastic athletic programs supervised by the entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

(D) A public school may expend funds on students specified in subsection (A) to participate in an interscholastic athletic program.

(E) The provisions of this proviso shall not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this act outside of the requirements related to maintaining a certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team.

(F) For purposes of this proviso, "independent school" means a school:

(1) established by an entity other than the State or a subdivision of the State;

(2) supported primarily by private or nonpublic funds; and

(3) operated by private individuals operating in their private capacity and not by people who are publicly elected or appointed to operate the school.

1.107. (SDE: Charter Authorizer Fees) From the funds appropriated, the South Carlina Public Charter School District and a public or independent institution of higher learning sponsor of a charter school may retain no more than two percent of the total state appropriations for each charter school it authorizes to cover the costs for overseeing its charter schools. The sponsor's administrative fee does not include costs incurred in delivering services that a charter school may purchase at its discretion from the sponsor. The sponsor's fee is not applicable to federal money or grants received by the charter school. The sponsor shall use its funding provided pursuant to this proviso exclusively for the purpose of fulfilling sponsor obligations in accordance with applicable charter school law.

1.108. (SDE: Student Physical Privacy) (A) For the purposes of this provision:

(1) "Changing Facility" means a facility in which a person may be in a state of undress in the presence of others, including a locker room, changing room, or shower room.

(2) "Restroom" means a facility that includes one or more toilets or urinals.

(3) "Sex" means a person's biological sex, either male or female, as objectively determined by anatomy and genetics existing at the time of birth. Evidence of a person's biological sex includes, but is not limited to, any government-issued identification document that accurately reflects a person's sex as listed on the person's original birth certificate issued at or near the time of birth.

(4) "Sleeping Quarters" means a room with a bed in which more than one individual is housed overnight.

(B) A school district supported in part by funds appropriated by this act, shall not permit any public school within the district to use any funds to maintain or operate any restroom or changing facility on its premises that is not in compliance with this provision or facilitate any public-school authorized activity or event involving overnight lodging that is not in compliance with this provision. A school district that violates any portion of this provision shall be penalized twenty-five percent of the funds appropriated by this act that are used to support the school district's operations.

(C)(1) Multi-occupancy public school restrooms and changing facilities shall be designated for use only by members of one sex. Any public school restrooms and changing facilities that are designated for one sex shall be used only by members of that sex; no person shall enter a restroom or changing facility that is designated for one sex unless he or she is a member of that sex; and the public school with authority over that building shall take reasonable steps to ensure that all restrooms and changing facilities provide its users with privacy from members of the opposite sex. The provisions in this item do not apply: (a) to custodial or maintenance work when the restroom or changing facility is not being used or otherwise occupied by a member of the opposite sex; (b) to a person or people rendering medical assistance; and (c) during a natural disaster, emergency, or when use of the restroom or changing facility is necessary to prevent a serious threat to good order or student safety.

(2) During any public-school authorized activity or event where students share overnight lodging, no student shall share a sleeping quarter or multi-occupancy restroom with a member of the opposite sex, unless such persons are members of the same family, such as a parent, legal guardian, sibling, or grandparent.

(3) In any other public-school facility or setting where a person may be in a state of undress in the presence of others, school personnel shall provide separate, private areas designated for use by persons based on their sex, and no person shall enter these private areas unless he or she is a member of the designated sex.

(D) Nothing in this proviso may be construed to prohibit schools from adopting policies necessary to accommodate disabled persons or young children in need of physical assistance when using restrooms or changing facilities.

1.109. RESERVED

1.110. (SDE: Assessments and Final Grade Determination) For Fiscal Year ~~2025-26~~ *2026-27*, no school district receiving funds pursuant to Section 1 of the Appropriations Act may require the inclusion of student performance on any district-selected benchmark assessment in calculating a student's final grade in any course or subject. District-selected benchmark assessments may only be used as formative assessments for informing instructional purposes and shall not factor into a student's course grade unless the assessment is developed or directly approved by the course instructor and exclusively measures content that has previously been taught in the course. Any school district found in violation of this provision may be subject to corrective action, including a reduction in state funding allocations as determined by the department. These provisions do not apply to End of Course assessments.

1.111. (SDE: Charter School Authorizer Contracts) If a public or independent institution of higher learning charter authorizer ceases operations, any charter school under a current contract with the authorizer may apply to a new authorizer for the remainder of the charter school's contract term. Any charter school with an approved application that has not yet executed a contract as of the effective date of this act may elect to request that a new authorizer consider its application. Of the funds appropriated, the Department of Education shall create a LEA closure protocol to be fully implemented by June 1, ~~2026~~ *2027,* and a timeline for the transfer of any charter schools and the receipt and review of any applications by a new authorizer for this purpose. Schools shall not be required to resubmit a full application unless the new authorizer specifically identifies an area of concern.

1.112. *(SDE: Employment Contract) With funds appropriated, a local school district board of trustees shall include a term in all district employment contracts, entered into on or after July 1 of the current fiscal year, specifying that the maximum settlement amount to be paid by the district as part of the mutual dissolution of the contract shall not exceed one year's salary or the remainder of the contract value, whichever is less. Nothing in this provision limits a district superintendent's right to file a claim in state or federal court based on an alleged violation of law relevant to that individual's employment.*

1.113. *(SDE: Capital Funding for Schools) (A) For the current fiscal year, of the funds appropriated for Capital Funding for Schools, the Department of Education shall comprise a committee to establish and approve criteria to disburse funds.*

(B) The committee shall be comprised of the following individuals:

(1) one individual with significant experience in educational facilities appointed by the State Superintendent of Education, who serves as inaugural chair;

(2) one individual with at least five years of economic development experience appointed by the Governor;

(3) one individual appointed by the Chairman of the House Education and Public Works Committee;

(4) one individual appointed by the Chairman of the House Ways and Means Committee;

(5) one individual appointed by the Chairman of the Senate Finance Committee;

(6) one individual appointed by the Chairman of the Senate Education Committee; and

(7) one individual appointed by the South Carolina Manufacturers and Commerce.

(C) No member of the committee shall serve on the committee if that member or immediate family is an employee, contractor, or board member of a school district, charter school, or other educational institution that has the potential to receive funds from the Capital Funding for Schools Committee. No member of the General Assembly shall serve on the committee.

(D) In order for a project to be considered by the committee, the applicant must provide information that includes at least the historical and projected student enrollment of the applicant and building information to include: square footage, both total and broken down by usable space, capacity of each space based on recommended square footage per student, and the age and condition of each building, if applicable.

(E) Among eligible schools, preferred schools, and school projects screened above, the following criteria shall be considered:

(1) Sustained Academic Performance. The committee shall consider the academic performance record of the applicant school or district. Priority shall be given to schools and districts that have demonstrated sustained academic success, including performance on State assessments and overall school or district ratings. Schools that have earned an Unsatisfactory or Below Average rating and districts that are designated as underperforming as defined in Section 59-18-1615 in any of the previous two years shall receive significantly lower priority; and for charter schools, schools that have earned an Excellent rating in any of the previous two years shall receive significantly higher priority.

(2) Areas and Populations of Critical Need. Priority shall be given to projects located in counties designated as Tier III or Tier IV by the Department of Revenue pursuant to Section 12-6-3360, or as otherwise defined by criteria reflecting local property wealth per student, per capita income, poverty, or other relevant measures of economic need. Priority shall be given to schools or districts in which more than two-thirds of the student population consists of students from high-need, underserved backgrounds or students receiving special education services.

(3) Charter School Institutional Strength (Charter Schools Only). For applications submitted by charter schools, the committee shall consider the institutional strength and operational track record of the applicant including: (a) the duration of the school's continuous operation under its current charter, with preference given to schools that have operated for more than four consecutive years at the time of application; (b) a recommendation from the school's authorizing sponsor confirming that the proposed project is consistent with the purposes of the charter and the Charter Schools Act; (c) a certification from the authorizing sponsor that the school is in compliance with its charter and that no formal action to revoke or not renew the charter has been made as of the time of application; and (d) the nonprofit status of the entity holding the charter and the entity serving as the school operator, with significant priority given to nonprofit operators over for-profit operators. The committee shall grant the highest level of preference to established networks and schools that already serve more than 1,000 students within the State or 2,500 students outside the State, and are seeking to add additional sites or increase enrollment within existing sites.

Additional priority shall be awarded to applicants that demonstrate the following:

(1) High Poverty Concentration. At least 60% of enrolled students qualify for free or reduced-price lunch under the National School Lunch Program, or at least 60% are identified as economically disadvantaged through direct certification, Medicaid eligibility, or an equivalent state-approved measure.

(2) Outstanding Academic Track Record. The applicant must demonstrate sustained, measurable academic performance, defined as meeting at least two of the following criteria over the most recent three consecutive school years:

(a) student proficiency rates in math and/or reading that meet or exceed the state average for comparable student populations;

(b) year-over-year academic growth scores in the top quartile for schools serving similar demographics;

(c) a school performance rating of "B" or higher, or equivalent, under the applicable state accountability system; and

(d) graduation rates of 90% or above for applicable grade configurations.

(3) School Safety: The committee shall incorporate the extent to which the proposed project addresses school safety, including the ability of the project to optimally use, close, consolidate, or replace existing facilities or consolidated districts in order to enhance student and staff safety and accommodate current and projected student enrollment.

(4) Project Viability. The committee shall evaluate the financial condition and long-term viability of the applicant and the proposed project. Criteria shall include the nature and scope of the proposed facilities project, the school's or district's demonstrated financial need for funding assistance, and the applicant's Debt Service Coverage Ratio as a potential indicator of the ability to service existing and proposed debt obligations. Schools and districts that have significantly underperformed their enrollment targets shall receive lower priority.

(5) Community Analysis. The committee shall consider the availability of other possible facility options, including the use of existing district or public buildings, and the extent to which the proposed project represents the most efficient and effective use of available resources. Local support for the project, as expressed by resolutions of the governing body of the school district or, for charter schools, by the charter school governing board, shall also be considered.

(F) Funds may only be used for school buildings whose primary purpose must be for K-12 in-person classroom instruction, state-funded full-day 4K, or other public school secondary in-person classroom instruction. School buildings shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.

(G) Eligible costs for projects include preliminary engineering, traffic and revenue studies, environmental studies, right-of-way acquisition, construction, construction management, and facilities.

(H) The committee shall issue a report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee no later than June 30, 2027. The report shall include the districts and charter schools funded, the amount, and the purpose of the award.

(I) All unexpended funds appropriated for Capital Funding for Schools may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and charter schools.

1.114. *(SDE: Indoor Air Quality and Mold Remediation Unit)* **DELETED**

1.115. *(SDE: Sign Language Interpretive Incentive Program) Of the funds appropriated to the department for the Sign Language Interpreter Initiative, the department shall develop and implement a tiered system of bonuses or salary supplements for interpreters based on increased scores on the Educational Interpreter Performance Assessment (EIPA). Unexpended funds for this initiative may be carried forward and used for the same purpose.*

1.116. RESERVED

1.117. *(SDE: Imagination Library)* **DELETED**

1.118. *(SDE: High School League Oversight)* **DELETED**

1.119. *(SDE: Home School Students)* **DELETED**

1.120. *(SDE: Funding for School Safety)* **DELETED**

1.121. *(SDE: Interlocal Cooperative Purchasing Pilot Program) (A) For the current fiscal year, the Department of Education may pilot test an interlocal cooperative purchasing method at the request and on behalf of the state's PK-12 school districts by*

entering into contracts to allow selected participants the option to choose the same procurement method currently afforded to South Carolina local governmental entities by allowing cooperative contract holders the ability to advertise on South Carolina Business Opportunities (SCBO).

(B) The pilot program shall support ten diverse PK-12 school districts in order to obtain materials, labor, and services used for maintenance, operations, component replacement, restoration or repairs of existing facilities and grounds in addition to other supplies, services, and technology related procurement.

(C) A report detailing the pilot program's success related to expediting procurement and reducing the administrative cost and resource burden of acquisition and utilization of local contractors shall be provided to the Governor, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the Superintendent of Education by June 30, 2027.

1.122. (*SDE: Supplemental Instructional Materials) The Department of Education is authorized to utilize up to $5,000,000 of instructional materials funding annually to purchase supplemental instructional materials. The Department of Education shall review supplemental materials to ensure alignment to state standards and learning objectives and place these materials on an approved supplemental materials list. Only those materials on the approved supplemental materials list may be purchased with state funds.*

1.123. *(SDE: Education Scholarship Trust Fund Assessment) (A) From the funds appropriated to the Department of Education for the administration of the Education Scholarship Trust Fund Assessment (ESTF) program, $250,000 must be allocated to the Education Oversight Committee (EOC) for collection and reporting of data from education service providers and parents of students participating in the ESTF program. Approved education service providers who provide full-time academic instruction shall provide assessment results directly to the EOC. The EOC shall:*

(1) ensure compliance with all student privacy laws;

(2) collect all test results;

(3) provide the test results, associated learning gains, and graduation rates at a state level to the public via a state website after the third year of test- and graduation-related data collection. The findings shall be aggregated by the students' grade level, gender, family income level, number of years of participation in the scholarship program, and race;

(4) provide rates for on-time high school graduation, college attendance the fall after high school graduation, persistence, and college graduation for participating students to the public via a State website after the third year of test and test-related data collection; and

(5) administer an annual parental satisfaction survey that shall ask parents of students receiving education savings accounts to express:

(a) their satisfaction with the program; and

(b) their opinions on other topics, items, or issues that the State finds would elicit information about the effectiveness of ESTF and the number of years their child has participated in the program.

(B) As a condition of participating in the ESTF program, students in grades three through eight must be administered annually the SC READY assessments for mathematics and English Language Arts or take a nationally norm-referenced summative assessment annually or a formative assessment at the beginning of the school year, at the end of the first semester, and at the end of the school

year. The assessment must be aligned with state standards, include a linking study procured by the EOC, and be approved by the EOC before it can be used as an approved assessment for the ESTF program.

(C) Scholarship students in grades nine through twelve must take the State-approved End-of-Course Program (EOCEP) in English/language arts or mathematics or a nationally norm-referenced assessment, formative assessment, or assessment approved by the EOC that demonstrates the student's college or career readiness as is verified to meet state standards via a linking study procured by the EOC. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement.

1.124. *(SDE: ESTF Unbundlers) (A) For the current fiscal year, Sections 59-8-110(14)(n) and 59-8-115(H) are suspended.*

(B) The department shall suspend any award of additional scholarships to those they have previously identified as "unbundlers". The 958 "unbundlers" who received a scholarship for the 2025-2026 academic school year may, if otherwise qualified under the program, continue to receive a scholarship in the 2026-2027 academic school year; provided, that they have completed all assessments by the end of the current academic school year. If an existing "unbundler" ceases to qualify, is removed from the scholarship program, or does not apply for the scholarship in the 2026-2027 school year, the department may not fill the scholarship slot with a new "unbundler" scholarship student to include a sibling. The department shall provide a list of the 2025-2026 "unbundler" students and addresses and a list of the returning 2026-2027 "unbundler" students and addresses within 15 days of the passage of the General Appropriations Act to the Education Oversight Committee (EOC). The EOC shall have access to the department's source data systems to ensure compliance with this proviso.

(C) To adequately provide for the current "unbundlers", the department shall assume the role and responsibilities a school district would incur in Section 59-65-40, excluding subsection (A)(1)(5), (B), and (E). A parent who fails to cooperate or comply with the department in this regard shall be immediately terminated from the program.

(D) The department shall provide all previously required assessments as provided in this act to the EOC within 30 days of passage of the General Appropriations Act.

1.125. *(SDE: School Bus Speed Limits) Using funds appropriated, the department shall issue special event variances authorizing a speed limit of no higher than sixty-five miles per hour for district-owned activity buses, as defined by regulation of the State Board of Education, traveling to school-sponsored events requiring travel of greater than one hundred miles on interstate highways.*

SECTION 1A - H630 - DEPARTMENT OF EDUCATION-EIA

1A.1. (SDE-EIA: Prohibition on Appropriation Transfers) The amounts appropriated herein for aid to subdivisions or allocations to school districts shall not be transferred or reduced and must be expended in accordance with the intent of the appropriation. However, transfers are authorized from allocations to school districts or special line items with projected year-end excess appropriations above requirements, to allocations to school districts or special line items with projected deficits in appropriations.

1A.2. (SDE-EIA: African-American History) Funds provided for the development of the African-American History curricula may be carried forward into the current fiscal year. Funds that are currently a salary line item will be reallocated for the development of instructional materials and programs and the implementation of professional learning opportunities that promote African American history and culture. For the current fiscal year, not less than seventy percent of the funds carried forwarded must be expended for

the development of additional instructional materials by nonprofit organizations, school districts, or institutions of higher education selected through a grant process by the Department of Education.

1A.3. (SDE-EIA: Teacher Evaluations, Implementation/Education Oversight) The Department of Education is directed to oversee the evaluation of teachers at the School for the Deaf and the Blind and the Department of Juvenile Justice under the ADEPT model.

1A.4. (SDE-EIA: Teacher Salaries/State Agencies) (A) Each state agency which does not contain a school district but has instructional personnel shall receive an appropriation funded by the General Assembly for teacher salaries based on the following formula: Each state agency shall receive such funds as are necessary to adjust the pay of all instructional personnel to the appropriate salary provided by the salary schedules of the school district in which the agency is located. Instructional personnel may include all positions which would be eligible for EIA supplements in a public school district, and may at the discretion of the state agency, be defined to cover curriculum development specialists, educational testing psychologists, psychological and guidance counselors, and principals. The twelve-month agricultural teachers located at Clemson University are to be included in this allocation of funds for base salary increases. The Governor's School for the Arts and Humanities, the Governor's School for Science and Mathematics, and the Governor's School for Agriculture at John de la Howe are authorized to increase the salaries of instructional personnel by an amount equal to the percentage increase given by the school district in which they are located.

(B) Teacher salary increases funded in this act shall be incorporated into each agency's EIA appropriation.

1A.5. (SDE-EIA: Work-Based Learning) Of the funds appropriated in Part IA, Section 1, VIII.A.1. for the Work-Based Learning Program, $75,000 shall be used by the State Department of Education to provide for regional professional development in contextual methodology techniques and integration of curriculum, and professional development in career guidance for teachers and guidance counselors and training mentors. Pilot-site delivery of contextual methodology training in mathematics will be supported by technology and hands-on lab activities. In addition, $500,000 shall be allocated for Regional Career Specialists. Each Regional Career Specialist shall: (1) be housed within the regional centers/ WIOA geographic areas; (2) provide career development activities throughout all schools within the region; (3) be under the program supervision of the Office of Career and Technology Education, State Department of Education; and (4) adhere to an accountability and evaluation plan created by the Office of Career and Technology Education, State Department of Education. The Office of Career and Technology Education, State Department of Education, shall provide a report, in February of the current fiscal year to the Senate Finance Committee and the House Ways and Means Committee on accomplishments of the Career Counseling Specialists. Of the funds appropriated in the prior fiscal year, unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.

1A.6. (SDE-EIA: CHE/Teacher Recruitment) *(A)* Of the funds appropriated in Part IA, Section 1, VIII.F. for the Teacher Recruitment Program, the Commission on Higher Education shall distribute a total of ninety-two percent to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) for a state teacher recruitment program, of which at least seventy-eight percent must be used for the Teaching Fellows Program specifically to provide scholarships for future teachers, and of which twenty-two percent must be used for other aspects of the state teacher recruitment program, including the Teacher Cadet Program and $166,302 which must be used for specific programs to recruit minority teachers: and shall distribute eight percent to South Carolina State University to be used only for the operation of a minority teacher recruitment program and therefore shall not be used for the operation of their established general education programs. Working with districts with an absolute rating of At-Risk

or Below Average, CERRA will provide shared initiatives to recruit and retain teachers to schools in these districts. CERRA will report annually by October first to the Education Oversight Committee and the Department of Education on the success of the recruitment and retention efforts in these schools. The Commission on Higher Education shall ensure that all funds are used to promote teacher recruitment on a statewide basis, shall ensure the continued coordination of efforts among the three teacher recruitment projects, shall review the use of funds and shall have prior program and budget approval. The South Carolina State University program, in consultation with the Commission on Higher Education, shall extend beyond the geographic area it currently serves. Annually, the Commission on Higher Education shall evaluate the effectiveness of each of the teacher recruitment projects and shall report its findings and its program and budget recommendations to the House and Senate Education Committees, the State Board of Education, and the Education Oversight Committee by October first annually, in a format agreed upon by the Education Oversight Committee and the Department of Education.

(B) With the funds appropriated CERRA shall also appoint and maintain the South Carolina Teacher Loan Advisory Committee *upon recommendations by the Education Oversight Committee*. The Committee shall be composed of one member representing each of the following: (1) Commission on Higher Education *who shall serve as chair of the Committee*; (2) State ~~Board~~ *Department* of Education; (3) Education Oversight Committee; (4) Center for Educator Recruitment, Retention, and Advancement; (5) South Carolina Student Loan Corporation; (6) South Carolina Association of Student Financial Aid Administrators *(SCASFAA)*; (7) a local school district human resources officer; (8) a public higher education institution with an approved teacher education program; and (9) a private higher education institution with an approved teacher education program. The members of the committee representing *SCASFAA, a local school district, and* the public and private higher education institutions ~~shall rotate among those intuitions and~~ shall serve a *single* two-year term on the committee. The committee must be staffed by CERRA, and shall meet at least ~~twice~~ *four times* annually. The committee's responsibilities are limited to *its duties for*: (1) establishing*, monitoring, and reporting progress on* goals for the Teacher Loan Program; (2) facilitating communication among the cooperating ~~agencies~~ *entities*; (3) *actively* advocating for program participants; ~~and~~ (4) *using the most recent program evaluation reports as a guide,* recommending policies and procedures necessary to promote and ~~maintain~~ *publicize* the program*, as well as developing specific recommendations for changes necessary to statute, regulation, and/or proviso necessary to modernize and streamline the program, enhance its alignment and parity with other teacher recruitment initiatives; and (5) annually, by February 1 and August 1, submitting a summary of meetings held during that period and actions taken to conform with each state duty to the Commission on Higher Education and to the Education Oversight Committee for inclusion in the annual program evaluation*.

(C) In conformance with the 2025 Teacher Loan Program (TLP) Report Finding and Recommendations, the Student Loan Corporation shall:

(1) review and revise TLP applications and submit a plan to the Commission on Higher Education for implementing an online application process; and

(2) add a question on the TLP application which will designate applicant as a Teaching Fellow recipient.

1A.7. (SDE-EIA: Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, VIII.F. Other State Agencies and Entities shall be disbursed on a quarterly basis by the Department of Revenue directly to the state agencies and entities referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology, which shall receive

their full appropriation at the start of the fiscal year from available revenue. The Executive Budget Office is authorized to make necessary appropriation reductions in Part IA, Section 1, VIII.F. to prevent duplicate appropriations. If the Education Improvement Act appropriations in the agency and entity respective sections of the General Appropriations Act at the start of the fiscal year do not agree with the appropriations in Part IA, Section 1, VIII.F. Other State Agencies and Entities, the "other funds" appropriations in the respective agency and entity sections of the General Appropriations Act will be adjusted by the Executive Budget Office to conform to the appropriations in Part IA, Section 1, VIII.F. Other State Agencies and Entities. Further, the Department of Revenue is directed to provide the full appropriation of the funding appropriated in Part IA, Section 1, VIII.C.2. Teacher Supplies to the Department of Education at the start of the fiscal year from available revenue.

1A.8. (SDE-EIA: Arts in Education) Funds appropriated in Part IA, Section 1, VIII.A.1. Arts Curricula shall be used to support innovative practices in arts education curriculum, instruction, and assessment in the visual and performing arts including dance, music, theatre, and visual arts which incorporates strengths from the Arts in Education sites. They shall also be used to support the advancement of the implementation of the visual and performing arts academic standards. These funds shall be distributed to schools and school districts under a competitive grants program; however, up to thirty-three percent of the total amount of the grant fund shall be made available as "Aid to Other Agencies" to facilitate the funding of professional development arts institutes that have been approved by the Department of Education for South Carolina arts teachers, appropriate classroom teachers, and administrators. Arts Curricular Grants funds may be retained and carried forward into the current fiscal year to be expended in accordance with the proposed award.

1A.9. (SDE-EIA: Teacher Supplies) (A) All certified and non-certified public school teachers identified in PCS, certified special school classroom teachers, certified media specialists, certified guidance counselors, and career specialists who are employed by a school district, a charter school, or lead teachers employed in a publicly funded full day 4K classroom approved by the South Carolina First Steps to School Readiness, as of November thirtieth of the current fiscal year, based on the public decision of the school board may receive reimbursement of $400 each school year to offset expenses incurred by them for teaching supplies and materials identified by the employee as essential for student success. Funds shall be disbursed by the department to School districts by July fifteenth based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of the school district and no later than May fifteenth annually, the district shall notify all individuals entitled to receive these funds the manner in which the funds will be disbursed. Funds may be disbursed to each teacher via check in a manner separate and distinct from their payroll check on the first day teachers, by contract, are required to be in attendance at school for the current contract year, or the funds may be disbursed to each teacher via direct deposit as long as the funds are handled in a manner to be separate and distinct from their payroll check. This reimbursement shall not be considered by the state as taxable income or reported as income on the employee's annual W-2 form, and a district may not withhold or garnish the amount of the supply check from an employee's salary. Special schools include the Governor's School for Science and Math, the Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, Governor's School for Agriculture at John de la Howe, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice, and Palmetto Unified School District. Funds distributed to school districts or allocated to schools must not supplant existing supply money paid to teachers from other sources. If a school district requires receipts for tax purposes the receipts may not be required before December thirty-first. Districts that do

not wish to require receipts may have teachers retain the receipts and certify for the district they have received the allocation for purchase of teaching supplies and/or materials and that they have purchased or will purchase supplies and/or materials during the fiscal year for the amount of the allocation. Districts shall not have an audit exception related to non-retention of receipts in any instances where a similar instrument is utilized. Any district requiring receipts must notify any teacher from whom receipts have not been submitted between November twenty-fifth and December sixth that receipts must be submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement.

(B) Any classroom teacher, including a classroom teacher at a South Carolina private school, that is not eligible for the reimbursement allowed by this provision, may claim a refundable income tax credit on the teacher's ~~2025~~ *2026* tax return, provided that the return or any amended return claiming the credit is filed prior to the end of the fiscal year. The credit is equal to $400, or the amount the teacher expends on teacher supplies and materials, whichever is less. If any expenditures eligible for a credit are made after December thirty-first, the teacher may include the expenditures on his initial return or may file an amended ~~2025~~ *2026* return claiming the credit, so long as the return or amended return is filed in this fiscal year. The Department of Revenue may require whatever proof it deems necessary to implement the credit provided by this part of this provision. Any person receiving the reimbursement provided by this proviso is ineligible to take the income tax credit allowed by this proviso.

1A.10. (SDE-EIA: Teacher of the Year Awards) Of the funds provided herein for Teacher of the Year Awards, each district Teacher of the Year shall receive an award of $1,000. In addition, the State Teacher of the Year shall receive an award of $25,000, and each of the four Honor Roll Teachers of the Year will receive an award of $10,000. To be eligible, districts must participate in the State Teacher of the Year Program sponsored by the State Department of Education. These awards shall not be subject to South Carolina income taxes.

1A.11. (SDE-EIA: EOC) The Education Oversight Committee may collect, retain and expend revenue from conference registration and fees; charges for materials supplied to local school districts or other entities not otherwise mandated to be provided by state law; and from other activities or functions sponsored by the committee including public awareness campaign activities. Any unexpended revenue from these sources may be carried forward into the current fiscal year and expended for the same purposes.

1A.12. (SDE-EIA: Proviso Allocations) In the event an official EIA revenue shortfall is declared by the Board of Economic Advisors, the Department of Education may reduce any allocation in Section IA specifically designated by proviso in accordance with the lower Board of Economic Advisors revenue estimate as directed by the Executive Budget Office. No allocation for teacher salaries shall be reduced as a result of this provision.

1A.13. (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor funds required for debt service or bonded indebtedness. All school districts must report the student teacher ratio for every classroom to the Department of Education at the forty-fifth and the one hundred and thirty-fifth day mark. The department shall report this information to the General Assembly for the current school year.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district's per pupil expenditures must be utilized within the In$ite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership services, as defined by In$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

(i) the transaction amount;

(ii) the name of the payee; and

(iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete

explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30 of the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

1A.14. (SDE-EIA: Teacher Salary Supplement) The department is directed to carry forward prior year unobligated teacher salary supplement and related employer contribution funds into the current fiscal year to be used for the same purpose. Any unexpended funds in teacher salary supplement may be used to fund shortfalls in the associated employer contribution funding in the current fiscal year.

1A.15. (SDE-EIA: Dropout Prevention and High Schools That Work Programs) The Department of Education must report annually by December first, to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee on the effectiveness of dropout prevention programs funded by the Education and Economic Development Act and on the High Schools that Work Programs' progress and effectiveness in providing a better prepared workforce and student success in post-secondary education. The department, school districts, and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal that were allocated for High Schools That Work.

1A.16. (SDE-EIA: Assessment) The department is authorized to carry forward into the current fiscal year, prior year state assessment funds for the same purpose. Reimbursements shall resume in the current fiscal year for PSAT, ~~pre-ACT~~ *PreACT, CLT10*, or 10th grade Aspire.

1A.17. (SDE-EIA: Report Card Information) The percentage each school district expended on classroom instruction as defined by the Department of Education's In$ite classification for "Instruction" must be printed on the Annual School and District Report Card.

1A.18. (SDE-EIA: Core Curriculum Materials) The funds appropriated in Part IA, Section 1, VIII.A.3 for instructional materials for core curriculum shall be expended consistent with the requirements of Section 59-31-600 of the 1976 Code requiring the development of higher order thinking skills and critical thinking which should be integrated throughout the core curriculum instructional materials. Furthermore, the evaluation criteria used to select instructional materials with funds appropriated in Part IA, Section 1, VIII.A.3 shall include a weight of up to ten percent of the overall criteria to the development of higher order thinking skills and critical thinking.

1A.19. (SDE-EIA: Accountability Program Implementation) To support implementation of the accountability program, the Education Oversight Committee may carry forward unexpended Education Accountability Act funds authorized specifically for the administration of the Education Oversight Committee. For the current fiscal year the Education Oversight Committee may carry forward prior year Education Data Dashboard funds.

1A.20. (SDE-EIA: 4K Targeting) EIA funds allocated for the provision of four-year-old kindergarten shall be utilized for the provision of services to age-eligible children in poverty, as defined in Proviso 1.3 of this act. Children with developmental delays documented through state approved screening assessments or children with medically documented disabilities who do not already qualify for special need services should also be considered for enrollment. In the event that more students seek to enroll than available space permits, districts shall prioritize students (at the time of acceptance) on the basis of family income expressed as a percentage of the federal poverty guidelines, with the lowest family incomes given the highest enrollment priority.

1A.21. (SDE-EIA: Professional Development) Of the funds appropriated for professional development, up to $500,000 may be expended for gifted and talented teacher endorsement and certification activities. The Department of Education must provide professional development on assessing student mastery of the content standards through classroom, formative and end-of-year assessments. The Department of Education also must post on the agency's website the South Carolina Professional Development Standards and provide training through telecommunication methods to school leadership on the professional development standards. The department is authorized to carry forward and expend professional development funds for the same purpose.

1A.22. (SDE-EIA: Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Funds appropriated and/or authorized for assessment shall be used for assessments to determine eligibility of students for gifted and talented programs and for the cost of Advanced Placement, International Baccalaureate, and Cambridge International exams.

1A.23. (SDE-EIA: Adult Education) A minimum of thirty percent of the funds appropriated for adult education must be allocated to school districts to serve adult education students between the ages of seventeen and twenty-one who are enrolled in programs leading to a state high school diploma, state high school equivalency diploma (GED), or career readiness certificate. The remaining funds will be allocated to districts based on a formula which includes factors such as target populations without a high school credential, program enrollment the previous school year, number of students making an educational gain the previous school year, and performance factors such as number of high school credentials and career readiness certificates awarded the previous school year. Overall levels of state funding must meet the federal requirement of state maintenance of effort. Each school district must collect information from both the student and the school including why the student has enrolled in Adult Education and whether or not the student is pursuing a GED or Diploma. The school district must then provide a quarterly report to the Department of Education and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the information. Up to a maximum of $300,000 of funds may be used to establish an initiative by which qualifying adult education students may qualify for a free high school equivalency test. The Department of Education shall establish guidelines for the free high school equivalency testing initiative.

1A.24. (SDE-EIA: Clemson Agriculture Education Teachers) The funds appropriated in Part IA, Section VIII.F. for Clemson Agriculture Education Teachers must be transferred to Clemson University PSA to fund summer employment of agriculture teachers

and to cover state-mandated salary increases on that portion of the agriculture teachers' salaries attributable to summer employment. If sufficient funds remain, Clemson University PSA may utilize such funds for a Regional Coordinator.

1A.25. (SDE: Full-Day 4K) (A) Eligible students residing in any school district or attending any charter school authorized by the South Carolina Public Charter School District or an approved institution of higher education may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the availability of space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

(B) A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds. No school district can be denied participation in CERDEP or be denied CERDEP funding pursuant to the terms of this provision.

(C) 4K programs in public schools and non-profit independent schools participating in CERDEP are not required to be approved, registered, or licensed by the Department of Social Services in order to participate in CERDEP. Instead, the Department of Education and the Office of First Steps are responsible for ensuring that providers deliver high-quality educational programs pursuant to Section 59-156-160.

(D) Public and private providers shall be funded for instructional costs at a minimum rate of $5,100 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for reimbursement at a minimum of $620 per eligible child transported. First Steps and the Department of Education must provide an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive at a minimum of $1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding at a minimum of $10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward funds and federal funds to supplement the amount expended for materials and equipment. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool based on the one hundred and thirty-five day student average daily membership. For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth

national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive reimbursement for these children if funds are available. By September 1, the Department of Education and the Office of First Steps must collect the documented waiting lists, share the lists, and determine a process to notify parents of eligible students of available slots in all approved providers. *School districts participating in the EOC wait list pilot are exempt from the September 1 requirement.* The Department of Education is required to offer waivers allowing students with disabilities to be served in multi-categorical classroom settings based on similar cognition and abilities. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

(E) Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department, during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations for the current fiscal year to account for the findings.

(F) Of the funds appropriated, $300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Early Reading Development and Education Program (CERDEP) and to issue findings in a report to the General Assembly by March first of each year. To aid in this evaluation, the Education Oversight Committee shall determine and obtain the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program, including average daily attendance data, so that consistent enrollment may be determined. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a public or private provider including those funded by CERDEP, Head Start, SC Child Care Scholarships, EIA, Title I, district-funded, and all other federal, state, or local public sources. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades along with information, recommendations, and a timeline for how the state can increase the number of students served in high-quality programs. To aid in the accurate reporting of four-year-olds in poverty served in formal education programs in public schools in South Carolina, the Department of Education must provide to the EOC data related to four-year-olds served in formal education programs funded with other state, local, or federal funds, including Title 1 and EIA-District-funded programs, denoting full- or partial-day status. *The Education Oversight Committee also shall annually evaluate the availability of space in public and private providers to increase the number of CERDEP classrooms to serve additional students whose family income is three hundred percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services.*

(G) For eligible children residing in school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in CERDEP.

(H) For the current fiscal year, the Office of First Steps may expend: (1) up to $2,000,000 to pilot a program to provide higher reimbursement rates to high-quality providers. The reimbursement rate for students enrolled by child care providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to $250,000 to provide one-time supplemental, needs-based incentive grants in an amount not to exceed $30,000 for newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible students in a public, private, or Head Start setting during the prior fiscal year. These grants are designed to address building renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and staffing costs, and/or other obstacles currently preventing their participation in the program. The First Steps Board of Trustees shall develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are used solely to address documented barriers to program participation. Providers receiving this one-time supplement shall be expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March 15.

(I) If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures, available funds may be used to fund an extended program and to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. If a district chooses to fund summer enrollment, the program funding shall conform to the funding in this act for full year programs; however, it shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this act and end of year adjustments shall be based on the one hundred and thirty-five-day student average daily membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty days. Funds may also be used to provide parent engagement, professional development, and quality evaluations of programs. No later than April first, the Department of Education and the Office of First Steps shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants. The Office of First Steps is directed to determine if the provision of extended programs in private centers improves the ability of parents to enter the workforce or to pursue postsecondary training or industry credentials.

(J) On or before November 15, the Department of Education and the Office of First Steps shall share data that identifies the total number of children enrolled in CERDEP in both public and private providers. If available appropriations exceed the instructional costs of serving children enrolled in the program and if a waiting list of eligible children can be documented by the Department of

Education and by the Office of First Steps, then the Executive Budget Office may authorize the transfer of funds between the Department of Education and the Office of First Steps.

(K) The Office of First Steps and the Department of Education shall collaborate with the South Carolina Head Start State Collaboration Office to inform parents of all publicly funded full-day 4K programs including Head Start by participating in PalmettoPreK and First5SC.

1A.26. (SDE-EIA: Centers of Excellence) Of the funds appropriated for Centers of Excellence, $350,000 must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand statewide training for individuals who teach children of poverty through weekend college, nontraditional, or alternative learning opportunities.

1A.27. (SDE-EIA: Career Cluster Industry Partnerships) From the funds appropriated to the Department of Education, $800,000 must be provided as direct grants to the private sector statewide trade association or educational foundation providing nationally certified programs in career and technology education representing the automotive, construction, engineering, healthcare, mechanical contracting/construction, and hospitality tourism career clusters. Organizations applying for a grant must do so by July thirty-first and the Department of Education must award a minimum of one grant of at least $150,000 in at least four of these specified career clusters to be used exclusively for career and technology education. The recipient industry organization must conduct end-of-course exams graded by a national industry organization and must include in their grant request how the money will be spent in direct support of students to further industry-specific career technology education; a description and history of their program nationally and within South Carolina; estimates of future employment growth in their industry; and the national scope of their program. By August first of the following year, the organization must submit to the department a report detailing how the grant increased industry/employer awareness; the number of increased schools using the industry-based curriculum and partnered with the industry organization; the increased number of students in the program; and an overview and analysis of the organization's statewide student competition. The grant must be used for career awareness programs for that industry cluster; statewide student competitions leading to national competitions; teacher development and training; post-secondary scholarships in industry-specific degree programs; student recruitment into that career cluster programs; programs to educate middle and high school Career or Guidance Counselors about the industry; service to disadvantaged youth; and administering business/employer awareness and partnerships which help lead to experience-based, career-oriented experiences including internships, apprenticeships, mentoring, co-op education and service learning. The Office of Career and Technology Education of the department will develop goals with each career cluster on the number of new schools using the industry-based curriculum and partnered with that career cluster organization. These funds may not be used to supplant or replace, in whole or in part, other existing resources/assets sourced outside the present grant being used to provide the same services or programs. Organizations may carry-over grants for up to three years when a large project is identified in the grant application to be used at a future date; otherwise excess funds must be returned to the state. Organizations awarded must submit a semi-annual programmatic and financial report on the last day of December in addition to the final report due August first that has been audited by a third party accounting firm.

1A.28. (SDE-EIA: Partnerships/Other Agencies & Entities) For the current fiscal year, agencies and other entities receiving funds appropriated in Part IA, Section 1, VIII. F. will continue to report annually to the Education Oversight Committee (EOC). Any entity receiving funds that must flow through a state agency will receive those funds through the EOC, unless requested in writing by the

entity to match federal or other funds. The EOC will make funding recommendations to the Governor and General Assembly as part of the agency's annual budget request.

1A.29. (SDE-EIA: ETV Teacher Training/Support) Of the funds appropriated in Part IA, Section 1, VIII.F. South Carolina Educational Television must provide training and technical support on the educational resources available to teachers and school districts.

1A.30. (SDE: Teacher Salaries/SE Average) (A) The projected Southeastern average teacher salary shall be the average of the average teachers' salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year, the Southeastern average teacher salary is projected to be ~~$61,964~~ *$65,545*. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

(B) Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using at a minimum the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. For Fiscal Year ~~2025-26~~ *2026-27*, the requirement that school districts maintain local salary supplements per teacher no less than their prior fiscal year level is suspended.

(C) For purposes of this provision, teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

1A.31. (SDE-EIA: PowerSchool Dropout Recovery Data) With the funds appropriated to the Department of Education for PowerSchool and data collection, the department will begin in the current fiscal year to collect data from schools and school districts on the number of students who had previously dropped out of school and who reenrolled in a public school or adult education to pursue a high school diploma. The Education Oversight Committee working with the Department of Education will determine how to calculate a dropout recovery rate that will be reflected on the annual school and district report cards. The department may carry forward and expend the funds for the same purpose.

1A.32. (SDE-EIA: Assisting, Developing and Evaluating Professional Teaching -ADEPT) With funds appropriated in the current fiscal year, the Department of Education, school districts, the Department of Juvenile Justice and special schools of the state may continue implementation of the ADEPT program. Governing boards of public institutions of higher education may provide by policy or regulation for a tuition waiver for the tuition for one three-hour course at that institution for those public school teachers who serve as supervisors for full-time students completing education degree requirements. Unexpended funds appropriated for this purpose may be carried forward from the prior fiscal year into the current fiscal year and expended for the same purposes.

1A.33. (SDE-EIA: Educational Partnerships) The funds provided to the Center for Educational Partnerships at the College of Education at the University of South Carolina will be used to create a consortium of educational initiatives and services to schools and communities. These initiatives will include, but are not limited to, professional development in writing, geography and other content areas; training; research; advocacy; and practical consultancy. The Center will establish collaborative educational enterprises with schools, school districts, parents, communities, and businesses while fulfilling the responsibilities of the School Improvement Council Assistance. The Center will focus on connecting the educational needs and goals of communities to improve efficiency and effectiveness.

1A.34. (SDE-EIA: STEM Centers SC) All EIA-funded entities that provide professional development and science programming to teachers and students should be included in the state's science, technology, engineering, and mathematics education strategic plan.

1A.35. (SDE-EIA: EOC Partnerships for Innovation) Of the funds appropriated or carried forward from the prior fiscal year, the Education Oversight Committee is directed to participate in public-private partnerships to promote innovative ways to transform the assessment of public education in South Carolina that support increased student achievement in reading, *mathematics,* and college and career readiness. The Education Oversight Committee may provide financial support to districts and to public-private partnerships for planning and support to implement, sustain and evaluate the innovation and to develop a matrix and measurements of student academic success based on evidence-based models. ~~These funds may also be used to support the innovative delivery of science, technology, and genetic education and exposure to career opportunities in science, including mobile science laboratory programs, to students enrolled in the Abbeville equity school districts and students in high poverty schools. These funds may also focus on creating public-private literacy partnerships utilizing a 2:1 matching funds provision when the initiative employs research-based methods, has demonstrated success in increasing reading proficiency of struggling readers, and works directly with high poverty schools and districts. The committee will work to expand the engagement of stakeholders including state agencies and boards like the Educational Television Commission, businesses, and higher education institutions.~~ The committee shall annually report to the General Assembly on the measurement results.

1A.36. (SDE-EIA: Aid to Districts Draw Down) For the current fiscal year, in order to draw down funds appropriated in Part IA, Section 1, VIII.A.1, Aid to Districts, school districts, Palmetto Unified District and the Department of Juvenile Justice must work with local law enforcement agencies and fire marshals, and when necessary, state law enforcement agencies and the Office of the State Fire Marshal in order to ensure that the district has updated school safety and fire plans in place. The safety and fire plans must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated plans must be submitted to the Department of Education no later than September first, of the current fiscal year. In the current fiscal year, school districts may continue to negotiate with local law enforcement for the provision of School Resource Officers. The department must report to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee, and the Chairman of the Senate Education Committee by September thirtieth, of the current fiscal year, on any districts that failed to submit an updated plan.

1A.37. (SDE-EIA: Education and Economic Development Act Carry Forward) Funds provided for the Education and Economic Development Act may be carried forward into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools.

1A.38. (SDE-EIA: EEDA Regional Education Centers) Funds appropriated from the EEDA for Regional Education Centers must not be less than $108,500.

1A.39. (SDE-EIA: Teach for America SC) Because Teach For America SC receives EIA funds in the current fiscal year, school districts that partner with Teach For America SC are required to provide to Teach For America SC by September first annually, information on the prior year's academic achievement of students who were directly taught by Teach For America corps members. The information must be in a format that protects the identity of individual students and must include state assessment data as appropriate.

1A.40. (SDE-EIA: EOC-South Carolina Autism Society) (A) Of the funds appropriated in Section IA, VIII.F. Partnerships, Education Oversight Committee (A85), $500,000 must be transferred in quarterly installments from the Education Oversight Committee to the South Carolina Autism Society for the Autism Parent-School Partnership Program. No more than ten percent of these funds may be used for central office related administrative purposes, with the remaining funds used to directly provide services through the Parent-School Partnership Program.

(B) On a quarterly basis, the South Carolina Autism Society shall submit to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee a comprehensive report concerning the society's finances. The report must include, but is not limited to:

(1) All income derived during the quarter from any source;

(2) An itemized list of all expenditures for the quarter, including the amount of each expenditure;

(3) A list of employees, independent contractors hired by the society, and any other person or entity that provides goods or services to the society, including the amount paid to each; and

(4) Any other such information that aids in fully understanding the fiscal health of the society.

(C) On or before August 1 of the current fiscal year, the society shall provide the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee an audit of the society's books from the society's previous fiscal year. On or before June 30 of the current fiscal year, the society shall provide an updated audit to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

1A.41. (SDE-EIA: CHE/CERRA) The Center for Educator Recruitment, Retention and Advancement (CERRA) must complete periodic evaluations of the institutions currently hosting a Teaching Fellows (TF) program and ensure that the TF programs at the current host institutions continue to meet the requirements for a TF program as set forth by the CERRA Board of Directors. Further, CERRA will continue implementing a long-range plan for approving additional TF programs at other public, four-year institutions who wish to be considered to host a TF program, provided the proposed programs meet the requirements set forth by the CERRA Board of Directors. CERRA will publish TF program criteria and requirements prominently on its website. Any institution who applies but is not selected to host a TF program will be informed in writing of the basis for the selection decision and be offered technical support if the institution elects to reapply. Any institution that applies but is not selected to host a TF program may appeal to the Commission on Higher Education.

1A.42. (SDE-EIA: Public Charter Pupil Counts) With funds appropriated to charter schools sponsored by either the South Carolina Public Charter School District or a registered Institution of Higher Education, the sponsor must require each charter school to submit a student attendance report for the 5th, 45th, 90th and 135th days. Reporting requirements shall include both Average Daily Membership and Weighted Pupil Unit membership. The South Carolina Public Charter School District or a registered Institution of Higher Education shall then provide the data for each charter school to the Department of Education. Quarterly, the department will submit the information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee, and the Senate Education Committee.

The South Carolina Public Charter School District or a registered Institution of Higher Education must also require each virtual charter school to collect the following information: (1) the reason or reasons why each student enrolled in the virtual charter school district from both the parent(s) and the referring school district; and (2) the reason or reasons why a student withdrew from the virtual

charter school district. This data must be provided to the Department of Education quarterly and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the enrollment and withdrawal information on June 30th of the current fiscal year.

1A.43. (SDE-EIA: CERDEP Student Information and Reporting) For the current fiscal year, the Department of Education and the Office of First Steps to School Readiness must acquire unique student identifiers or SUNS numbers for each student enrolled in the CERDEP program no later than the 45th day and must provide a report of such to the House Ways and Means Committee, the House Education Committee, the Senate Finance Committee, the Senate Education Committee and the Education Oversight Committee by November thirtieth. The Department of Education and the Office of First Steps to School Readiness must provide any information required by the Education Oversight Committee for the annual CERDEP report no later than November thirtieth.

1A.44. (SDE-EIA: Rural Teacher Recruiting *and Retention* Incentive) (A) There is created a program within the South Carolina ~~Center for Educator Recruitment, Retention, and Advancement (CERRA)~~ *Teacher Education Advancement Consortium through Higher Education Research (SC TEACHER)* to recruit and retain classroom educators in rural and underserved districts experiencing *elevated teacher* ~~excessive~~ turnover ~~of classroom teachers on an annual basis~~.

(B) During the current fiscal year ~~CERRA~~ *SC TEACHER* shall publish eligibility requirements and applications for individual educators, school districts, and institutions of higher education not inconsistent with existing licensure requirements for each, but also including:

(1) Eligible districts identified by ~~CERRA~~ *SC TEACHER* as *those whose three-year average teacher retention rate, calculated using teacher-level administrative data for eligible classroom educators, falls below the statewide three-year average district retention rate, and that are not within the highest quartile of districts based on index of taxpaying ability. Eligible districts may make application to participate in the program* ~~experiencing greater than eleven percent average annual teacher turnover, as reported on the districts' five most recent district report cards issued by the South Carolina Department of Education and are not one of the fifteen wealthiest districts based on the index of taxpaying ability, may make application to participate in the program~~.

(2) *Notwithstanding item (B)(1), districts in the lowest quartile of taxpaying ability shall remain eligible if their three-year average teacher retention rate is within two percentage points of the statewide three-year district average, recognizing structural recruitment and retention challenges associated with limited fiscal capacity.*

(3) Once determined eligible, a district shall retain eligibility status for a period of three fiscal years, subject to monitoring and reporting by SC TEACHER, to support long-term strategic recruitment and retention planning and implementation.

(4) Individuals eligible for incentives shall be willing to provide instructional services in an eligible district in exchange for participation in an incentive detailed in item (C) pursuant to the obligations and restrictions stated for each.

~~(3)~~*(5)* Institutions of higher education eligible to receive education funding as a component of recruiting incentives created pursuant to item (C) of this provision shall not be excluded from participation in Teaching Fellows Program.

~~(4)~~*(6)* Any incentives requiring individuals to relocate into an eligible district to provide instructional services shall not be made available to individuals providing instructional services in other eligible districts.

(C) Pursuant to item (A), ~~CERRA~~ *SC TEACHER* shall develop a set of incentives including, but not limited to, salary supplements, education subsidies, loan forgiveness, professional development, and mentorship to be provided to *eligible* classroom *teachers or*

candidates ~~educators that offer instructional services~~ in eligible districts and shall provide incentive options for eligible individuals at all stages of their careers, including high-school and college or university students interested in entering the teaching profession and including individuals entering the field through an *approved* alternative certification pathway ~~to include, but not limited to, PACE, ABCTE, Teach for America, and CATE Work-Based Certification~~. *In developing and approving incentives, SC TEACHER shall ensure that funding allocations reflect a balanced and evidence-informed approach to both recruitment and retention, recognizing that sustained workforce stability requires investment beyond initial hiring.*

(1) At a minimum, the incentives shall include:

~~(1)~~*(a)* Development of a program for forgiveness of undergraduate student loans, not to exceed $5,000 per year, for up to 7 years, for teachers participating in this incentive that achieve certification through an alternative pathway or who have a loan from an institution other than the South Carolina Student Loan Corporation or program other than the South Carolina Teachers Loan Program.

~~(2)~~*(b)* Development of a forgivable loan program for individuals pursuing graduate coursework in furtherance of a teaching career, including enrollment in graduate-level coursework necessary to seek additional credentialing or certification relevant to the participant's teaching practice, or individuals seeking an alternative pathway to certification as a teacher.

~~(3)~~*(c)* Support for the establishment and maintenance of a teaching mentorship program, including salary supplements for teaching mentors not to exceed $2,500 per year.

~~(4)~~*(d)* Other technical support and recruiting incentives as developed by ~~CERRA~~ *SC TEACHER* in conjunction with the Department of Education and the Education Oversight Committee consistent with the objectives of this section.

(D) In addition to eligibility and application requirements, ~~CERRA~~ *SC TEACHER* shall develop a process for recovering an amount equal to the incentives given to individual participants who fail to comply with the obligations associated with a relevant incentive in which they participate including, but not limited to, failure to complete a prescribed course of study, failure to obtain a relevant certification or licensure upon completion of a course of study, or failure to provide instructional services in an eligible district for a prescribed period of time.

(E) ~~CERRA~~ *SC TEACHER* shall report by July thirty-first of the current fiscal year to the Governor, President of the Senate, ~~and~~ Speaker of the House*, and Education Oversight Committee* on the incentives developed pursuant to item (C) of this proviso and make recommendations for attracting and retaining high quality teachers in rural and underserved districts. The report shall contain at a minimum eligibility requirements and application processes for districts and individuals, descriptions of and proposed budgets for each incentive program and an analysis of the number and demographics of individuals potentially eligible for each.

(F) *Additional evidence-based report requirements shall include:*

(1) tracking of incentives funded under this proviso, to the extent practicable, to individual classroom educators;

(2) analysis of expenditures by category of recruitment and retention strategy;

(3) computation of return on investment and related effectiveness measures for categories of spending, including impacts on recruitment, retention, and workforce stability; and

(4) as a condition of eligibility and continued participation, districts shall provide timely, accurate, and standardized information necessary for such tracking and analysis, as specified by SC TEACHER.

(G) To streamline reporting evidence consistency, accuracy, and transparency, SC TEACHER shall:

(1) Develop, maintain, and make available to eligible districts a secure district-facing portal that provides access to aggregated information relevant to the Rural Teacher Recruiting & Retention Incentive including, but not limited to, incentive expenditures, recruitment and retention trends, and educator working conditions data, consistent with applicable privacy and data governance requirements.

(2) The district portal shall be designed to support district's required responsibilities in use of these data for district planning, monitoring, and evaluation of recruitment and retention strategies funded under this proviso.

(H) Funds appropriated or transferred for use in the Rural Teacher Recruiting Incentive may be carried forward from prior fiscal years and used for the same purpose.

~~(G) The Education Oversight Committee is required to complete an evaluation of the impact of the funds and incentives related to the Rural Teacher Recruiting Incentive. A completed evaluation is due to the House Ways and Means Committee, the House Education Committee, the Senate Finance Committee, the Senate Education Committee, and the Governor's Office by June 30, 2026.~~

1A.45. (SDE-EIA: Project Read) Of the funds appropriated in Section IA, VIII.A.3. for Reading, $500,000 must be used for teacher in-service training and professional development related to Project Read. The department may set accountability guidelines to ensure that funds are spent in accordance with the proviso.

1A.46. (SDE-EIA: Reading/Literacy Coaches) (A) For the current fiscal year, of the funds appropriated for Reading/Literacy Coaches, the Department of Education shall retain up to $14,000,000 to be expended for the Palmetto Literacy Project. The Department shall identify schools in the Palmetto Literacy Project that have one-third or more of its third grade students scoring at the lowest achievement level on the statewide summative English language arts assessment. For each school identified and participating in the Palmetto Literacy Project in the prior school year, the Department of Education shall provide, at a minimum, the following support: provision of reading specialists, professional learning, and curriculum resources based on the science of reading. The reading specialist/coaches provided to the Palmetto Literacy Project schools shall be hired and evaluated annually by the Department of Education.

(B) The balance of funds appropriated to the Department for Reading/Literacy Coaches shall be allocated to school districts for schools not included in the Palmetto Literacy Project to support reading instruction and interventions which may include, but not be limited to**,** hiring reading/literacy coaches, interventionists, or professional development based on the science of reading. Expenditure of funding must be included in the district reading plan approved by the Department of Education.

(C) These funds must be allocated to school districts by the Department of Education as follows: for each primary and elementary school, the school district shall be eligible to receive up to $62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach.

(D) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district except in the event that the district can request and receive a waiver from the Department of Education to expend the funds on interventionists who spend more than fifty percent of their time providing direct support to struggling readers in grades kindergarten through grade five. The school district must align the placement of coaches to the district reading plan that is approved by the department.

(E) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155, Title 59.

(F) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(G) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

(1) holds a bachelor's degree or higher and an add-on endorsement for literacy coach or literacy specialist;

(2) holds a bachelor's degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or

(3) holds a master's degree or higher in reading or a closely-related field.

Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate.

(H) The Department of Education shall require:

(1) any school district receiving funding to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and

(2) any school district receiving funding to account for the specific amounts and uses of such funds.

(I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

(J) Any unspent or unallocated funds may be carried forward and expended for Summer Reading Camps.

1A.47. (SDE-EIA: Digital Instructional Materials) The Department of Education shall continue to create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that districts have options for print/digital student materials to include class sets of print student editions, if needed. Funds appropriated for the purchase of instructional materials (print/digital) may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted instructional materials inventory, purchasing new kits or those adopted as supplemental from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility.

1A.48. (SDE-EIA: 4K Early Literacy Competencies Assessments) Of the funds carried forward from the full-day 4K program from the previous fiscal year, the Department of Education is authorized to expend up to $800,000 on assessments and professional development to analyze the early literacy competencies of children in publicly funded prekindergarten. If these funds are not available, funds appropriated and/or authorized for assessment shall be used to administer the prekindergarten assessments. The department shall manage the administration of assessments that analyze the early literacy and language development of children in

publicly funded prekindergarten as done in the prior fiscal year. Each school district and private provider participating in a publicly funded prekindergarten program will administer one of the formative assessments selected by the department to each child eligible for and enrolled in a publicly funded prekindergarten program during the first forty-five days of the school year and during the last forty-five days of the school year. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program or 504 Accommodations Plan and for students who are Limited English Proficient according to their LEP Plan. The department will provide the assessment data to the Education Oversight Committee. The results of the assessment and the developmental intervention strategies recommended or services needed to address the child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student to admission to prekindergarten.

Furthermore, up to $2,000,000 of the funds appropriated for half-day programs for four-year-olds and funds carried forward from assessment must be expended by the Department of Education to administer the KRA to each child entering kindergarten in the public schools. The assessment of kindergarten students must be administered at a minimum of once during the first forty-five days of the school year with the results collected by the department. The results of the assessments and the developmental intervention strategies recommended or services needed to address each child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student admission to kindergarten. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program, 504 Accommodations Plan, or LEP Plan. Districts are given the option of designating up to two days of the one hundred eighty day school calendar to administer the assessment to kindergarten students. The department will also provide the results of the assessment of kindergarten students to the Education Oversight Committee. With available funds, the department will also provide or secure training for appropriate educators in how to administer the assessment.

For all students assessed with the KRA, the Department of Education is required to collect data from schools and school districts on the prior early learning experience of each student. The data would include whether the kindergartener had attended in the prior school year a Head Start program, a South Carolina Early Reading Development and Education Program in a public school or a private center, a half-day 4K program in a public school, a full-day 4K program in a public school, a child care center (registered faith-based, registered family home, group home, or exempt provider), or informal child care.

1A.49. (SDE-EIA: Industry Certifications/Credentials) Of the funds appropriated for Industry Certifications/Credentials, $3,000,000 must be allocated to school districts based upon the number of national industry exams administered in the prior school year with each district receiving a base amount of $10,000. The department will identify the national industry exams that will be funded based upon the job availability in the state. School districts may carry forward funds from the prior fiscal year into the current fiscal year and expend the funds for the cost of national industry exams. The department shall work with the Department of Commerce, the Department of Employment and Workforce, state and local chambers of commerce and economic development offices and the Tech Board to ensure that students are aware of the industry required credentials for current job availability in the state organized by region. Any additional funds appropriated must be allocated to school districts based upon the number of national industry exams/credentials earned in the prior school year, and districts must expend these funds to pay for the cost of industry exams or to support students in preparing for the exams in the current fiscal year.

1A.50. (SDE-EIA: Career and Technology Education) ~~Of~~ The funds appropriated for Career and Technology Education~~,~~ ~~multi-district careers centers that received funds in Fiscal Year 2025-26 from the State Aid to Classrooms line item shall receive in the current fiscal year at least $2,750,000. The balance of funds appropriated for Career and Technology Education will be distributed to school districts and multi-district career centers based on the prior year actual student enrollment for career and technology education courses, with no district or multi-district career center receiving less than $50,000~~ *shall be allocated to school districts, the Statewide Public Charter School District, any approved institution of higher education authorizing charter schools, and multi-district career centers based on the prior year's 135-day average daily membership count for each district or authorizer with no district or multi-district career center receiving less than $250,000*. Funds may be expended for the purchase of career and technical equipment, *technology, curriculum, industry certifications,* the up fitting of facilities, and the purchase of consumables, regional career specialists, and such evidence-based initiatives like High Schools that Work and Project Lead the Way. Each district must include in the district plan submitted to the Office of Career and Technology Education information on other career and technical equipment available. The district must include, at a minimum, equipment located at the career center and at the technical college, information on the alignment of equipment to current industry jobs and needs in the state as recommended by career and technical program advisory committees. District plans must include charter schools within the school district offering at least one career and technical education completer program. School districts and career centers may carry forward unexpended funds to be used for the same intended purposes to up fit career and technical facilities and replace career and technical program consumables. In addition, $125,000 of the funds appropriated shall be allocated to the Palmetto Partners for Science and Technology for robotics competition, curriculum, and support.

1A.51. (SDE-EIA: Family Connection South Carolina) Funds appropriated in Part IA, Section 1, VIII.F, Partnerships, for Family Connection South Carolina (H63), shall be transferred in quarterly installments from the Department of Education to Family Connection South Carolina. Funds shall be used to provide support to families of children with disabilities. Support shall include home visits, transition assistance, education assistance, parent support, and parent training. The department shall establish guidelines through which Family Connection South Carolina shall provide planning documents to the department not later than July fifteenth of the current fiscal year, and quarterly reporting of expenditures thereafter; and a performance report submitted annually.

1A.52. (SDE-EIA: Assistance Funding) For the current fiscal year, any funds appropriated to the Department of Education to assist districts that are or were Plaintiffs in the Abbeville law suit and funding appropriated to the department to provide technical assistance to underperforming districts may not be transferred to any other program, are not subject to flexibility, and may be carried forward and expended for the same purposes.

1A.53. (SDE-EIA: Educator Preparation Provider) Of the funds carried forward from the prior fiscal year, the department is authorized to use up to $300,000 to develop a data system to house post-certification data and employment for Education Preparation Provider (EPP) completers in accordance with S.C. Code Reg. 43-90. The system must provide the department with the ability to collect, store, and disseminate data elements needed for national accreditation of providers. Such data shall be exempted from disclosure under Section 30-4-40 of the 1976 Code, the South Carolina Freedom of Information Act.

1A.54. (SDE-EIA: Alternative Commitment to Truancy) As part of its plan for an alternative school, a school district receiving funds from the Department of Education for an alternative school shall identify available alternatives to commitment for children whose truancy is approaching the level of being referred to family court. When proceeding under Section 59-65-50 of the 1976 Code

to bring an individual case before the family court, the school district must present this plan as well as the district's efforts with respect to the individual child to the court. Each school district's plan under this proviso shall include possible assignment to alternative school for a non-attending child before petitioning the court.

1A.55. (SDE-EIA: Grants Committee) (A) Of the funds appropriated to the Department of Education for Innovation Grants, the grants committee shall accept applications per the established process for new grantees not to exceed the amount appropriated by the General Assembly. *The Grants Committee shall establish and publish a Program Lifecycle Policy governing the entry, continuation, and exit of all grant-funded programs and projects. The process shall include the application and selection process.*

~~(B) The process shall include the application and selection process. The grants committee must be comprised of seven members, one member of the Senate appointed by the Chairman of the Senate Finance Committee, one member of the House of Representatives appointed by the Chairman of the House Ways and Means Committee, two members selected from the education community, and three members selected from the business community. The suggested criteria for awarding the grants to schools or school districts or directly purchasing services must include, but are not limited to:~~

~~(1) identification of key measurable benchmarks to raise student achievement and ensure all students are prepared to graduate college, career and civic ready;~~

~~(2) innovative strategies to close student achievement gaps in reading and mathematics, with a focus on schools with an academic achievement rating of below average and unsatisfactory;~~

~~(3) a demonstrated ability to implement the initiative or model as outlined in the application; and~~

~~(4) a demonstrated ability to be both replicable and scalable with priority given to projects grounded in evidence-based practices that have significantly impacted student achievement outcomes.~~

~~(C) Notice of grant opportunities and applications shall be posted on the department's website by May 30th. Applications for funding must be submitted to the department by June 30th. Notification of grant awards and final grant amounts shall be sent to applicants by July 31st.~~

~~(D) Applicants who commit to a match will be given priority in the selection process. The match may be met by funds or by in-kind donations, such as technology, to be further defined by the grants committee. Public school districts and schools that have high poverty and low achievement will receive priority for grants when their applications are judged to meet the criteria established for the grant program. De-identified student level data shall be submitted, including a definition of program fidelity. The committee shall submit an annual report to the Governor, the Chairman of House Ways and Means and the Chairman of Senate Finance by June 30th.~~

~~(E) Grantees will be required to participate in an external evaluation by selecting an evaluator approved by the department.~~

~~(F) The grants committee must award at least one grant to an applicant providing an assessment tool that will provide each district with a local inventory dashboard of education software programs used by their students and teachers, and that includes an aggregate dashboard of program usage from across the state, for the department. Additionally, the system must provide a compilation of usage data by educator and student, be able to conduct rapid cycle evaluations to measure the effectiveness of education software programs based on student outcomes, and support evidence-based analysis of education software programs aligned to the required levels of evidence in the Every Student Succeeds Act. Any system procured must meet the state and agency minimum IT security standards~~

~~as prescribed by the department. The department is authorized to carry forward and expend any balance for funds authorized in the prior fiscal year for Innovation Grants that provide an assessment tool as described herein in the current fiscal year.~~

(1) The grants committee shall be comprised of seven members as follows:

(a) one member of the Senate appointed by the Chairman of the Senate Finance Committee;

(b) one member of the House of Representatives appointed by the Chairman of the House Ways and Means Committee;

(c) two members selected from the education community; and

(d) three members selected from the business community.

(2) The Grants Committee shall select a chairman from among its membership. Vacancies shall be filled in the same manner as the original appointment. Members shall serve without compensation but may receive mileage and per diem as authorized by law.

(B) Applicants who commit to a match will be given priority in the selection process. The match may be met by funds or by in-kind donations, such as technology, to be further defined by the grants committee. Public school districts and schools that have high poverty and low achievement will receive priority for grants when their applications are judged to meet the criteria established for the grant program. De-identified student level data shall be submitted, including a definition of program fidelity. The committee shall submit an annual report to the Governor, the Chairman of House Ways and Means and the Chairman of Senate Finance by June 30th.

(C) The following conditions shall apply to all applicants and recipients:

(1) Eligibility and Application. Any public school, public school district, charter school, or education-serving nonprofit organization operating within the State may apply for an Innovation Grant. The Department of Education shall post notice of grant opportunities, application requirements, and all applicable deadlines on its official website no later than October 1 of the fiscal year. Applications shall be submitted to the department on a form prescribed by the Grants Committee no later than November 1 of the fiscal year. Applications shall include, at minimum: a statement of the educational need or problem to be addressed; a description of the proposed program or project; a projected budget; measurable goals aligned to the metrics established in this proviso, and an exit and sustainability plan describing how the program or project will transition at the conclusion of grant funding. Applications received after November 1 shall not be considered for funding in that cycle.

(2) Award Notification. The Grants Committee shall complete its review of all timely submitted applications and shall issue written notification of grant awards and final grant amounts to all applicants no later than March 1 of the fiscal year. Notification shall be sent to both successful and unsuccessful applicants. Unsuccessful applicants shall receive a brief written statement of the basis for denial and shall be eligible to reapply in a subsequent funding cycle.

(3) Initial Award Period. Awards shall be made on a competitive basis by the Grants Committee. Grant funds shall not be used to supplant existing federal, state, or local funding streams.

(4) Maximum Funding Period and Mandatory Exit. No program or project shall receive Innovation Grant funding for more than three consecutive fiscal years. A program or project that has received an Innovation Grant award in the three immediately preceding fiscal years shall not be eligible for a new grant award in the current fiscal year. A program or project seeking to re-enter the grants process must demonstrate in its application that it represents a substantially new initiative distinct from any previously funded program or project, as determined by the Grants Committee.

(5) Department of Education Review and Funding Determination. No later than January 1 of the grant recipient's third and final funded fiscal year, the Department of Education shall conduct a formal review of the program or project and shall submit to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor a written determination as to whether the department recommends permanent base budget funding for the program or project in a subsequent appropriations cycle. The determination shall include the department's findings on program effectiveness, cost per student served, and scalability. Failure by the department to submit such a determination shall be noted in the subsequent year's Executive Budget request documentation.

(6) Prohibited Uses. Innovation Grant funds shall not be used for the construction or renovation of facilities, the purchase of real property, or administrative overhead costs exceeding fifteen percent of the total award.

(D) The grants committee must award at least one grant to an applicant providing an assessment tool that will provide each district with a local inventory dashboard of education software programs used by their students and teachers, and that includes an aggregate dashboard of program usage from across the state, for the department. Additionally, the system must provide a compilation of usage data by educator and student, be able to conduct rapid cycle evaluations to measure the effectiveness of education software programs based on student outcomes, and support evidence-based analysis of education software programs aligned to the required levels of evidence in the Every Student Succeeds Act. Any system procured must meet the state and agency minimum IT security standards as prescribed by the department. The department is authorized to carry forward and expend any balance for funds authorized in the prior fiscal year for Innovation Grants that provide an assessment tool as described herein in the current fiscal year.

(E) From funds appropriated to the Department of Education Innovation Grants Fund, all grant recipients shall be subject to a uniform performance evaluation framework. The Grants Committee, in consultation with the Department of Education's Office of Research and Data, shall establish baseline measurements for each funded program or project at the time of initial award and shall evaluate recipient performance against the following metrics:

(1) Primary Metrics. Student Academic Performance. The following shall serve as the primary basis for evaluating grant effectiveness:

(a) Reading Proficiency Growth. The percentage of participating students demonstrating measurable growth on a State-approved reading assessment from the beginning to the end of each funded program year, disaggregated by grade band, student subgroup, and initial proficiency level.

(b) Mathematics Proficiency Growth. The percentage of participating students demonstrating measurable growth on a State-approved mathematics assessment from the beginning to the end of each funded program year, disaggregated by grade band, student subgroup, and initial proficiency level.

(c) Acceleration of Below-Grade-Level Students. The percentage of participating students who entered the program performing below grade level and who achieved at least one grade-level equivalent of growth during a single program year, as measured by a State-approved diagnostic or growth assessment tool.

(d) Reduction in Achievement Gaps. Demonstrable narrowing of the performance gap between historically underserved student subgroups, including students with disabilities, English learners, students qualifying for free or reduced-price meals, and students in rural or underserved communities, and the general student population within the program or project.

(2) Secondary Metrics. Student Engagement and Progression. The following shall serve as supporting indicators of program effectiveness:

(a) Chronic Absenteeism Rate. The percentage of participating students classified as chronically absent (missing ten percent or more of enrolled school days), compared to a matched comparison group or prior-year baseline.

(b) Course Passage and Credit Attainment. For secondary-level programs, the percentage of participating students successfully completing coursework and earning credits on pace for grade-level promotion or graduation.

(c) Graduation Rate Trajectory. For multi-year programs serving secondary students, the four-year and five-year adjusted cohort graduation rate of participating students compared to the statewide average and to a matched non-participating cohort.

(3) Evaluation Reporting Requirements. Each grant recipient shall submit to the Grants Committee an annual performance report no later than June 30. The report shall include: enrollment and participation data; pre- and post-assessment results for each primary metric applicable to the program; a narrative explaining results, including any factors outside the program's control that affected performance; and a projection of outcomes for the subsequent program year. The Grants Committee shall compile all recipient reports into an aggregate annual report submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Department of Education no later than June 30 of the fiscal year.

(4) Continuation and Termination Standards. The Grants Committee shall establish, by written policy, minimum performance thresholds for each metric category in items (1) and (2). A recipient that fails to meet the minimum threshold on the primary metrics in item (1) for a single program year shall be placed on a formal improvement plan with conditions specified by the Grants Committee. A recipient that fails to meet minimum thresholds for two consecutive program years shall be ineligible for continuation funding and shall wind down program activities within the funded fiscal year. The Grants Committee may, by a two-thirds vote of its membership and with written findings, grant a single-year exception upon a showing of extraordinary circumstances beyond the recipient's control.

(5) Independent Evaluation. For any program or project receiving cumulative Innovation Grant funding in excess of five hundred thousand dollars, the Grants Committee shall commission an independent third-party evaluation prior to the conclusion of the final funded year. The cost of such evaluation may be drawn from the Innovation Grants Fund appropriation and shall not be charged against the individual recipient's award.

1A.56. (SDE-EIA: Teacher Loan Program) With the funds appropriated for the Teacher Loan Program and with funds in the revolving fund, in the current fiscal year the annual maximum award for eligible juniors, seniors and graduate students is $7,500 per year and the aggregate maximum loan amount is $27,500.

1A.57. (SDE-EIA: Digital Learning Plan) The implementation of the e-Learning program is the responsibility of the Department of Education. Those e-Learning school districts who meet the criteria for an e-Learning district as determined by the Department of Education may use up to five e-Learning days to allow for the make-up of short-term disruptions to in-person teaching and learning.

1A.58. (SDE-EIA: Teacher Recruitment Program) On or before September 30th of the current fiscal year, following the development of accountability metrics, $750,000 of the funds appropriated in this act to the Department of Education for "Rural Teacher Recruitment" shall be allocated to the University of South Carolina's College of Education (COE) for the development and implementation of a new teacher recruitment pilot program to be administered by the COE in partnership with the Mira Education. The purpose of the pilot program shall be the employment of innovative and cost-effective teacher recruitment strategies, customized

training for new teachers, and dedicated, ongoing mentoring support. The pilot program shall compliment and/or enhance the state's ongoing rural teacher recruitment initiatives such as those supported pursuant to Proviso 1A.44 of this act. At minimum, the pilot program must assist no fewer than ten school districts to include at least four districts along the 1-95 corridor and serve no fewer than 250 teacher candidates. The pilot program shall stipulate reasonable fees for participating candidates and districts and districts shall agree to release time for required on site mentors who shall be experienced, practicing teachers within the district for the purposes of co-teaching with and supporting candidates' development. Within participating districts, the pilot program shall emphasize high-need schools and within selected schools, the emphasis shall be on developing teacher candidates teaching in high-need subject areas to include, but not be limited to, STEM and special education with all candidates receiving training in literacy skills. The pilot program design shall be based on emerging empirical evidence of effective teacher education as well as best practices from recent innovations in university-based and alternative certification and residency programs for the dual purpose of recruiting needed candidates with equal focus on retaining accomplished, experienced teachers utilizing, in part, a model which contains intensive mentoring and support for candidate teachers. For purposes of maximizing the impact of this pilot program in identifying qualified teacher candidates as required herein, subject area assessment requirements as they relate to permitted standard deviation tolerances shall mirror those of State Department of Education requirements for traditionally prepared candidates. The pilot program shall assess the certification outcomes of candidates in relation to these tolerances. Before any funds are disbursed to the COE, the COE and Mira Education shall develop accountability metrics for the pilot program that must include, at minimum, employment outcome indicators such as job placement and retention statistics as well as survey instrumentation in order to measure candidate, mentor, and principal satisfaction with the pilot program. No later than June 30th, program data and evidence collected as a result of this accountability requirement must be shared in report form with the Department of Education, the Education Oversight Committee, the South Carolina Center for Educator Recruitment, Retention, and Advancement, the Commission on Higher Education, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee.

1A.59. (SDE-EIA: Return to Covered Employment) For compensation earned during the current fiscal year, the earnings limitation imposed pursuant to Sections 9-1-1790(A)(1) and 9-11-90(4)(a)(i) of the 1976 Code does not apply if the retired member is hired by the Department of Education to primarily provide services to the department for its tiered system of support for underperforming schools and districts. The department may not pay a retiree who qualifies for the earnings limitation exception under this provision more than $125,000 per year. The department may only use this provision for a maximum of twenty employees during the fiscal year. The department shall report the number of employees hired under this provision to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by June 30.

1A.60. (SDE-EIA: Kindergarten and Pre-K Start Dates) A district superintendent or charter school authorizer may submit a request to the department to waive the minimum one hundred eighty day school attendance requirement for CERDEP and kindergarten students for the purpose of scheduling assessments. Upon approval of the waiver request, the approved school may stagger administering the assessments to CERDEP and kindergarten students during the first five days of the academic year.

1A.61. (SDE-EIA: Surplus) For Fiscal Year ~~2025-26~~ *2026-27*, EIA cash funds from the prior fiscal year and EIA funds not otherwise appropriated or authorized must be carried forward and expended on the following items in the order listed.

~~(1) $29,614,175 to the Department of Education for the purchase of instructional materials;~~

~~(2) $35,000,000 to the Department of Education for School Buses;~~
~~(3) $20,000,000 to the Department of Education for School Facilities Safety Upgrades;~~
~~(4) $23,519,825 to the Department of Education for Summer Reading Camps;~~
~~(5) $1,000,000 to the College of Education at the University of South Carolina for the Teaching Transformation Pilot Program;~~
~~(6) $750,000 to the South Carolina Farm Bureau Federation to support the Ag in the Classroom program by providing resources and professional development to teachers and schools;~~
~~(7) $5,000,000 to the Department of Education for the Teacher Strategic Compensation;~~
~~(8) $1,600,000 to reimburse school districts for reduced meals for the Child Nutrition Program;~~
~~(9) $1,500,000 to the South Carolina Technical College System to create, in partnership with the South Carolina Technical College System Foundation (SCTCSF), a pilot program to increase the number of individuals earning an associate's degree in education who will then transfer to a four-year institution of higher learning and complete a bachelor's degree in education. The pilot program will provide a cost-efficient, accelerated online, in-person or hybrid program to facilitate completion of an education degree. Focusing on rural South Carolina communities, the SCTCSF will partner with local school districts to identify future teachers, provide apprenticeship opportunities, and encourage future long-term employment in rural school districts for Tech to Teach graduates. The SCTCSF shall issue a report to the Governor, the Senate Finance Committee, the House Ways and Means Committee, and the Education Oversight Committee by June 30, 2026; and~~
~~(10) $6,000,000 to the Statewide Implementation of the Imagination Library.~~
(1) $34,300,000 to the Department of Education for Instructional Materials;
(2) $20,000,000 to the Department of Education for School Safety Grants;
(3) $1,0000,000 to the University of South Carolina for the Teaching Transformation Pilot Program;
(4) $5,000,000 to the Department of Education for Teacher Strategic Compensation;
(5) $9,860,581 to the Office of First Steps for CERDEP Expansion in Private Centers;
(6) $5,000,000 to the Office of First Steps for Innovation Investments;
(7) $3,200,000 to the Department of Education for the Statewide Education Finance Data Platform;
(8) $1 to the Department of Education for Learning.com;
(9) $1 to the Department of Education for Amira;
(10) $2,000,000 to the University of South Carolina for Institute of Public Policy; and
(11) $3,500,000 to the Department of Education for Disconnect to Reconnect.

1A.62. (SDE EIA: National Board Certification Incentive) (A) Public school classroom teachers, to include teachers employed at the special schools or classroom teachers who work with classroom teachers, to include teachers employed at the special schools who are certified by both the State Board of Education and the National Board for Professional Teaching Standards (NBPTS), shall be paid an annual salary supplement of either $7500 or $5000. When all other criteria included in this provision are met, the amount of the supplement shall be determined by the teacher's date of application to NBPTS and the length of the national certificate as described below.

(1) A salary supplement of $7500 shall be paid to National Board Certified Teachers (NBCTs) who made an initial application before July 1, 2010, and who hold a ten-year national certificate.

(2) A salary supplement of $5000 shall be paid to NBCTs who made an initial application before July 1, 2010, and who hold a five-year national certificate.

(3) A salary supplement of $5000 shall be paid to NBCTs who made an initial application after July 1, 2010, and who hold either a five-year or a ten-year national certificate.

(B) The salary supplement shall begin in the year the teacher achieves national certification, be added to the teacher's annual pay, and continue as long as the teacher is certified by both the State Board of Education and NBPTS and employed as a public school classroom teacher as described above. However, the supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the districts payroll procedure.

(C) The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, Governor's School for Agriculture at John de la Howe, School for the Deaf and the Blind, Department of Juvenile Justice, and Palmetto Unified School District 1.

(D) Public school classroom teachers who are certified by NBPTS shall enter a recertification cycle for their South Carolina certificate consistent with the length of the recertification cycle for National Board Certification. Teachers who are certified by NBPTS moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with the length of the recertification cycle for National Board Certification. The department is authorized to carry forward funds and only expend them for the same purpose.

1A.63. (SDE-EIA: ARP Maintenance of Equity): The Department of Education is authorized to utilize funds appropriated in State Aid to Classrooms - Maintenance of Effort and Equity to ensure Maintenance of Equity is met under the American Rescue Plan and maintenance of state financial support for IDEA.

1A.64. (SDE-EIA: Evaluation of Alternative Instruction Methods) With funds appropriated, the Education Oversight Committee is responsible for evaluating the impact of alternative methods of instruction on student learning and working with other agencies to expand access to quality remote instruction which can be dispatched if necessary. Alternative methods of instruction may include, but are not limited to, online or virtual instruction, remote learning, and hybrid models. The Department of Education and school districts providing alternative methods of instruction must provide data as requested by the committee to evaluate the effectiveness of the instruction. The Education Oversight Committee shall report annually to the Governor, the General Assembly, the Department of Education, and the State Board of Education.

1A.65. (SDE-EIA: Report Card) For the current fiscal year, the department is directed to produce the school report cards by October 15.

1A.66. (SDE-EIA: Return of Local Control) Utilizing funds appropriated to the Department of Education, any school or district declared under a state of emergency where management was taken over by the State Superintendent of Education in a previous fiscal year shall remain under such management until the Superintendent of Education deems the school or district has shown significant improvements and has met targets as set by the Superintendent of Education. Management of the school or district includes direct management, consolidation with another district, charter management, public/private management, or contracting with an educational management organization or another school district.

After management of a school district formerly under a state of emergency declared by the State Superintendent of Education has been relinquished and returned to the local board of education, the school district must provide the State Board of Education with monthly updates on the economic and academic conditions within the district for the remainder of the current fiscal year.

1A.67. (SDE-EIA: Developmental Education and Therapy Services) *(A)* Of the funds appropriated for Developmental Education and Therapy Services for students with multiple documented disabilities, ~~$651,501~~ *$736,486* shall be allocated to the Meyer Center, ~~$1,648,499~~ *$1,724,514* shall be allocated to Pattison's Academy, and ~~$1,000,000~~ *$839,000* shall be allocated to the ~~SC Public Charter School District for~~ Palmetto *Goodwill* Excel *Center, subject to execution of a written contract that gives the Center the ability to serve as an adult education center or adult high school under authority of an entity accredited to award high school diplomas to adults*. The funding allocated to the ~~Public Charter School District~~ *Palmetto Goodwill Excel Center* is estimated to serve ~~150~~ *125* students. If less students are served, the money must be retained and not expended by the ~~Public Charter School District~~ *Palmetto Goodwill Excel Center* on a pro rata basis. ~~Funds shall be disbursed by the department to the district in full not later than December 1, and the district shall remit the total allocation to the schools within 30 calendar days.~~ *Funds shall be disbursed by the department to Palmetto Goodwill Excel Center in equal monthly installments once a written contract is executed. Funds shall be disbursed by the department to the district for the Meyer Center and Pattison's Academy in full not later than December 1, and the district shall remit the total allocation to the schools within 30 calendar days.*

(B) If the required written contract is not fully executed on or before December 1 of the current fiscal year, or if at any time the Center is no longer operating under such a contract, any unexpended funds shall be returned to the Department of Education. Any funds previously disbursed and expended in violation of this proviso shall be subject to recoupment by the Department of Education. The Department is authorized to withhold or claw back such funds and shall reallocate them for purposes consistent with this proviso.

(C) Any funds due to Palmetto Goodwill Excel Center through the normal aid to classroom formula shall be offset by the allocation granted and paid under this proviso.

1A.68. (SDE-EIA: Instructional Materials) Of the funds appropriated for Instructional Materials, $250,000 shall be used to assist individual schools and/or districts to implement Ronald Rouse's Law requiring high school students to receive non-credentialed CPR instruction in health education class. Funds may be used to purchase, replace, and maintain equipment and training materials. Priority shall go to schools and districts determined high-need. High-need may be determined by using a district's Index of Taxpaying Ability.

1A.69. (SDE-EIA: High-Dosage Tutoring) (A) The Department of Education is authorized to provide funds to school districts and community partners in the current fiscal year for academic support programs providing high-dosage, low-ratio tutoring to students in mathematics and reading by compensated tutors.

(B) The Department of Education shall prioritize available funding for academic support program applications that include Local Education Agencies (LEA) or local funding matches, LEA capacity for successful program implementation, or a large proportion of students needing priority placement within an academic support program. Of the funds appropriated, at least 95% shall be distributed as grants to participating LEAs and public charter schools and shall not be combined with any other state or federal grant program.

(C) The Department of Education may collaborate with community partners to implement and conduct academic support programs. Academic support program partners shall comply with personnel criminal history checks and any applicable building safety standards. The Department of Education shall issue a solicitation for education service providers to be included on a qualified

provider list. For the current school year, this solicitation shall be published by August; provider applications shall be submitted by September 1; and provider approval notices shall be issued by October 1.

(D) The Department of Education shall issue a grant application for LEAs and public charter schools. For the current school year, this application shall be published by September 15 but not before September 1; grant applications shall be submitted by October 15; and grant awards shall be issued by November 15. Grantees may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

(E) At a minimum, eligible academic support programs shall include tutoring sessions totaling one and a half hours per week. Tutoring sessions should be scheduled at least twice weekly for forty-five minutes. Tutoring sessions shall be held in small group settings of no more than three students per tutor but may occur within or outside the regular school day. Students scoring, or expected to achieve, "Does Not Meet Expectations" on the statewide summative assessment should be given priority placement within the academic support program.

(F) The Department of Education, in collaboration with the Education Oversight Committee, shall prepare a report on the effectiveness of the academic support programs for the Governor and General Assembly. Participating LEAs and public charter schools shall submit data as requested by the Department of Education including, but not limited to, student enrollment, attendance, and student pre-/post-test scores from a state-approved formative assessment or high school content assessment.

1A.70. (SDE-EIA: Artificial Intelligence) The SC Department of Education will expend $3 million to develop, pilot, and implement a high school curriculum for high school students in an artificial intelligence (AI) career and technology program. The program will include a four-year sequential pathway that is aligned with two- and four-year college automotive programs and includes teacher training, third-party assessments, and certifications.

1A.71. (SDE-EIA: CERDEP Foundational Literacy Skill Training) (A) ~~Beginning in the 2025-26 Fiscal Year~~ *For the current fiscal year*, with funds available, the Department of Education will train public school educators and class aides working with children in the South Carolina Early Reading Development and Education program (CERDEP) and staff *with* the Office of First Steps to School Readiness in foundational literacy skills. Each school district with CERDEP classrooms shall participate in the implementation of this foundational literacy skills training.

(B) Selected educators shall participate in foundational literacy skills training provided and paid for by the Department of Education. Successful completion of this training shall satisfy the requirements of the ~~literacy teacher endorsement~~ *R2S Child Early Reading Development Education Program (CERDEP) Literacy Teacher Endorsement*. Educators who successfully complete the training, as determined by the department, shall receive a monetary stipend.

(C) The Department of Education is authorized to carry forward and expend any balance of funds authorized in the prior fiscal year for training for the same purposes in the current fiscal year.

1A.72. (SDE-EIA: Teacher Loan Program) Of the available funds in the Teacher Loan Program revolving account administered by the SC Student Loan Corporation, up to $5,000,000 shall be made available *through a program administered by the Student Loan Corporation* to assist in refinancing student loan debt for all certified teachers employed in the public schools of the State. An additional $5,000,000 from the revolving loan account will be made available to teachers *in rural school districts* for loan forgiveness patterned after the SC Teacher Loan ~~in the following school districts based on the number of teacher vacancies and/or the number of teachers of record uncertified in the subject area in which they are teaching: Bamberg, Allendale, Calhoun, Jasper, Lee, and~~

~~McCormick school districts that show a vacancy rate of ten percent or greater based on the 2024-25 Teacher Supply and Demand Report~~ *Program. The Department of Education will identify the rural school districts for inclusion in loan forgiveness using data that documents the difficulty of the districts in recruiting and retaining certified teachers. The Student Loan Corporation must have both programs operational by the end of the fiscal year.*

1A.73. *(SDE-EIA: Strategic Teacher Career Ladder Pilot Implementation) (A) With funds appropriated, the Department of Education shall develop a pilot implementation plan for a strategic Teacher Career Ladder (TCL) program designed to provide high-performing teachers with opportunities for career advancement through advanced license designations, such as Mentor Teacher, Lead Teacher, and Advanced Teacher. These designations shall be linked to clearly defined additional roles, responsibilities, and compensation. The purpose of the TCL is to increase teacher retention, validate career accomplishments, expand access to highly effective educators, and incentivize placement of high impact teachers in schools with the greatest need.*

(B)The department shall:

(1) create an opt-in application process for districts, including a rubric to evaluate and select participants for phased implementation;

(2) develop criteria and guidance for districts to award advanced license designations and validate consistency and fairness through a qualified third party;

(3) publish annually a list of "Targeted Career Ladder Program" schools where designated teachers may earn higher stipends;

(4) include research and best practices from other states to inform the design and execution of the pilot;

(5) allocate funds to participating districts, requiring that at least ninety percent of funds be used for teacher stipends;

(6) require participating districts to submit annual data detailing designation data, educator performance, and implementation outcomes; and

(7) submit an annual report to the General Assembly detailing the pilot program recommendations for implementing the program.

1A.74. *(SDE-EIA: ESTF Parent Satisfaction Survey)* **DELETED**

1A.75. *(SDE-EIA: Institute for Public Policy) (A) Of the funds appropriated to the University of South Carolina for a statewide data integration and policy analysis institute, the university shall develop the institute as a statewide data integration and policy analysis resource to support evidence-informed decision-making by state and local policymakers. The institute shall integrate data across key domains including, but not limited to, education and workforce, public health, economic development, public safety, infrastructure, and demographic trends. Funds may be used to support:*

(1) development of a centralized data infrastructure and integration of public and contracted data sources;

(2) production of regular policy briefs, legislative analyses, and statewide data reports;

(3) creation of interactive data dashboards and visualization tools accessible to policymakers and the public;

(4) convening of policy roundtables, symposia, and stakeholder engagement activities; and

(5) support for research, faculty collaboration, and graduate student policy fellowships aligned to the institute's mission.

(B) The University of South Carolina and relevant state agencies including, but not limited to, Revenue and Fiscal Affairs Office, the Education Oversight Committee, the Department of Employment and Workforce, the Department of Education, and any and all

other data-producing entities, shall collaborate with each other to ensure appropriate data access, sharing, and governance consistent with state and federal law. The institute shall provide periodic reports and briefings to the General Assembly, upon request, to inform policy deliberations.

1A.76. *(SDE-EIA: Supplemental Instructional Materials) The Department of Education is authorized to utilize up to $5,000,000 of instructional materials funding annually to purchase supplemental instructional materials. The Department of Education shall review supplemental materials to ensure alignment to state standards and learning objectives and place these materials on an approved supplemental materials list. Only those materials on the approved supplemental materials list may be purchased with state funds.*

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

3.1. (LEA: Audit) Each state agency receiving lottery funds shall develop and implement procedures to monitor the expenditures of lottery funds in order to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations.

For institutions of higher learning, adopted procedures to monitor expenditures of lottery funds shall be reported to the Commission on Higher Education and the Executive Budget Office by October 1 of the current fiscal year, and these expenditures are subject to annual verification and audit by the Commission on Higher Education on a rotational schedule not to exceed three years. The annual verification and audit shall be funded from the funds appropriated to or authorized for the Commission on Higher Education and the commission shall not assess a fee or charge institutions of higher learning for performing this function. In addition, the Commission on Higher Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by October first each year summarizing, by institution, how lottery funds were expended in the prior fiscal year, issues and concerns as well as institution responses to those issues and concerns discovered as a result of the commission's verification and/or audit activity during the prior fiscal year, if any.

For the Department of Education, adopted procedures to monitor expenditures of lottery funds that are allocated to the South Carolina school districts and other recipient institutions according to law and Department of Education guidelines shall be reported to the Executive Budget Office by October 1 of the current fiscal year. In addition, the Department of Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on the amount of lottery funds the department distributed to each entity in the prior fiscal year.

All other state agencies must submit their adopted procedures to monitor expenditures of lottery funds to the Executive Budget Office by October 1 of the current fiscal year.

The Executive Budget Office shall ensure that state agencies receiving lottery funds have procedures in place to monitor expenditures of lottery funds and that the monitoring procedures are operating effectively.

3.2. (LEA: Election Day Sales) For the current fiscal year, Section 59-150-210(E) is suspended.

3.3. (LEA: Student Unique Identifiers) For the current fiscal year, in order to provide longitudinal data, institutions of higher education and technical colleges accepting lottery funds must retain the student unique identifier or SUNS number assigned to students who attended public high schools in South Carolina. This shall not prohibit institutions of higher education or technical colleges from using additional student identifiers.

3.4. (LEA: Disclosure of Winner Information) Pursuant to Section 30-4-40, the South Carolina Freedom of Information Act, the Lottery Board of Commissioners is prohibited from disclosing a winner's name, address, telephone number, date of birth, social security number, electronic address, and any copy of the forms of identification provided to the board unless consent is given by the winner. In response to a request, the board only may allow the release of the date of the claim and draw, game played, amount of prize won, retailer location where the ticket was sold, and the hometown of the winner.

3.5. (LEA: FY 2025-26 Lottery Funding) ~~(A) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Executive Budget Office as directed below. These appropriations must be used to supplement and not supplant existing funds for education. For cash flow purposes, the Executive Budget Office may facilitate limited transfers from the general deposits of the state for the exclusive purpose of ensuring the timely distribution of scholarships and tuition assistance payments as provided below. Any use of this transfer allowance must include full reimbursement from the Education Lottery Account to the general deposit accounts of the state prior to the close of the fiscal year.~~

~~(B) The Executive Budget Office is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.~~

~~(C) All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.~~

~~(D) For Fiscal Year 2025-26, certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2023-24 certified surplus, and Fiscal Year 2024-25 projected surplus and undesignated fund balance are appropriated as follows:~~

~~(1) Commission on Higher Education – LIFE Scholarships as provided in Chapter 149, Title 59.....$215,903,281;~~

~~(2) Commission on Higher Education – HOPE Scholarships as provided in Section 59-150-370 .....$ 13,007,732;~~

~~(3) Commission on Higher Education – Palmetto Fellows Scholarships as provided in Section 59-104-20$ 60,957,272;~~

~~(4) Commission on Higher Education and State Board for Technical and Comprehensive Education – Tuition Assistance.....$ 52,994,528;~~

~~(5) Commission on Higher Education – Need Based Grants .....$ 80,000,000;~~

~~(6) Higher Education Tuition Grants Commission – Tuition Grants .....$ 20,000,000;~~

~~(7) Commission on Higher Education – SC National Guard College Assistance Program as provided in Section 59-111-75.....$ 6,200,000;~~

~~(8) State Board for Technical and Comprehensive Education – South Carolina Workforce Industry Needs Scholarships .....$ 54,324,046;~~

~~(9) South Carolina State University.....$ 2,500,000;~~

~~(10) Commission on Higher Education – Nursing Initiative.....$ 10,000,000;~~

~~(11) Commission on Higher Education – PASCAL.....$ 1,500,000;~~

~~(12) State Board for Technical and Comprehensive Education – readySC.....$ 1,000,000;~~

~~(13) Department of Education – K-12 Education Scholarships.....$ 20,000,000;~~

~~and~~

~~(14) State Board for Technical and Comprehensive Education – Intellectual and Developmental~~

~~Disabilities Pilot Program ..... $ 700,000.~~

~~(E) For Fiscal Year 2025-26, funds certified from unclaimed prizes are appropriated as follows:~~

~~(1) Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services – Gambling Addiction Services ..... $ 100,000;~~

~~(2) State Board for Technical and Comprehensive Education – South Carolina Workforce Industry Needs Scholarships ..... $ 2,848,953;~~

~~(3) Commission on Higher Education – College Transition Program Scholarships ..... $ 3,551,046;~~

~~(4) State Department of Education – School Bus Purchase ..... $ 1;~~

~~(5) Commission on Higher Education – Higher Education Excellence Enhancement Program ..... $ 9,000,000; and~~

~~(6) Commission on Higher Education – Technology – Public Four-Year, Two-Year, and State Technical Colleges ..... $ 8,000,000.~~

~~(F) Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate of $23,500,000 shall be appropriated as follows:~~

~~Department of Education – School Bus Purchase ..... $ All remaining.~~

~~(G) If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2025-26 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.~~

~~(H) Fiscal Year 2025-26 funds appropriated to the Commission on Higher Education and the State Board for Technical and Comprehensive Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided in Section 59-150-360. Annually, the State Board for Technical and Comprehensive Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds.~~

~~(I) The provisions of Section 2-75-30 regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.~~

~~(J) The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least $996 per student per term for full-time students.~~

~~(K) Fiscal Year 2025-26 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2025-26 are fully funded.~~

~~(L) If the lottery revenue received for Fiscal Year 2025-26 certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2024-25 projected surplus, and Fiscal Year 2023-24 certified surplus and the undesignated fund balance are less than the amounts appropriated, the Executive Budget Office is authorized to use surplus lottery proceeds accumulated in the lottery account from previous fiscal years to fully fund appropriations from the lottery authorized by the General Assembly. If a revenue shortfall still exists once the fund balance has been exhausted, then the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.~~

~~(M) The Higher Education Tuition Grants Commission is authorized to use up to $70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.~~

~~(N) Any funds carried forward for the South Carolina Institutes of Innovation and Information (SCIII) shall be redirected to support the Higher Education Excellence Enhancement Program and be distributed based on the requirements of Section 2-77-20 and those contained in this act. By March fifteenth, the Commission on Higher Education shall provide a final report on the expenditures of the SCIII program to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.~~

~~(O) Of the funds appropriated to the Commission on Higher Education for College Transition Scholarships, the commission shall provide scholarships to South Carolina resident students enrolled at a public institution of higher education in an established College Transition Program (CTP) that serves students with intellectual disabilities. The commission, in consultation with the CTPs, shall develop guidelines establishing scholarship eligibility, retention, and/or renewal requirements in accordance with this paragraph. Scholarships shall be awarded to each South Carolina resident student enrolled in an established public CTP in an amount of at least $2,500 per semester, not to exceed $15,000 per academic year (including summer semester), and no student may receive a scholarship for more than eight semesters in total. In addition, the limitations of Proviso 11.10 notwithstanding, individual CTPs shall have the discretion to allocate a portion of their aggregate funding provided pursuant to this provision for need-based grants to eligible students. This discretion is allowable only to the extent that the funding for need-based grants for eligible CTP students provided pursuant to Proviso 11.10 has first been fully exhausted. The commission, in cooperation with the CTPs, shall collect and report the number of scholarship recipients and other information determined necessary to evaluate the effectiveness of these scholarships in assisting students with intellectual disabilities in college transition programs. The commission shall provide this report to the Governor, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee no later than September 30. Unexpended funds may be carried forward and used for the same purpose, except that up to $250,000 may be used by the CTP consortium (known as The South Carolina Inclusive Post-Secondary Education Consortium) to be used collaboratively by the consortium to promote better awareness of CTP programs statewide as an option for youth with intellectual disabilities after high school through dedicated support for activities such as, but not necessarily limited to, student recruitment, development and maintenance of a consortium website and associated materials, and the provision of strategic informational events for prospective students and families across the State.~~

~~(P) Of the funds appropriated to the Commission on Higher Education for Need-Based Grants, public colleges and universities must submit final invoices for Need-based Grants by a date determined by the commission. Funds allocated for Fiscal Year 2025-26 must be distributed in the same academic year.~~

~~(Q) Of the funds appropriated to the Commission on Higher Education for the Nursing Initiative, the commission shall use the funds to address the nursing shortage. Funds shall be allocated accordingly to the state's public colleges and universities, including technical colleges and two-year institutions of the University of South Carolina, that have accredited nursing programs accredited by a national accrediting agency recognized by the United States Department of Education. For purposes of this provision, two-year institutions of the University of South Carolina System shall be eligible if their programs are accredited by and/or through the accreditation of a comprehensive or research institution within the University of South Carolina system. The first $5 million shall be~~

~~used to provide bonuses or supplement the salaries of existing full-time faculty and the hourly rates of part-time faculty, or the salaries of clinical nursing faculty, which includes adjunct faculty. The funds shall be allocated to each public college or university, including technical colleges, based on the number of students enrolled in nursing programs as defined by the Commission on Higher Education. The second five million shall be used to provide tuition reimbursement or scholarships for students enrolled in regionally accredited, not-for-profit, South Carolina based, public and private institution's graduate-level Master of Science (MSN) programs, Doctor of Nursing Practice, Ph.D., or other like programs appropriate to prepare individuals for faculty roles. The recipient must agree to assume a faculty role in a public South Carolina nursing program after graduation for a minimum of two years for each year they receive the scholarship. Annually by February 1, the Commission shall report on the Nursing Initiative, at a minimum, the following: (1) total number of students receiving tuition reimbursements or scholarships; (2) total number of students receiving tuition reimbursements or scholarships subsequently hired as faculty; (3) total number of students receiving tuition reimbursements or scholarships not hired as faculty; (4) amount of funding allocated to each institution with eligible nursing programs; (5) expenditures and encumbrances of Nursing Initiative funds for eligible faculty for each program; and (6) retention rates, new hires and vacancies for full-time, part-time (including adjunct), and clinical faculty for each eligible program. The Commission may also request institutions to provide other information related to nursing workforce development. This report shall be submitted to the House Education and Public Works Committee, House Ways and Means Committee, Senate Education Committee, and Senate Finance Committee.~~

~~(R) Of the funds appropriated to the Commission on Higher Education for institutions of higher learning entitled "Technology-Public Four Year Institutions, Two Year Institutions, and State Technical Colleges," (Technology), the commission shall allocate the realized funds on a proportional basis as follows:~~

~~(1) The Citadel ..... $ 336,141;~~
~~(2) University of Charleston ..... $ 704,188;~~
~~(3) Coastal Carolina University ..... $ 699,612;~~
~~(4) Francis Marion University ..... $ 320,888;~~
~~(5) Lander University ..... $ 341,677;~~
~~(6) South Carolina State University ..... $ 262,080;~~
~~(7) USC - Aiken Campus ..... $ 310,494;~~
~~(8) USC - Upstate ..... $ 394,951;~~
~~(9) USC - Beaufort Campus ..... $ 240,556;~~
~~(10) USC - Lancaster Campus ..... $ 131,927;~~
~~(11) USC - Salkehatchie Campus ..... $ 98,932;~~
~~(12) USC - Sumter Campus ..... $ 116,052;~~
~~(13) USC - Union Campus ..... $ 109,659;~~
~~(14) Winthrop ..... $ 389,413;~~

~~and~~

~~(15) State Technical Colleges and State Board for Technical and Comprehensive Education ..... $ 3,543,430.~~

~~(S) Each institution shall use the amount appropriated only for technology repair and related technology maintenance and/or upgrades that are necessary to support an institution's educational purpose.~~

~~(T) Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement.~~

~~(U) Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.~~

~~(V) Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to certification from the Commission on Higher Education that they continue to meet the requirement of this provision.~~

3.6 (LEA: Purchase of Lottery Tickets) For the current fiscal year, Section 59-150-70(D)(2) is suspended.

3.7. RESERVED

3.8. *(LEA: FY 2026-27 Lottery Funding) (A) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Executive Budget Office as directed below. These appropriations must be used to supplement and not supplant existing funds for education. For cash flow purposes, the Executive Budget Office may facilitate limited transfers from the general deposits of the state for the exclusive purpose of ensuring the timely distribution of scholarships and tuition assistance payments as provided below. Any use of this transfer allowance must include full reimbursement from the Education Lottery Account to the general deposit accounts of the state prior to the close of the fiscal year.*

(B) The Executive Budget Office is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.

(C) All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.

(D) For Fiscal Year 2026-27, certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2024-25 certified surplus, and Fiscal Year 2025-26 projected surplus and undesignated fund balance are appropriated as follows:

(1) Commission on Higher Education – LIFE Scholarships as provided in Chapter 149, Title 59.....$228,179,029;

(2) Commission on Higher Education – HOPE Scholarships as provided in Section 59-150-370.....$ 9,550,710;

(3) Commission on Higher Education – Palmetto Fellows Scholarships as provided in Section 59-104-20$ 61,367,805;

(4) Commission on Higher Education and State Board for Technical and Comprehensive Education – Tuition Assistance.....$ 53,000,000;

(5) Commission on Higher Education – Need Based Grants.....$ 80,000,000;

(6) Higher Education Tuition Grants Commission – Tuition Grants.....$ 20,000,000;

(7) Commission on Higher Education – SC National Guard College Assistance Program as provided in Chapter 114, Title 59.....$ 6,200,000;

(8) State Board for Technical and Comprehensive Education – South Carolina Workforce Industry Needs Scholarships.....$ 10,017,547;

(9) South Carolina State University ..... $ 2,500,000;
(10) Commission on Higher Education – Nursing Initiative ..... $ 10,000,000;
(11) Commission on Higher Education – PASCAL ..... $ 2,000,000;
(12) Commission on Higher Education – Meeting Street College Scholarships ..... $ 18,700,000 and
(13) Higher Education Excellence Enhancement Program (HEEEP) ..... $ 9,000,000.

(E) For Fiscal Year 2025-26, funds certified from unclaimed prizes are appropriated as follows:

(1) Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services – Gambling Addiction Services ..... $ 100,000;
(2) State Board for Technical and Comprehensive Education – South Carolina Workforce Industry Needs Scholarships ..... $ 10,348,954;
(3) Commission on Higher Education – College Transition Program Scholarships ..... $ 3,551,046; and
(4) Commission on Higher Education - Technology ..... $ 8,000,000.

(F) Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate of $22,000,000 shall be appropriated as follows:

Department of Education – School Bus Purchase ..... $ All remaining.

(G) If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2026-27 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.

(H) Fiscal Year 2026-27 funds appropriated to the Commission on Higher Education and the State Board for Technical and Comprehensive Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided in Section 59-150-360. Annually, the State Board for Technical and Comprehensive Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds.

(I) The provisions of Section 2-75-30 regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

(J) The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least $996 per student per term for full-time students.

(K) Fiscal Year 2026-27 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2026-27 are fully funded.

(L) If the lottery revenue received for Fiscal Year 2026-27 certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2025-26 projected surplus, and Fiscal Year 2024-25 certified surplus and the undesignated fund balance are less than the amounts appropriated, the Executive Budget Office is authorized to use surplus lottery proceeds accumulated in the lottery account from previous fiscal years to fully fund appropriations from the lottery authorized by the General Assembly. If a revenue shortfall still exists once the fund balance has been exhausted, then the projects and programs receiving appropriations for

any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

(M) The Higher Education Tuition Grants Commission is authorized to use up to $70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.

(N) Of the funds appropriated to the Commission on Higher Education for College Transition Scholarships, the commission shall provide scholarships to South Carolina resident students enrolled at a public institution of higher education in an established College Transition Program (CTP) that serves students with intellectual disabilities. The commission, in consultation with the CTPs, shall develop guidelines establishing scholarship eligibility, retention, and/or renewal requirements in accordance with this paragraph. Scholarships shall be awarded to each South Carolina resident student enrolled in an established public CTP in an amount of at least $2,500 per semester, not to exceed $15,000 per academic year (including summer semester), and no student may receive a scholarship for more than eight semesters in total. In addition, the limitations of Proviso 11.10 notwithstanding, individual CTPs shall have the discretion to allocate a portion of their aggregate funding provided pursuant to this provision for need-based grants to eligible students. This discretion is allowable only to the extent that the funding for need-based grants for eligible CTP students provided pursuant to Proviso 11.10 has first been fully exhausted. The commission, in cooperation with the CTPs, shall collect and report the number of scholarship recipients and other information determined necessary to evaluate the effectiveness of these scholarships in assisting students with intellectual disabilities in college transition programs. The commission shall provide this report to the Governor, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee no later than September 30. Unexpended funds may be carried forward and used for the same purpose, except that up to $250,000 may be used by the CTP consortium (known as The South Carolina Inclusive Post-Secondary Education Consortium) to be used collaboratively by the consortium to promote better awareness of CTP programs statewide as an option for youth with intellectual disabilities after high school through dedicated support for activities such as, but not necessarily limited to, student recruitment, development and maintenance of a consortium website and associated materials, and the provision of strategic informational events for prospective students and families across the State.

(O) Of the funds appropriated to the Commission on Higher Education for Need-Based Grants, public colleges and universities must submit final invoices for Need-based Grants by a date determined by the commission. Funds allocated for Fiscal Year 2026-27 must be distributed in the same academic year.

(P) Of the funds appropriated to the Commission on Higher Education for the Nursing Initiative, the commission shall use the funds to address the nursing shortage. Funds shall be allocated accordingly to the state's public colleges and universities, including technical colleges and two-year institutions of the University of South Carolina, that have accredited nursing programs accredited by a national accrediting agency recognized by the United States Department of Education. For purposes of this provision, two-year institutions of the University of South Carolina System shall be eligible if their programs are accredited by and/or through the accreditation of a comprehensive or research institution within the University of South Carolina system. The first $5,000,000 shall be used to provide bonuses or supplement the salaries of existing full-time faculty and the hourly rates of part-time faculty, or the salaries of clinical nursing faculty, which includes adjunct faculty. The funds shall be allocated to each public college or university, including technical colleges and two-year institutions of the University of South Carolina System, based on the number of students

enrolled in nursing programs as defined by the Commission on Higher Education. The next $3,000,000 shall be used in support of the BOLD Career Pathways Nursing Faculty Loan Program administered by the SC Student Loan Corporation in cooperation with the Commission on Higher Education to provide tuition reimbursement or scholarships for students enrolled in regionally accredited, not-for-profit, South Carolina based, public and private institution's graduate-level Master of Science (MSN) programs, Doctor of Nursing Practice, Ph.D., or other like programs appropriate to prepare individuals for faculty roles. The recipient must agree to assume a faculty role in a public South Carolina nursing program after graduation for a minimum of two years for each year they receive the scholarship. The remaining two million shall be allocated to each public college and university, including technical colleges and two-year institutions of the University of South Carolina System, based on the number of students enrolled in nursing programs as defined by the Commission on Higher Education to be used by the institutions at their discretion for one or more of the following purposes: maintain, renovate, or expand simulation and skills labs; replace or upgrade technology and equipment; provide scholarships for students; increase instructional and clinical capacity, including faculty development initiatives; and support retention initiatives to reduce STEM attrition. Annually by February 1, the Commission shall report on the Nursing Initiative, at a minimum, the following: (1) total number of students receiving tuition reimbursements or scholarships; (2) total number of students receiving tuition reimbursements or scholarships subsequently hired as faculty; (3) total number of students receiving tuition reimbursements or scholarships not hired as faculty; (4) amount of funding allocated to each institution with eligible nursing programs; (5) expenditures and encumbrances of Nursing Initiative funds for eligible faculty for each program; (6) retention rates, new hires and vacancies for full-time, part-time (including adjunct), and clinical faculty for each eligible program; (7) the amount and utilization of funds allowed for in the allocation of the remaining $2,000,000 described and allowed for herein; and (8) use of carryforward funds by institutions, as applicable. The Commission may also request institutions to provide other information related to nursing workforce development. This report shall be submitted to the House Education and Public Works Committee, House Ways and Means Committee, Senate Education Committee, and Senate Finance Committee. Unexpended funds associated with the Nursing Initiative as set forth within this provision shall be carried forward annually and used for the same purposes, except that total unexpended funds associated with the BOLD and/or related programs since their inception, and that are not otherwise clearly obligated, shall be distributed to each public college and university, including technical colleges and two-year institutions of the University of South Carolina System, based on the number of students enrolled in nursing programs as defined by the Commission on Higher Education. These funds must be used by institutions at their discretion for one or more of the following strategic investments: maintain, renovate, or expand simulation and skills labs; replace and/or upgrade technology and equipment; provide scholarships for students; increase instructional and clinical capacity, including faculty development initiatives; and/or support retention initiatives to reduce STEM attrition.

(Q) Of the funds appropriated from the Education Lottery, $18,700,000 shall be appropriated to the Commission on Higher Education for distribution to the Meeting Street Scholarship Fund to leverage private donations to ensure that South Carolina students in all 46 counties who are academically prepared, and who are eligible for a federal Pell Grant, can receive up to $10,000 annually for four years to attend a South Carolina college or university whose six-year graduation rate is 50 percent or above. Academic preparation is defined as receiving a SC LIFE or Palmetto Fellows Scholarship, and completing the Federal Application for Federal Student Aid. By June 30, 2027, the Meeting Street Scholarship Fund shall report to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education

Committee, and the Chairman of the House Education and Public Works Committee on the utilization of the appropriated funding, to include: final expenditures and any remaining lottery funds, the number of scholarships awarded and county of origin of the scholarship recipients, and the institutions attended.

(R) Of the funds appropriated to the Commission on Higher Education for institutions of higher learning entitled "Technology-Public Four Year Institutions, Two Year Institutions, and State Technical Colleges," (Technology), the commission shall allocate the realized funds on a proportional basis as follows:

(1) The Citadel ..... $ 336,141;
(2) University of Charleston ..... $ 704,188;
(3) Coastal Carolina University ..... $ 699,612;
(4) Francis Marion University ..... $ 320,888;
(5) Lander University ..... $ 341,677;
(6) South Carolina State University ..... $ 262,080;
(7) USC – Aiken Campus ..... $ 310,494;
(8) USC – Upstate ..... $ 394,951;
(9) USC – Beaufort Campus ..... $ 240,556;
(10) USC – Lancaster Campus ..... $ 131,927;
(11) USC – Salkehatchie Campus ..... $ 98,932;
(12) USC – Sumter Campus ..... $ 116,052;
(13) USC – Union Campus ..... $ 109,659;
(14) Winthrop ..... $ 389,413;

and

(15) State Technical Colleges and State Board for Technical and Comprehensive Education ..... $ 3,543,430.

(S) Each institution shall use the amount appropriated only for technology repair and related technology maintenance and/or upgrades that are necessary to support an institution's educational purpose.

(T) Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement.

(U) Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

(V) Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to certification from the Commission on Higher Education that they continue to meet the requirement of this provision.

SECTION 5 - H710 - WIL LOU GRAY OPPORTUNITY SCHOOL

5.1. (WLG: Truants) The Opportunity School will incorporate into its program services for students, ages fifteen and over, who are deemed truant; and will cooperate with the Department of Juvenile Justice, the Family Courts, and School districts to encourage the removal of truant students to the Opportunity School when such students can be served appropriately by the Opportunity School's program.

5.2. (WLG: GED Test) Students attending school at the Wil Lou Gray Opportunity School that are sixteen years of age and are unable to remain enrolled due to the necessity of immediate employment or enrollment in post-secondary education may be eligible to take the General Education Development (GED) Test.

5.3. (WLG: Deferred Salaries Carry Forward) Wil Lou Gray is authorized to carry forward into the current fiscal year the amount of the deferred salaries and employer contributions earned in the prior fiscal year for non-twelve month employees. These deferred funds are not to be included or part of any other authorized carry forward amount.

5.4. (WLG: Lease Revenue) Wil Lou Gray Opportunity School is authorized to retain revenues derived from the lease of school properties titled to or utilized by the school and may use revenues retained for general school operations including, but not limited to, maintenance of such properties. Unexpended funds may be carried forward into the current fiscal year and used for the same purposes.

5.5. (WLG: USDA Federal Grants) All revenues generated from USDA federal grants may be retained and expended by the school in accordance with Federal regulations for the purpose of covering actual expenses in the cafeteria/food service operations of the school.

5.6. (WLG: By-Products Revenue Carry Forward) The Wil Lou Gray Opportunity School is authorized to sell goods that are by-products of the school's programs and operations, charge user fees and fees for services to the general public, individuals, organizations, agencies and school districts, and such revenue may be retained and carried forward into the current fiscal year and expended for the purpose of covering expenses of the school's programs and operations.

SECTION 6 - H750 - SCHOOL FOR THE DEAF AND THE BLIND

6.1. (SDB: Weighted Student Cost) The School for the Deaf and the Blind shall receive through the Education Finance Act the average State share of the required weighted cost for each student enrolled in the School.

6.2. (SDB: Cafeteria Revenues) All revenues generated from cafeteria operations may be retained and expended by the institution for the purpose of covering actual expenses in cafeteria operations.

6.3. (SDB: School Buses) The school buses of the South Carolina School for the Deaf and the Blind are authorized to travel at the posted speed limit.

6.4. (SDB: By-Products Revenue Carry Forward) The School for the Deaf and the Blind is authorized to sell goods that are by-products of the school's programs and operations, charge user fees and fees for services to the general public: individuals, organizations, agencies and school districts, and such revenue may be retained and carried forward into the current fiscal year and expended for the purpose of covering expenses of the school's programs and operations.

6.5. (SDB: Deferred Salaries Carry Forward) South Carolina School for the Deaf and the Blind is authorized to carry forward in the current fiscal year the amount of the deferred salaries and employer contributions earned in the prior fiscal year for non-twelve month employees. These deferred funds are not to be included or part of any other authorized carry forward amount.

6.6. (SDB: Sale of Property) After receiving approval from the Department of Administration or State Fiscal Accountability Authority for the sale of property, the school may retain revenues associated with the sale of property titled to or utilized by the school. These funds shall be expended on capital improvements approved by the Joint Bond Review Committee and the State Fiscal Accountability Authority. For the current fiscal year, the school is authorized to use the retained revenue from the sale of donated property for educational and other operating purposes.

6.7. (SDB: USC-Upstate Visual Impairment Master of Education Program) Of the funds appropriated to the South Carolina School for the Deaf and the Blind, $50,000 shall be used to fund the Master of Education Program In Visual Impairment at the University of South Carolina - Upstate.

6.8. (SDB: Educational Program Initiatives) The School for the Deaf and Blind is authorized to utilize funds received from the Department of Education for vocational equipment on educational program initiatives.

6.9. (SDB: School Leave Policy) The School for the Deaf and Blind is authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of the School's board of directors. This policy shall address the school calendar in order to comply with the instructional needs of students attending the school.

6.10. (SDB: Deferred Maintenance) The School for the Deaf and the Blind is authorized to establish a Deferred Maintenance Project for the upkeep and maintenance of campus facilities and to transfer remaining balances from The Early Childhood Center Construction (Part IA Sec. 4 2012-13), Robertson Hall Wing Construction (Part IB Sec. 90 90.20 B17 2012-13), and Deferred Maintenance (Part IA Sec. 4 2012-13).

SECTION 7 - L120 - GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE

7.1. (JDLHS: Campus Private Residence Leases) The Governor's School for Agriculture at John de la Howe is authorized to lease, to its employees, private residences on the agency's campus. Funds generated may be retained and used for general operating purposes including, but not limited to, maintenance of the residences.

7.2. (JDLHS: Telepsychiatry) The Governor's School for Agriculture at John de la Howe shall establish and maintain, with the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health and the Medical University of South Carolina, a contractual relationship to provide psychiatric services from a licensed psychiatrist for its students upon the request of a student or the recommendation of a school employee who provides mental health services to students. The psychiatric services may be provided in person or through the use of telepsychiatry. The interactions between students and the psychiatrist shall be HIPPA compliant. Psychological fitness for continued attendance at the school shall be determined solely by the psychiatrist providing psychiatric services to a student. A student who receives psychiatric services from a psychiatrist may continue to receive those services in lieu of receiving services as provided for in this provision.

7.3. (JDLHS: Carry Forward) The Governor's School for Agriculture at John De La Howe may carry forward any appropriated or generated unexpended funds from the prior fiscal year into the current fiscal year.

7.4. (JDLHS: Use of Income Received by the School) All income that the school receives from the sale of timber or farm products, from the sales and services provided by the meats processing facility, and from programs and events facilitated by the agency must be used for the construction, erection, and building of permanent improvements at the school, for maintaining and equipping of capital improvements, and for the purpose of covering expenses of the school's programs and operations.

SECTION 8 - H670 – EDUCATIONAL TELEVISION COMMISSION

8.1. (ETV: Grants/Contributions Carry Forward) The Educational Television Commission shall be permitted to carry forward any funds derived from grant awards or designated contributions and any state funds necessary to match such funds, provided that these funds be expended for the programs which they were originally designated.

8.2. (ETV: Spectrum Auction) The Educational Television Commission shall be authorized to receive and retain up to $35,000,000 of the proceeds from the Federal Communication Commission TV Auction and place them in a segregated, restricted account. These proceeds shall be used to fund capital needs, including broadcast industry standards changes, existing equipment repair, maintenance and replacement needs, and operational costs. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose. No later than June thirtieth of the current fiscal year, ETV must report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee the amount of money expended from the fund and the balance of the fund.

8.3. (ETV: Antenna and Tower Placement) All leases for antenna and tower operations within institutions of higher learning campuses must conform to master plans for such property, as determined solely by the institution of higher learning.

8.4. (ETV: Wireless Communications Tower) The Educational Television Commission is directed to coordinate tower and antenna operations within South Carolina state government. The commission shall: (1) approve all leases regarding antenna placement on state-owned towers and buildings; (2) coordinate all new tower construction on state-owned property; (3) promote and market excess capacity on the State's wireless communications infrastructure; (4) generate revenue by leasing, licensing, or selling excess capacity on the State's wireless communications infrastructure; and (5) construct new communications assets on appropriate state-owned property for the purpose of generating revenue pursuant to this proviso. The commission shall retain and expend such funds for agency operations. The commission shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year. The commission shall annually report to the Chairmen of the Senate Finance and House Ways and Means Committees by October first of each year all revenue collected and disbursed.

8.5. (ETV: Rural Information Access Pilot Project) The Educational Television Commission shall work with the Office of Regulatory Staff to establish a pilot project supporting awareness of digital adoption and addressing the need for increased public wi-fi in rural and underserved counties. The initial pilot project will maximize federal dollars to the greatest extent possible and include, at a minimum, Orangeburg, Bamberg, Barnwell, and Allendale counties. The project will include leveraging existing SCETV broadcast and communications infrastructure to support public access to broadband, an awareness campaign to increase digital adoption in these counties, and local programming specifically for underserved and rural communities. Partners in the pilot project may include, but not be limited to, state agencies involved with digital access, school districts, colleges, and universities, including technical colleges and local businesses.

8.6. *(ETV: Local Programing and State Government Transparency) General funds appropriated in the current fiscal year to the agency used for the broadcast, transmission, or dissemination of programming, content, or information to the general public shall be prioritized for the purpose of increasing local, state, and regionally-produced news, educational, cultural, sports, entertainment, and state government transparency programing.*

SECTION 9 - H640 - GOVERNOR'S SCHOOL FOR THE ARTS AND HUMANITIES

9.1 (GSAH: Leave Policy) The Governor's School for the Arts and Humanities shall be authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their board of directors. This policy shall address their school calendar in order to comply with the instructional needs of students attending the special school.

9.2. (GSAH: Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or generated by the Governor's School for the Arts and Humanities may be carried forward and expended in the current fiscal year pursuant to the discretion of the board of trustees of the school.

9.3. (GSAH: Schools' Fees) The Governor's School for the Arts and Humanities shall be authorized to charge, collect, expend, and carry forward student fees as approved by their Board of Directors. The purpose and amount of any such fees shall be to maintain program quality in both academics and residential support. No student shall be denied admittance or participation due to financial inability to pay. The Board of Directors shall promulgate administrative policy governing the collection of all student fees. The school shall conspicuously publish a fee schedule on their website. All student fees must be reported by August first of the current fiscal year to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

9.4. (GSAH: Certified Teacher Designation) Because of the unique nature of the Governor's School for the Arts and Humanities, the Charleston School of the Arts, and the Greenville County Fine Arts Center, the schools are authorized to employ, at its discretion, noncertified classroom teachers teaching in the literary, visual, and performing arts subject areas who are otherwise considered to be appropriately qualified in a ratio of up to one hundred percent of the entire teacher staff.

9.5. (GSAH: Residency Requirement) Of the funds appropriated, the Governor's School for the Arts and the Humanities shall ensure that a parent(s) or guardian(s) of a student attending the Governor's School must prove that they are a legal resident of the state of South Carolina at the time of application and must remain so throughout time of attendance. The Governor's School for the Arts and the Humanities may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

9.6. (GSAH: Informational Access to Students) For the current fiscal year, school districts must permit the Governor's School for the Arts and Humanities to collaborate with individual schools and their staff to share information with students and families about the educational opportunities offered at the Governor's School through avenues including school visits, informational presentations, and posters. By June thirtieth of the current fiscal year, the Governor's School for the Arts and Humanities must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of these informational access efforts. Further, the Governor's School shall work with districts, the Department of Education, and School Report Card administrators to ensure that SAT scores of current Governor's School students are included in the School Report Card of those students' resident schools and districts.

9.7. (GSAH: Telepsychiatry) The Governor's School for Arts and Humanities shall establish and maintain, with the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health and the Medical University of South Carolina, a contractual relationship to provide psychiatric services from a licensed psychiatrist for its students upon the request of a student or the recommendation of a school employee who provides mental health services to students. The psychiatric services may be provided in person or through the use of telepsychiatry. The interactions between students and the psychiatrist shall be HIPPA compliant. Psychological fitness for continued attendance at the school shall be determined solely by the psychiatrist providing psychiatric services to a student. A student who receives psychiatric services from a psychiatrist may continue to receive those services in lieu of receiving services as provided for in this provision.

SECTION 10 - H650 - GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS

10.1. (GSSM: Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or generated by the Governor's School for Science and Mathematics may be carried forward and expended in the current fiscal year pursuant to the direction of the board of trustees of the school.

10.2. (GSSM: Leave Policy) The Governor's School for Science and Mathematics shall be authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their board of directors. This policy shall address their school calendar in order to comply with the instructional needs of students attending the special school.

10.3. (GSSM: Schools' Fees) The Governor's School for Science and Mathematics shall be authorized to charge, collect, expend, and carry forward student fees as approved by their Board of Directors. The purpose and amount of any such fees shall be to maintain program quality in both academics and residential support. No student shall be denied admittance or participation due to financial inability to pay. The Board of Directors shall promulgate administrative policy governing the collection of all student fees. The school shall conspicuously publish a fee schedule on their website. All student fees must be reported by August first of the current fiscal year to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

10.4. (GSSM: Residency Requirement) Of the funds appropriated, the Governor's School for Science and Mathematics shall ensure that a parent(s) or guardian(s) of a student attending the Governor's School for Science and Mathematics must prove that they are a legal resident of the state of South Carolina at the time of application and must remain so throughout time of attendance. The Governor's School for Science and Mathematics may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

10.5. (GSSM: Informational Access to Students) For the current fiscal year, school districts must permit the Governor's School for Science and Mathematics to collaborate with individual schools and their staff to share information with students and families about the educational opportunities offered at the Governor's School through avenues including school visits, informational presentations, and posters. By June thirtieth of the current fiscal year, the Governor's School for Science and Mathematics must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of these informational access efforts. Further, the Governor's School shall work with districts, the Department of Education, and School

Report Card administrators to ensure that SAT scores of current Governor's School students are included in the School Report Card of those students' resident schools and districts.

10.6. (GSSM: Telepsychiatry) The Governor's School for Science and Mathematics shall establish and maintain, with the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health and the Medical University of South Carolina, a contractual relationship to provide psychiatric services from a licensed psychiatrist for its students upon the request of a student or the recommendation of a school employee who provides mental health services to students. The psychiatric services may be provided in person or through the use of telepsychiatry. The interactions between students and the psychiatrist shall be HIPPA compliant. Psychological fitness for continued attendance at the school shall be determined solely by the psychiatrist providing psychiatric services to a student. A student who receives psychiatric services from a psychiatrist may continue to receive those services in lieu of receiving services as provided for in this provision.

SECTION 11 - H030 - COMMISSION ON HIGHER EDUCATION

11.1. (CHE: Contract for Services Program Fees) The amounts appropriated in this section for "Southern Regional Education Board Contract Programs" and "Southern Regional Education Board Dues" are to be used by the commission to pay to the Southern Regional Education Board the required contract fees for South Carolina students enrolled under the Contract for Services program of the Southern Regional Education Board, in specific degree programs in specified institutions and the Southern Regional Education Board membership dues. The funds appropriated may not be reduced to cover any budget reductions or be transferred for other purposes.

11.2. (CHE: African-American Loan Program) The funds appropriated to the Commission on Higher Education for the African-American Loan Program shall be distributed to South Carolina State University and must be used for a loan program with the major focus of attracting African-American males to the teaching profession. The Commission of Higher Education shall act as the monitoring and reporting agency for the African-American Loan Program. Of the funds allocated according to this proviso, no more than ten percent shall be used for administrative purposes.

11.3. (CHE: EPSCoR Committee Representation) With the intent that the four-year teaching institutions receive a portion of EPSCoR funding, the State EPSCoR Committee shall have an executive committee consisting of one representative from each of the research institutions and one representative from the four-year teaching university sector.

11.4. (CHE: SREB Funds Exempt From Budget Cut) In the calculation of any across the board cut mandated by the Executive Budget Office or General Assembly, the amount which the Commission on Higher Education is appropriated for Southern Regional Education Board (SREB) Professional Scholarship Programs and Fees, Dues and Assessments shall be excluded from the Commission on Higher Education's base budget. Funds appropriated for SREB programs may be carried forward into the current fiscal year and expended for the same purpose by the Commission on Higher Education.

11.5. (CHE: Performance Improvement Pool Allocation) Of the funds appropriated to the Commission on Higher Education under Section II. Other Agencies & Entities: Special Items: Performance Funding, eighty percent will be allocated to the EPSCoR program under the Commission on Higher Education to improve South Carolina's research capabilities and twenty percent will be allocated to support the management education programs of the School of Business at South Carolina State University.

11.6. (CHE: Need-Based Grants for Foster Youth) For the current academic year, youth in the custody of the Department of Social Services and attending a higher education institution in South Carolina are eligible for additional need-based grants funding of up to $3,500 above the annual maximum. Foster youth must apply for these funds no later than May first, of the preceding year. All other grants, both state and federal, for which these foster youth are eligible must be applied first to the cost of attendance prior to using the additional need-based grant funding. If the cost of attendance for a foster youth is met with other grants and scholarships, then no additional need-based grant may be used. The Department of Social Services, in cooperation with the Commission on Higher Education will track the numbers of recipients of this additional need-based grant to determine its effectiveness in encouraging more foster youth to pursue a secondary education. No more than $250,000 may be expended from currently appropriated need-based grants funding for this additional assistance.

11.7. (CHE: Tuition Age) For the current fiscal year, the age limitation for those children of certain war veterans who may be admitted to any state-supported college, university, or post high school technical education institution free of tuition is suspended for eligible children that successfully appeal the Department of Veterans' Affairs on the grounds of a serious extenuating health condition.

11.8. (CHE: LIFE and Palmetto Fellows Enhancement Stipends) In the current fiscal year before fall awards are made, to continue eligibility for LIFE and Palmetto Fellows Enhancement Stipends, students shall certify and the institutions shall verify that the student is meeting all requirements as stipulated by the policies established by the institution and the academic department to be enrolled as a declared major in an eligible program and is making academic progress toward completion of the student's declared eligible major. These determinations are subject to the verification and audit of the Commission on Higher Education. Institutions shall return funds determined to have been awarded to ineligible students.

11.9. (CHE: SmartState) The Commission on Higher Education is prohibited from expending any source of funds on the marketing of the SmartState Program.

11.10. (CHE: College Transition Need-Based Grants) Of the currently appropriated need-based grants funding, no more than $700,000 shall be used to provide need-based grants to South Carolina resident students enrolled at a public institution of higher education in an established college transition program that serves students with intellectual disabilities. The Commission on Higher Education shall allocate the available funds to eligible institutions on the basis of student need and enrollment in the established college transition programs. All other grants and gift aid for which these students are eligible must be applied first to the cost of attendance prior to using the need-based grant funding. If the cost of attendance for an eligible student is met with all other grants and gift aid, the need-based grant shall not be used. The participating institutions, in cooperation with the Commission on Higher Education, shall track the number of grant recipients and other information determined necessary to evaluate the effectiveness of these grants in assisting students with intellectual disabilities in college transition programs.

11.11. (CHE: Scholarship Awards) A student may receive a Palmetto Fellows or LIFE scholarship award during the summer**,** in addition to fall and spring semesters of an academic year**,** provided continued eligibility requirements are met as of the end of the spring semester. Students must enroll full-time**,** which for purposes of the summer award will require enrollment in at least twelve hours over the course of the summer. The summer is defined as the period between the end of the spring term and prior to the opening of the fall term. The total summer award per student may not exceed half of the allowable academic year award up to the cost of attendance and must be reimbursed if less than twelve hours for academic credit are not attempted by the student during

summer sessions. If awarded in the summer, a student's total award during his or her enrollment may not exceed the amount that would otherwise be provided under current semester limits applied for the scholarship awards. The Commission on Higher Education may provide additional guidelines necessary to ensure uniform implementation.

11.12. (CHE: Other Funded FTE Revenue) ~~When institutions of higher learning request additional other funded full-time equivalent positions, the Executive Budget Office shall inform the Commission on Higher Education of its decision regarding the request and whether or not sufficient revenues exist to fund the salary and fringe benefits for the positions.~~

11.13. (CHE: Abatements) By November first of each year, state supported institutions of higher learning must submit to the Commission on Higher Education the total number of out-of-state undergraduate students during the prior fiscal year that received abatement of rates pursuant to Section 59-112-70 of the 1976 Code as well as the total dollar amount of the abatements received. The report must include the geo-origin of the student, class of the student, comprehensive listing of all financial awards received by the student, number of semesters the student has received the abated rate, as well as the athletic status of the student. The report must also include the calculation method used to determine the abatement amount awarded to students as well as the number of students that received educational fee waivers pursuant to Section 59-101-620. The Commission on Higher Education is directed to compile the information received from the state-supported institutions of higher learning into a comprehensive report and submit such report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January fifth each year.

11.14. (CHE: Outstanding Institutional Debt) By November first, institutions of higher learning must submit to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Commission on Higher Education, or its successor entity, data on all outstanding institutional debt for their respective institution. Data shall include, but not be limited to, the amount of the initial debt, year in which the debt was incurred, the year in which the debt will be satisfied, the repayment schedule, and the purpose for which the debt was incurred.

11.15. (CHE: Longitudinal Data Reports) By December first each year, the Commission on Higher Education is directed to provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on tuition and required fee trends submitted to the commission by the state's public colleges and universities. The baseline of the report must be the most recent fall semester compared to the previous five fall semesters. The commission shall also provide comparable data and trends for and among SREB states for the same period of time. For the same time periods noted above, the commission shall also calculate in the report the level of recurring base state operating funding received by each college and university as measured on an in-state student basis as well as the average of such funding provided in each SREB state. In addition, for the same time periods noted above, the commission shall also provide in the report a calculation of the level of recurring and/or non-recurring funding provided by the state to each college and university for capital related needs, including facilities and/or equipment related capital funding, as measured on an in-state student basis as well as the average of such funding provided in each SREB state.

11.16. (CHE: Suspend Governor's Professor of the Year Award) The requirements of Section 59-104-220 of the 1976 Code pertaining to the Governor's Professor of the Year Award shall be suspended for the current fiscal year.

11.17. (CHE: Prohibition of Discriminatory Practices) (A) In the current fiscal year and from the funds appropriated to the Commission on Higher Education, the commission shall distribute to all South Carolina public colleges and universities the definition of anti-Semitism.

(B) For purposes of this proviso, the term "definition of anti-Semitism" includes:

(1) a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities;

(2) calling for, aiding, or justifying the killing or harming of Jews;

(3) making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective;

(4) accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, the state of Israel, or even for acts committed by non-Jews;

(5) accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust;

(6) accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interest of their own nations;

(7) using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis;

(8) drawing comparisons of contemporary Israeli policy to that of the Nazis;

(9) blaming Israel for all inter-religious or political tensions;

(10) applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation;

(11) multilateral organizations focusing on Israel only for peace or human rights investigations; and

(12) denying the Jewish people their right to self-determination, and denying Israel the right to exist, provided, however, that criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic.

(C) South Carolina public colleges and universities shall take into consideration the definition of anti-Semitism for purposes of determining whether the alleged practice was motivated by anti-Semitic intent when reviewing, investigating, or deciding whether there has been a violation of a college or university policy prohibiting discriminatory practices on the basis of religion.

(D) Nothing in this proviso may be construed to diminish or infringe upon any right protected under the First Amendment to the Constitution of the United States or Section 2, Article I of the South Carolina Constitution, 1895.

11.18. (CHE: Higher Education Excellence Enhancement Program) Of the funds appropriated to the Commission on Higher Education for the Higher Education Excellence Enhancement Program, any institutions that received funding through the program in any of the prior four fiscal years shall be eligible in the current fiscal year. All eligible institutions must comply with all reporting and oversight requirements to receive funding.

11.19. (CHE: HEEEP Audit) The Commission on Higher Education shall conduct an annual audit of the Higher Education Excellence Enhancement Program (HEEEP) expenditures from all receiving institutions. This audit must be completed by September first of the current fiscal year. The commission shall provide a report of the results of the audit to the Chairman of the Ways and Means Committee and the Chairman of the Senate Finance Committee by November first of the current fiscal year.

11.20. (CHE: Review of Tuition Mitigation Calculations) ~~The Commission on Higher Education shall review the calculation of tuition mitigation funding to public institutions of higher education. The commission shall collaborate with representatives from each of South Carolina's public research institutions, four-year public institutions, and systems of higher education and report on suggested recommendations to the General Assembly no later than October 1, 2025.~~

SECTION 14 – H120 – CLEMSON UNIVERSITY

14.1. (CU: College of Veterinary Medicine) With the funds appropriated in this act, Clemson University is authorized to undertake permanent improvements necessary for the construction of a College of Veterinary Medicine. Further, the funds appropriated in Part IA and IB of this act for the College of Veterinary Medicine may be carried forward and expended for the necessary permanent improvements. The funds must be accounted for separately, and the university shall report semiannually to the Chairman of the Joint Bond Review Committee on the amount of funding carried forward, the amount remaining to be expended, the overall status of the project, and any other information requested by the committee.

SECTION 19 - H240 – SOUTH CAROLINA STATE UNIVERSITY

19.1. (SCSU: Facilities Maintenance, Repair, and Renovation) Any appropriations carried forward from prior fiscal years or received in the current fiscal year by South Carolina State University for maintenance, repairs, and renovations may be expended on Truth Hall, Green Student Center, Turner Hall, Whittaker Library, and Nance Hall. Any excess funds may be carried forward by the University and expended for the same purposes.

19.2. (SCSU: Loan Forgiveness) The principal balance, and all associated interest and costs of the South Carolina Budget Control Board Operating Loan issued to South Carolina State University in 2015 are hereby forgiven.

SECTION 20 - H450 - UNIVERSITY OF SOUTH CAROLINA

20.1. (USC: Palmetto Poison Center) Of the funds appropriated or authorized herein, the University of South Carolina shall expend at least $150,000 on the Palmetto Poison Center.

20.2. (USC: School Improvement Council) Of the funds appropriated to the University of South Carolina Columbia Campus, $100,000 shall be used for the School Improvement Council.

20.3. (USC: South Carolina Child Abuse and Neglect Network) Of the funds appropriated to the University of South Carolina School of Medicine, not less than $3,200,000 shall be expended for the South Carolina Child Abuse and Neglect Network. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the university may not reduce the funds for the South Carolina Child Abuse and Neglect Network greater than such stipulated percentage.

20.4. (USC: Maintenance, Renovation, and Replacement) Funds appropriated in this act and the Capital Reserve Fund to University of South Carolina-Aiken for Maintenance, Renovation, and Replacement, and any amounts remaining after the completion of other capital projects, may be used to offset impacts on its campus caused by the construction of any building for the U.S. Department of Energy's Advanced Manufacturing Collaborative.

20.5. (USC: Science and Technology Center) With funds appropriated for the University of South Carolina Science and Technology Center, in support of furthering education of the state's future workforce in STEM and other high-demand fields, the University is authorized to undertake permanent improvements necessary for the renovation and upfit of the University's existing

Science and Technology Building "East Tower" and/or construction of the University's new Science and Technology Center as funds are available. Further, funds appropriated in this act for the University's Science and Technology Center may be carried forward and expended exclusively in support of completing the necessary permanent improvements described herein. The funds must be accounted for separately, and the University shall report semiannually to the Chairman of the Joint Bond Review Committee on the amount of funding carried forward, the amount remaining to be expended, the overall status of the project(s), and any other information requested by the committee.

20.6. (USC: Permanent Improvement Projects) ~~Of the funds appropriated in Act 239 of 2022, Section 118.19, Item (18)(b) to the University of South Carolina, the remaining $5,800,000 shall be redirected to be used by the University for permanent improvement projects.~~

20.7. (USC: Harper/Elliott Honors College) ~~Capital Reserve Fund appropriations to the University of South Carolina in Section 1(11) of Act 285 of 2016 for construction of Education and General (E&G) space in the addition to the Honors College dormitory may instead be redirected by the university towards necessary renovations and repairs of E&G space in the Harper/Elliott Honors College located on the historic Horseshoe of campus.~~

20.8. (USC: Health Science Campus) With the funds appropriated for this purpose, the University of South Carolina is authorized to undertake permanent improvements necessary for the construction of the Health Science Campus, including the Brain Health Center*, and the College of Pharmacy*. Further, the funds appropriated in Part IA and IB of this act for the Health Science Campus may be carried forward and expended for the necessary permanent improvements. The funds must be accounted for separately, and the university shall report semiannually to the Chairman of the Joint Bond Review Committee on the amount of funding carried forward, the amount remaining to be expended, the overall status of the project, and any other information requested by the committee.

20.9. (USC: Substance Abuse Prevention) ~~Of the funds appropriated to the University of South Carolina for the current fiscal year, the University's Division of Student Health and Well-Being, Office of Substance Abuse Prevention and Education is encouraged to apply for applicable local, state, and/or federal grant funding intended to support the creation and ongoing maintenance of a pilot program across the eight-campus University system that is designed to increase the availability of, and provide more ready access to, over-the-counter opioid reversal medications, such as naloxone, through non-traditional distribution mechanisms including, but not limited to, harm reduction vending machines. In implementing the pilot program, the University shall examine best practices deployed by other states including, but not limited to, Georgia, Louisianna, and Oklahoma. In addition, implementation shall be in accordance with applicable local, state, and/or federal laws and regulations and access to the opioid reversal medications distributed as a direct result of this provision shall be at no cost to the end user/consumer. The University annually shall report metrics related to the utilization and effectiveness of this provision, including associated costs and funding sources to support the pilot program, to the Chairmen of the Senate Finance Committee, the House Ways and Means Committee, the House Medical, Military, Public and Municipal Affairs Committee, and the Senate Medical Affairs Committee on or before May thirty-first of each year. A copy of the report shall be forwarded to the Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services. Notwithstanding the requirements of this provision, nothing herein shall create an unfunded mandate on the University, and the creation and ongoing maintenance of this pilot program is dependent on the successful awarding of local, state and/or federal~~

~~grant funding in an amount sufficient to support the program. Unexpended funds shall be reinvested in this program for the following fiscal year.~~

20.10. RESERVED

20.11. *(USC: Beaufort Convocation Center) For Fiscal Year 2026-27, of the funds previously appropriated to the University of South Carolina-Beaufort for the design and construction of a convocation center and sports complex, up to $2,000,000 shall be used to complete a full architectural and engineering design that will produce final construction documents, refined cost certainty, and permitting readiness. The remaining previously appropriated funds shall be held by the University of South Carolina pending completion of the architectural and engineering design.*

SECTION 23 - H510 – MEDICAL UNIVERSITY OF SOUTH CAROLINA

23.1. (MUSC: Rural Dentist Program) The Rural Dentist Program, in coordination with the Department of Public Health's Dentistry Program, is established at the Medical University of South Carolina. The funds appropriated to the Medical University of South Carolina for the Rural Dentist Program shall be administered by the South Carolina Area Health Education Consortium physician recruitment office. The costs associated with administering this program are to be paid from the funds appropriated to the Rural Dentist Program and shall not exceed four percent of the appropriation. The Medical University of South Carolina is responsible for the fiscal management of funds to ensure that state policies and guidelines are adhered to. MUSC shall be permitted to carry forward unspent general funds appropriated to the Rural Dentist program provided that these funds be expended for the program for which they were originally designated. A board is created to manage and allocate these funds to insure the location of licensed dentists in rural areas of South Carolina and on the faculty of the College of Dental Medicine at MUSC. The board will be composed of the following: the Dean, or his designee, of the MUSC College of Dental Medicine; three members from the South Carolina Dental Education Foundation Board who represent rural areas; and the President, or his designee, of the South Carolina Dental Association. The Director of the Department of Public Health's Office of Primary Care; the Director or his designee of the Department of Health and Human Services; and the Executive Director of the South Carolina Dental Association shall serve as ex officio members without vote. This board shall serve without compensation.

23.2. (MUSC: Rural Access Plan) The MUSC Hospital Authority, in conjunction with the Department of Health and Human Services, shall study how to partner with existing rural hospitals and other entities to ensure that these regions maintain access to medical care. The MUSC Hospital Authority shall submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing efforts to maintain medical care at rural hospitals no later than the end of the fiscal year.

23.3. (MUSC: Rural Behavioral Health Professional Incentive Program) Using funds appropriated, the Rural Behavioral Health Professional Incentive is established at the Medical University of South Carolina. The funds appropriated to the Medical University of South Carolina for the Rural Behavioral Health Incentive Program shall be administered by the South Carolina Area Health Education Consortium (AHEC) recruitment office. The costs associated with administering this program are to be paid from the funds appropriated to the Rural Behavioral Health Professional Incentive Program and shall not exceed four percent of the appropriation. AHEC shall be permitted to carry forward unspent general funds appropriated to the Rural Behavioral Health

Professional Incentive Program provided that these funds be expended for the program for which they were originally designated. A board is created to manage and allocate these funds to ensure the location of licensed behavioral health professionals in rural and underserved areas of South Carolina. The board will be composed of the following: the Chief Executive Officer, or his designee, of the South Carolina Office of Rural Health; a representative from the South Carolina Primary Care Office of the Department of Public Health; a behavioral health professional; a representative from the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health; and a staff member from the South Carolina Area Health Education Consortium. This board shall serve without compensation.

23.4. (MUSC: Blood Borne Virus Screening) ~~Of the funds appropriated for Blood Borne Virus Screening, the Medical University Hospital Authority, in conjunction with the Frontlines of Communities in the United States (FOCUS) Initiative, shall utilize at least $200,000 to develop a pilot program to improve the screening, diagnosis, and linkage to care for blood borne viruses by routine screening services in hospital emergency departments. The pilot program shall lead to reduced transmission rates for South Carolinians by improving the early identification of undiagnosed infections, supporting the identification of individuals living with blood borne viruses who were previously diagnosed but are not participating in care, and providing linkage to care for individuals who would benefit from blood borne virus management or participating in preventative services. By June 30, 2025, the MUSC Hospital Authority shall submit a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Department of Public Health detailing the effectiveness of the program.~~

23.5. (MUSC: Residential Rehabilitation Treatment Assessment) ~~The MUSC Hospital Authority, in conjunction with existing service providers of alcohol and substance abuse treatment, shall assess the need in developing long term inpatient residential rehabilitation treatment programs. The MUSC Hospital Authority shall submit a report by September 30, 2025, to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing these efforts and its proposed plan.~~

SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

25.1. (TEC: Training of New & Expanding Industry) (A) Notwithstanding the amounts appropriated in this section for readySC it is the intent of the General Assembly that the State Board for Technical and Comprehensive Education expend the funds necessary to provide direct training for new and expanding business or industry.

(B) In the event projected expenditures are above the appropriation, the appropriation in this section for readySC may be appropriately adjusted, if and only if, the Executive Budget Office determines that the projected expenditures are directly related to:

(1) an existing technology training program where the demand for the program exceeds the program's capacity and the additional funds are to be utilized to meet the demand; or

(2) a new program is necessary to provide direct training for new or expanding business or industry.

(C) The adjustment may occur only upon approval by the Executive Budget Office. Upon the Executive Budget Office's approval of the adjustment, the Director of the Executive Budget Office must certify, in writing, that the adjustment is directly related to either subsection (B)(1) or (B)(2). The Director must immediately provide a copy of the written certification, including the amount of the

adjustment, to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

(D) Upon the Director's written certification approving an adjustment, the State Board for Technical and Comprehensive Education must submit a statement to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee containing a detailed itemization of the manner in which funds initially appropriated for technology training were utilized, the specific purpose for the adjustment, and the ultimate recipient of the adjusted amount.

(E) The aggregate amount of all adjustments made pursuant to this section may not exceed ten million dollars.

(F) In the event that projected expenditures for readySC exceed the amounts appropriated and the amount of any adjustments authorized, the State Board for Technical and Comprehensive Education may request a supplemental appropriation from the General Assembly.

25.2. (TEC: Training of New & Expanding Industry Carry Forward) In addition to the funds appropriated in this section, any of the funds appropriated under this section for the prior fiscal year which are not expended during that fiscal year may be carried forward and expended for direct training of new and expanding industry in the current fiscal year.

25.3. (TEC: Training of New & Expanding Industry - Payments of Prior Year Expenditures) The State Board for Technical and Comprehensive Education may reimburse business and industry for prior year training costs billed to the agency after fiscal year closing with the concurrence of the Comptroller General.

25.4. (TEC: Critical Statewide Workforce Needs) Of the funds appropriated in this act to the State Board for Technical and Comprehensive Education for E&G STEM Programs: Critical Needs Workforce Development Initiative, the State Board must allocate the funds between the colleges based on a methodology designed to best meet the state's workforce needs and demands. This methodology should be created by the State Board in consultation with the Department of Commerce and the Department of Employment and Workforce and should identify the areas with the most critical need. For this purpose, critical need shall be defined as unmet employment demand in areas or fields of Science, Technology, Engineering, Mathematics, and Manufacturing. Funds must be used by the college for STEM programs.

25.5. (TEC: Florence-Darlington Marion Campus) ~~Nonrecurring funds appropriated in this act or the Capital Reserve Fund to Florence-Darlington Technical College for Maintenance, Renovation, and Replacement may be used to conduct a feasibility study and engineering related to the construction of a Marion County Campus. These funds may also be used for the completion of construction of the Darlington County Campus.~~

25.6. (TEC: Shared Services) Of the funds appropriated to the State Board for Technical and Comprehensive Education for Instructional programs, individual technical colleges may be required to engage in a shared services model with the board. If any technical college's enrollment falls below one thousand full-time equivalent students or the board determines that an institution's fiscal situation is deteriorating, the board may adopt a resolution requiring shared services for core functional areas including, but not limited to, any or all of the following: budget management, financial administration, human resources management, information technology, and procurement. If an institution does not comply with an adopted shared services resolution, the board may withhold any further transfers of state appropriations to the institution for the remainder of the fiscal year. The board shall report to the

Governor, the Chairman of the Senate Finance Committee, and the Chairman of the Ways and Means Committee by June 30th of each fiscal year on which institutions have been required to contract for shared services.

25.7. (TEC: IDD Workforce Pilot) (A) Of the funds appropriated to the State Board of Technical and Comprehensive Education for the Intellectual and Developmental Disabilities Workforce Pilot Program, the board shall work with colleges within the South Carolina Technical College System to create workforce training programs for individuals with Intellectual and Developmental Disabilities (IDD). The programs shall provide opportunities for credentials that lead to increased employment outcomes for individuals with IDD. The pilot programs shall improve the ability of technical colleges to offer training and educational components that include improving employability skills and providing on-the-job training and apprenticeships with business and industry for individuals with IDD.

(B) Pilot colleges shall:

(1) establish best practices for providing workforce training for individuals with IDD;

(2) support access to students for credentialing that are established by the local college;

(3) partner with local school districts, state agencies, community stakeholders, and businesses and industries;

(4) provide financial and benefits counseling;

(5) develop strategies on integrating assistive technology;

(6) identify methods to increase orientation and integration of individuals with IDD into the college community to the greatest extent possible; and

(7) collaborate with the College Transition Program Consortium.

(C) The pilot colleges shall submit a needs assessment, marketing plan, and measurable program goals to serve a broad array of individuals with intellectual, developmental, and other similar disabilities or learning challenges to the State Board for Technical and Comprehensive Education no later than November 15th. Students enrolled in the pilot programs shall be eligible for South Carolina Workforce Industry Needs Scholarship (SCWINS). Any unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

25.8. (TEC: SC Workforce Competitiveness Initiative) Of the funds appropriated to the State Board for Technical and Comprehensive Education for the SC Workforce Competitiveness Initiative, and in collaboration and consultation with trade associations representing manufacturing, the State Board shall develop, deploy, and manage a public awareness campaign to ensure that parents, students, and educators understand employment opportunities, workplace environments, and careers in manufacturing and related industries in South Carolina. Related industries include, but are not limited to, transportation, distribution, logistics, warehousing, construction, and information technology. Funds must be used to create, deploy, and otherwise develop and manage the awareness campaign. Unexpended funds at the end of the fiscal year may be carried forward and expended for the same purpose.

25.9. (TEC: Denmark Technical College) Of the funds appropriated to the State Technical College Board for Denmark Technical College, the board shall report quarterly on the financial health and budgetary condition of the college. The college shall supply all relevant information requested by the board to fulfill these reporting requirements. The quarterly reports must be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and to all members of the legislative delegation serving in the Denmark Technical College service area.

25.10. (TEC: Dual Enrollment Courses) Of the funds appropriated to the State Board for Technical and Comprehensive Education, the board shall require all technical colleges to adopt policies prohibiting automatic enrollment of students in dual enrollment courses. The State Board shall withhold ten percent of state funding for any technical colleges failing to adopt such policies.

SECTION 26 – H790 – DEPARTMENT OF ARCHIVES AND HISTORY

26.1. (SCDAH: State Historic Preservation Grant Fund Carry Forward) The department is authorized to carry forward unexpended funds allocated for state historic buildings preservation into the current fiscal year to be used for the same purpose.

SECTION 27 - H870 - STATE LIBRARY

27.1. (LIB: Aid to Counties Libraries Allotment) The amount appropriated in this section for "Aid to County Libraries" shall be allotted to each county on a per capita basis according to the official United States Census For 2020, as aid to the County Library. No county shall be allocated less than ~~$150,000~~ *$200,000* under this provision. Counties shall receive their allocations in two equal parts To receive this aid, local library support shall not be less than the amount actually expended for library operations from local sources in the second preceding year. Prior to receiving each of these allocations, county libraries must certify to the State Library and have an adopted policy in place that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age of seventeen in children's, youth, or teen book sections of libraries and are only made available with explicit parental consent. Failure to provide these certifications in a manner satisfactory to the State Library shall result in the immediate withholding of the allocation. If the local Legislative Delegation presents evidence that these requirements are not being met by a county library, the delegation may request a comprehensive review of the certification by the State Library. All remaining funds shall be withheld until the State Library verifies full compliance with these requirements and issues a written determination of compliance to the delegation.

27.2. (LIB: Information Service Fees) The State Library may charge a fee for costs associated with information delivery and retain such funds to offset the costs of maintaining, promoting and improving information delivery services.

27.3. (LIB: Continuing Education Fees) The State Library may charge a fee for costs associated with continuing education and retain such funds to offset the costs of providing continuing education opportunities.

27.4. (LIB: Books and Materials Disposal) The State Library may sell or otherwise dispose of books and other library materials that are deemed by the State Library as no longer of value to the State of South Carolina and the State Library's collection. Funds received from the sale of books and materials shall be retained and expended to purchase new materials for the collection. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose.

27.5. (LIB: SCLENDS) (A) The State Library may accept money for the South Carolina Library Electronic Network Delivery System (SCLENDS), a consortium providing patrons access to more library materials. The consortium shall allow South Carolina libraries the ability to share resources and provide a forum for sharing expertise in technical areas such as systems administration

and cataloging. Funds received by the State Library for SCLENDS shall be placed in a special account and shall only be utilized to pay for items related to SCLENDS.

(B) Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose.

27.6. (LIB: Donations) The State Library may accept donation funds to be used for administration, operation, and programs from any donor source. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year.

27.7. (LIB: Sale of Promotional Items) The State Library shall be allowed to sell promotional items with the South Carolina State Library brand and logo for the purpose of generating funds for the State Library. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year.

27.8. (LIB: Consortium Purchasing) The State Library shall be authorized to accept funds to be used for consortium purchasing between libraries (public, academic, special) that serve
South Carolina residents. Funds received by the State Library for consortium purchasing agreements shall be placed in a designated account and shall only be used to pay for items related to specific consortium purchasing agreements. These funds may be retained, expended, and carried forward from the prior fiscal year into the current fiscal year and used for the same purpose.

SECTION 28 - H910 - ARTS COMMISSION

28.1. (ARTS: Professional Artists Contract) Where practicable, all professional artists employed by the Arts Commission in the fields of music, theater, dance, literature, musical arts, craft, media arts, and environmental arts shall be hired on a contractual basis as independent contractors. Where such a contractual arrangement is not feasible employees in these fields may be unclassified, however, the approval of their salaries shall be in accord with the provisions of Section 8-11-35 of the 1976 Code.

28.2. (ARTS: Special Revolving Account) Any income derived from Arts Commission sponsored arts events or by gift, contributions, or bequest now in possession of the Arts Commission including any federal or other funds balance remaining at the end of the prior fiscal year, shall be retained by the commission and placed in a special revolving account for the commission to use solely for the purpose of supporting the programs provided herein. Any such funds shall be subject to the review procedures as set forth in Act 651 of 1978.

28.3. (ARTS: Partial Indirect Cost Waiver) The commission is allowed to apply a fifteen percent indirect cost rate for continuing federal grants for which they must compete. The commission shall apply the full approved negotiated rate to the Basic State Grant and any new grants received by the commission.

28.4. (ARTS: Grants) The Arts Commission must expend seventy percent of appropriated state funds on grants to support the statewide improvement of learning and enrichment opportunities for children and communities through educational and cultural programs with proven research based strategies.

28.5. (ARTS: Distribution to Subdivisions) No later than December first of the current fiscal year, the Arts Commission must report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee the amount of aid/allocations distributed to subdivisions during the most recently completed fiscal year, detailed by specific subdivisions.

28.6. (ARTS: Greenville Cultural and Arts Center) The City of Greenville is authorized to disperse a portion of the $7,000,000 appropriated in Act 91 of 2019 in Proviso 118.16(41)(9) to the Greenville Cultural and Arts Center to a relevant arts entity.

SECTION 29 - H950 - STATE MUSEUM COMMISSION

29.1. (MUSM: Removal From Collections) The commission may remove accessioned objects from its museum collections by gift to another public or nonprofit institution, by trade with another public or nonprofit institution, by public sale, by transfer to the commission's education, exhibit, or study collections or to its operating property inventory; or as a last resort, by intentional destruction on the condition that the objects so removed meet with one or more of the following criteria: (1) they fall outside the scope of the South Carolina Museum Commission's collections as defined in the Collection Policy; (2) they are unsuitable for exhibition or research; (3) they are inferior duplicates of other objects in the collection; or (4) they are forgeries or were acquired on the basis of false information; funds from the sale of such objects will be placed in a special revolving account for the commission to use solely for the purpose of purchasing objects for the collections of the State Museum.

29.2. (MUSM: Museum Store) The Museum Commission shall establish and administer a museum store in the State Museum. This store may produce, acquire, and sell merchandise relating to historical, scientific, and cultural sources. All profits received from the sale of such merchandise shall be retained by the Museum Commission in a restricted fund to be carried forward into the following fiscal year. These funds may be used for store operations, publications, acquisitions, educational programs, exhibit production and general operating expenses provided that the expenditures for such expenses are approved by the General Assembly in the annual Appropriation Act.

29.3. (MUSM: Retention of Revenue) The Museum Commission may retain revenue received from admissions, program fees, facility rentals, professional services, donations, food service, exhibits and exhibit components, and other miscellaneous operating income generated by or for the museum and may expend such revenue for general operating expenses provided that such expenditures are approved by the General Assembly in the annual Appropriation Act. Any unexpended revenue from these sources may be carried forward into the current fiscal year to be expended for the same purposes.

29.4. (MUSM: School Tour Fee Prohibition) The commission may not charge admission fees to groups of children from South Carolina who have made reservations that are touring the museum as part of a school function.

29.5. (MUSM: Dining Area Rent) Of the space currently vacant in the Columbia Mills Building, space large enough for the museum to have dining space for school-aged children shall be provided to the State Museum at no cost.

29.6. (MUSM: Remittance to General Services) The State Museum is directed to remit not less than $3,505,361.94 to the Department of Administration as compensation for expenses associated with the premises it leases in the Columbia Mills Building. In the event the General Assembly or the Executive Budget Office implements a mid-year across-the-board budget reduction, the rent that the State Museum remits to the Department of Administration shall be reduced by the same percentage as the assessed budget reduction.

SECTION 30 - H960 - CONFEDERATE RELIC ROOM AND MILITARY MUSEUM COMMISSION

30.1. (CRR: Southern Maritime Collection) The Confederate Relic Room and Military Museum Commission, on behalf of the Hunley Commission is authorized to expend funds appropriated for such purpose to pay the outstanding note entered into to finance the purchase of the Southern Maritime Collection and the Hunley Commission will assume custody and management of the Collection for the State. The commission is authorized to use up to $500,000 of the funds transferred for implementation of this proviso. The balance of the funds transferred may be used by the commission for costs associated with other Museum operations. The General Assembly will provide for funds in future fiscal years to cover the costs of the financing of the Southern Maritime Collection.

SECTION 31 – J060 - DEPARTMENT OF PUBLIC HEALTH

31.1. (DPH: County Health Departments Funding) (A) Out of the appropriation provided in this section for "Access to Care", the sum of $25,000 shall be distributed to the county health departments by the Department of Public Health, for the following purposes:

(1) To insure the provision of a reasonably adequate public health program in each county.

(2) To provide funds to combat special health problems that may exist in certain counties.

(3) To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion of better public health service throughout the State.

(4) To encourage and promote local participation in financial support of the county health departments.

(5) To meet emergency situations which may arise in local areas.

(6) To fit funds available to amounts budgeted when small differences occur.

(B) The provisions of this proviso shall not supersede or suspend the provisions of Section 13-7-30.

31.2. (DPH: County Health Units) General funds made available to the Department of Public Health for the allocation to the counties of the State for operation of county health units be allotted on a basis approved by the Director of the Department of Public Health. The amount of general funds appropriated herein for Access to Care shall be allocated on a basis such that no county budget shall receive less than the amount received in the prior fiscal year, except when instructed by the Executive Budget Office or the General Assembly to reduce funds within the department by a certain percentage, the department may unilaterally reduce the county health units up to the stipulated percentage.

31.3. (DPH: Camp Burnt Gin Donations) Private donations or contributions for the operation of Camp Burnt Gin shall be deposited in a restricted account. These funds may be carried forward and shall be made available as needed to fund the operation of the camp. Withdrawals from this restricted account must be in accordance with approved procedures.

31.4. (DPH: Children's Rehabilitative Services) The Children's Rehabilitative Services shall be required to utilize any available financial resources including insurance benefits and/or governmental assistance programs, to which the child may otherwise be entitled in providing and/or arranging for medical care and related services to physically handicapped children eligible for such services, as a prerequisite to the child receiving such services.

31.5. (DPH: Cancer/Hemophilia and Other Blood Disorders) Notwithstanding any other provisions of this act, the funds appropriated herein for prevention, detection and surveillance of cancer as well as providing for cancer treatment services, $545,449 and the hemophilia and other blood disorders assistance program, $1,186,928 shall not be transferred to other programs within the agency and when instructed by the Executive Budget Office or the General Assembly to reduce funds within the department by a certain percentage, the department may not act unilaterally to reduce the funds for any cancer treatment program and hemophilia and other blood disorders assistance program provided for herein greater than such stipulated percentage.

31.6. (DPH: Insurance Refunds) The Department of Public Health is authorized to budget and expend monies resulting from insurance refunds for prior year operations for case services in family health.

31.7. (DPH: Emergency Medical Services) Funds appropriated herein for Emergency Medical Services, shall be allocated for the purpose of improving and upgrading the EMS system throughout the state. The monies allocated to the Counties are for the purpose of improving or upgrading the local EMS system through the licensed ambulance services, the monies allocated to the EMS Regional Councils are for the administration of training programs and technical assistance to local EMS organizations and county systems. All additional funds are to be allocated as follows: to the counties at the ratio of eighty-one percent of the additional funds appropriated herein, to the EMS Regions at a ratio of twelve percent of the additional funds appropriated herein and to the state EMS Office at the ratio of seven percent of the additional funds appropriated herein. The Department of Public Health shall develop criteria and guidelines and administer the system to make allocations to each region and county within the state, based on demonstrated need and local match. Funds appropriated to Emergency Medical Services shall not be transferred to other programs within the department's budget. Unexpended funds appropriated to the program may be carried forward to succeeding fiscal years, and may be expended for administrative and operational support and for temporary and contract employees to assist with duties related to improving and upgrading the EMS system throughout the state, including training of EMS personnel and administration of grants to local EMS providers. After January 1st of the current fiscal year, fifty percent of unclaimed funds utilized for aid to counties from the prior fiscal year shall be transferred to the South Carolina EMS Association to promote and encourage education of emergency medical technicians and directors of emergency medical services; to collect, analyze, and distribute information about emergency medical services; to promote the improvement of patient care; to cooperate with other organizations; and to effect more efficient administration of emergency medical services in the State of South Carolina. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds appropriated for EMS Regional Councils or Aid to Counties greater than such stipulated percentage.

31.8. (DPH: Rape Violence Prevention Contract) Of the amounts appropriated in Rape Violence Prevention, $1,303,956 shall be used to support programmatic efforts of the state's rape crisis centers with distribution of these funds based on the Standards and Outcomes for Rape Crisis Centers and each center's accomplishment of a preapproved annual action plan. For the current fiscal year, the department shall not reduce these contracts below the current funding level.

31.9. (DPH: Sickle Cell Blood Sample Analysis) $16,000 is appropriated in Independent Living for the Sickle Cell Program for Blood Sample Analysis and shall be used by the department to analyze blood samples submitted by the four existing regional programs - Region I, Barksdale Sickle Cell Anemia Foundation in Spartanburg; Region II, Clark Sickle Cell Anemia Foundation in Columbia; Region III, Committee on Better Racial Assurance Hemoglobinopathy Program in Charleston; and the Orangeburg Area Sickle Cell Anemia Foundation.

31.10. (DPH: Sickle Cell Programs) (A) $761,233 is appropriated for Sickle Cell program services and shall be apportioned as follows:

(1) sixty-seven percent is to be divided equitably between the existing Community Based Sickle Cell Programs located in Spartanburg, Columbia, Orangeburg, and Charleston; and

(2) thirty-three percent is for the Community Based Sickle Cell Program at DPH.

(B) The funds shall be used for providing prevention programs, educational programs, testing, counseling, and newborn screening. The existing Community Based Sickle Cell Programs will provide counseling for families of newborns who test positive for sickle cell trait or other similar blood traits upon referral from DPH. The balance of the total appropriation must be used for Sickle Cell Services operated by the Independent Living program of DPH. The funds appropriated to the community based sickle cell centers shall be reduced to reflect any percent reduction assigned to the Department of Public Health by the Executive Budget Office; provided, however, that the department may not act unilaterally to reduce the funds for the Sickle Cell program greater than such stipulated percentage. The department shall not be required to undertake any treatment, medical management or health care follow-up for any person with sickle cell disease identified through any neonatal testing program, beyond the level of services supported by funds now or subsequently appropriated for such services. No funds appropriated for ongoing or newly established sickle cell services may be diverted to other budget categories within the DPH budget. For the current fiscal year, the department shall not reduce these funds below the current funding level.

31.11. (DPH: Genetic Services) The sum of $104,086 appearing under the Independent Living program of this act shall be appropriated to and administered by the Department of Public Health for the purpose of providing appropriate genetic services to medically needy and underserved persons. Such funds shall be used by the department to administer the program and to contract with appropriate providers of genetic services. Such services will include genetic screening, laboratory testing, counseling, and other services as may be deemed beneficial by the department, and these funds shall be divided equally among the three Regional Genetic Centers of South Carolina, composed of units from the Medical University of South Carolina, the University of South Carolina School of Medicine, and the Greenwood Genetic Center.

31.12. (DPH: Medicaid Nursing Home Bed Days) Pursuant to Section 44-7-84(A), the maximum number of Medicaid patient days for which the Department of Public Health is authorized to issue Medicaid nursing home permits is 4,452,015.

31.13. (DPH: Nursing Home Medicaid Bed Day Permit) When a Medicaid patient is transferred from a nursing home to a receiving nursing home due to violations of state or federal law or Medicaid certification requirements, the Medicaid patient day permit shall be transferred with the patient to the receiving nursing home, provided that the receiving nursing home is an enrolled Medicaid provider that already holds Medicaid patient day permits, in which case the receiving facility shall apply to permanently retain the Medicaid patient day permit within sixty days of receipt of the patient.

31.14. (DPH: Per Visit Rate) The Department of Public Health is authorized to compensate nonpermanent, part-time employees on a fixed rate per visit basis. Compensation on a fixed rate per visit may be paid to employees for whom the department receives per visit reimbursement from other sources. These individuals will provide direct patient care in a home environment. The per visit rate may vary based on the discipline providing the care and the geographical location of services rendered. Management may pay exempt or nonexempt employees as defined by the Fair Labor Standards Act only when they are needed to work. Individuals

employed in this category may exceed twelve months, but are not eligible for State benefits except for the option of contributing to the State Retirement System.

31.15. (DPH: Shift Increased Funds) The director is authorized to shift increased appropriated funds in this act to offset shortfalls in other critical program areas.

31.16. (DPH: Health Licensing Monetary Penalties) In the course of regulating health care facilities/services, the Bureau of Health Facilities Licensing (BHFL) assesses civil monetary penalties against nonconforming providers. BHFL shall retain up to the first $50,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that division. These funds shall be separately accounted for in the department's fiscal records.

31.17. (DPH: Health Facilities Licensing Monetary Penalties) In the course of regulating health care facilities and services, the Bureau of Health Facilities Licensing (BHFL) assesses civil monetary penalties against nonconforming providers. BHFL shall retain up to the first $100,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that division. These funds shall be separately accounted for in the department's fiscal records. Regulations for nursing home staffing for the current fiscal year must (1) provide a minimum of one and sixty-three hundredths (1.63) hours of direct care per resident per day from the non-licensed nursing staff; and (2) maintain at least one licensed nurse per shift for each staff work area. All other staffing standards and non-staffing standards established in Standards for Licensing Nursing Homes: R61-17, Code of State Regulations, must be enforced.

31.18. (DPH: Prohibit Use of Funds) The Department of Public Health must not use any state appropriated funds to terminate a pregnancy or induce a miscarriage by chemical means.

31.19. (DPH: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

31.20. (DPH: Compensatory Payment) In the event the President of the United States has declared a state of emergency or the Governor has declared a state of emergency in a county in the State, Fair Labor Standards Act exempt employees of the department may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency Director, and providing funds are available.

31.21. (DPH: South Carolina State Trauma Care Fund) Of the funds appropriated to the South Carolina State Trauma Care Fund, $2,268,885 shall be utilized for increasing the reimbursement rates for trauma hospitals, for trauma specialists' professional fees, for increasing the capability of EMS trauma care providers from counties with a high rate of traumatic injury deaths to care for injury patients, and for support of the trauma system, based on a methodology as determined by the department with guidance and input from the Trauma Council as established in Section 44-61-530. The methodology to be developed will include a breakdown of disbursement of funds by percentage, with a proposed seventy-six and one half percent disbursed to hospitals and trauma physician fees, sixteen percent of the twenty-one percent must be disbursed to EMS providers for training EMTs, Advanced EMTs and paramedics by the four regional councils of this state and the remaining five percent must be disbursed to EMS providers in counties with high trauma mortality rates, and two and one half percent allocated to the department for administration of the fund and support of the trauma system. The Department of Public Health shall promulgate regulations as required in Section 44-61-540 for the administration and oversight of the Trauma Care Fund.

31.22. (DPH: Pandemic Influenza) The Department of Public Health shall assess South Carolina's ability to cope with a major influenza outbreak or pandemic influenza and maintain an emergency plan and stockpile of medicines and supplies to improve the state's readiness condition. The department shall report on preparedness measures to the Speaker of the House of Representatives, the President of the Senate, and the Governor by November first of each year. The department, in conjunction with the Department of Health and Human Services, is authorized to establish a fund for the purpose of developing an emergency supply, stockpile, and distribution system of appropriate antiviral, antibiotic, and vaccine medicines and medical supplies. In the event the United States Department of Health and Human Services makes available medicines or vaccines for purchase by states via federal contract or federally subsidized contract or other mechanism, the department, with Executive Budget Office approval, may access appropriated or earmarked funds as necessary to purchase an emergency supply of these medicines for the State of South Carolina.

31.23. (DPH: Rural Hospital Grants) Rural Hospital Grants funds shall be allocated to public hospitals in very rural or rural areas whose largest town is less than 25,000 and whose licensed bed capacity does not exceed two hundred beds. Hospitals qualifying for the grants shall utilize such funds for any of the following purposes: (a) the development of preventive health programs, medical homes, and primary care diversion from emergency departments; (b) expanded health services, including physician recruitment and retention; (c) to improve hospital facilities; (d) activities involving electronic medical records or claims processing systems; (e) to enhance disease prevention activities in diabetes, heart disease, etc.; and (f) activities to ensure compliance with State or Federal regulations.

31.24. (DPH: Camp Burnt Gin) Notwithstanding any other provision of law, the funds appropriated to the department pursuant to Part IA, or funds from any other source, for Camp Burnt Gin must not be reduced in the event the department is required to take a budget reduction.

31.25. (DPH: Metabolic Screening) The department may suspend any activity related to blood sample storage as outlined in Section 44-37-30 (D) and (E) if there are insufficient state funds to support the storage requirements. In that event, the samples may be destroyed in a scientifically appropriate manner after testing. The department shall notify providers of the suspension within thirty days of its effective date.

31.26. (DPH: SCHIDS) (A) From funds appropriated for Chronic Disease Prevention, the department shall establish a South Carolina Health Integrated Data Services (SCHIDS) program to disseminate data about prevalence, treatment and cost of disease from the South Carolina Health and Human Services Data Warehouse and in particular the Medicaid System. The purpose of the program is to educate communities statewide about improving health and wellness through lifestyle changes.

(B) The Revenue and Fiscal Affairs Office shall provide data needed by the SCHIDS program to fulfill its mission, and all state agencies and public universities involved in educating South Carolinians through public programs for the purpose of improving health and wellness shall communicate with the program in order to improve collaboration and coordination and the possible use of SCHIDS to assist in the evaluation of program outcomes.

(C) Medicaid staff shall coordinate with the SCHIDS program staff to target Prevention Partnership Grant awards to those communities demonstrating a prevalence of chronic disease and/or lack of access to care.

31.27. (DPH: Immunizations) The department is authorized to utilize the funds appropriated for immunizations to hire temporary personnel to address periods of high demand for immunizations at local health departments.

31.28. (DPH: Residential Treatment Facilities Swing Beds) In the current fiscal year, in coordination with the South Carolina Health Plan and to improve access for acute psychiatric beds as patient populations demand, Residential Treatment Facilities (RTF) may swing up to eighteen beds per qualifying facility to accommodate patients with a diagnosis of an acute psychiatric disorder. In order to qualify to utilize swing beds a facility must meet the following criteria: the facility must currently have both licensed acute psychiatric and residential treatment facility beds, the RTF beds must meet the same licensure requirements as the existing licensed acute psychiatric beds, and any facility utilizing swing beds must keep the acute and RTF patient populations separate and distinct. The utilization of swing beds must also comply with all federal Centers for Medicare and Medicaid Services rules and regulations.

31.29. (DPH: Tuberculosis Outbreak) (A) Upon discovery of a tuberculosis outbreak, the Department of Public Health may expend any funds available to the agency, for the purpose of surveillance, investigation, containment, and treatment activities related thereto.

(B) Upon identification of a tuberculosis outbreak, the department will conduct a comprehensive contact investigation and implement control measures consistent with guidance from the Centers for Disease Control and Prevention. As part of the investigation and control of the outbreak, the department will alert the appropriate healthcare providers and community members using the most effective means available.

(C) Upon being informed of or having reason to suspect a case of tuberculosis that is capable of transmitting tubercle bacilli at a school or child care center involving a student, teacher, employee, volunteer, or an individual working at the school or child care center for an employer providing services to the school or child care center, the department immediately shall notify:

(1) if the case is at a school, the principal, and the Superintendent of the school district if the school is a public school; and

(2) if the case is at a child care center, the director of the child care center; and

(D) When informing the principal of a school or the director of a child care center about a known or suspected case of tuberculosis that is capable of transmitting tubercle bacilli as provided for in subsection (C), the department shall provide:

(1) an update addressing the:

(a) status of the investigation, including the steps the department is taking to identify the source and extent of the exposure and the risks of additional exposure; and

(b) steps the school or child care center must take to assist the department in controlling the spread of the tuberculosis infection; and

(2) information and other resources to distribute to parents and guardians that discuss how to assist the department in identifying and managing the tuberculosis infection.

31.30. (DPH: Birth Center Inspections) With the funds appropriated and authorized to the Department of Public Health for this fiscal year, the department shall ensure that all licensed birth centers must register an on-call agreement and any transfer policies with the Department of Public Health. The on-call agreement shall contain provisions which provide that the on-call physician, or another physician designated by the on-call physician, is readily available to provide medical assistance either in person or by telecommunications or other electronic means, which means the physician must be within a thirty minute drive of the birth center or hospital, must be licensed in the State of South Carolina, and have hospital admitting or consulting privileges, and shall provide consultation and advice to the birth center at all times it is serving the public. Furthermore, a birth center shall document in its practice guidelines and policies the ability to transfer care to an acute care hospital with obstetrical and newborn services and must

demonstrate this by: (a) coordinated transfer care plans, protocols, procedures, arrangements, or through collaboration with one or more acute care hospitals with appropriate obstetrical and newborn services; and (b) admitting or consulting privileges at one or more hospitals with appropriate obstetrical and newborn services by a birth center's consulting physician. The department shall require a $25.00 registration fee upon receipt and review of the agreements containing these provisions. Acute care hospitals licensed by the department must negotiate in good faith and fair dealing effort with any birth center licensed by the department within a 50 mile radius to establish a written transfer agreement pursuant to this proviso. Birth centers registering on-call and transfer policies in accordance with this proviso shall be deemed by the department to be in compliance with Section 44-89-60(3) and any implementing regulations for this fiscal year.

31.31. (DPH: AIDS Service Provision Program) For the current fiscal year, funds appropriated and authorized to the Department of Public Health for clinical services and medical case management shall be used to direct the department to establish through contract a pilot program for the expansion of direct services to clients who are HIV positive. As part of the pilot program, the department shall facilitate 340b pricing for the AIDS Healthcare Foundation by utilizing Ryan White Part B federal funding to support this pilot in order to maximize the state's resources and service provision beyond its current levels. The department shall require that the AIDS Healthcare Foundation provide any reports or information required by the 340b pricing program, and shall provide proof of the contractual relationship between the department and the AIDS Healthcare Foundation to the Office of Pharmacy Affairs at HRSA.

31.32. (DPH: EMS Monetary Penalties) In the course of regulating Emergency Medical Services (EMS) agencies and personnel, the Bureau of EMS assesses civil monetary penalties against nonconforming providers. The Bureau of EMS shall retain up to the first $40,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that bureau. These funds shall be separately accounted for in the department's fiscal records. The agency shall provide a report on how these funds are expended to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

31.33. (DPH: HIV/AIDS Treatment and Prevention) From the funds appropriated to the Department of Public Health in the current fiscal year for HIV and AIDS prevention and treatment, the department shall partner with the Joseph H. Neal Health Collaborative and expend $500,000 to provide preventative, psychological, and educational services to all patients, regardless of their financial or insurance status that may impact their ability to pay. In addition, the Joseph H. Neal Health Collaborative shall deploy its plan as a facilitator of Hepatitis C Virus (HCV) management strategies. The department shall ensure the funds are expended primarily for testing, prevention, education, treatment, and follow-up services of HIV/AIDS and HCV. As well, funds may be used in combination with Ryan White Part B Grant funds, other federal funds, or the State's AIDS Drug Assistance Program rebate funds for education and instruction.

31.34. (DPH: Reimbursement of Expenditures) The Department of Public Health is authorized to collect, expend, retain, and carry forward for general operating purposes all funds received in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year.

31.35. (DPH: Organizations Receiving State Appropriations) Notwithstanding any other provisions of this act, the funds appropriated to the Department of Public Health for the allocation/contribution of specific amounts of state aid to organizations, programs, special items, or activities shall be distributed as appropriated except when instructed by the Executive Budget Office or

the General Assembly to reduce funds within the department by a certain percentage, the department may reduce these items up to the stipulated percentage.

31.36. (DPH: Acute Hospital at Home Waiver) In the current fiscal year, a hospital approved by the Centers for Medicare and Medicaid Services to participate in an Acute Hospital Care at Home waiver program may not be deemed to be in violation of its hospital license solely on the basis of its participation in the program. Additionally, the department shall not subject such a hospital to any form of adverse enforcement action relating to its participation in the program.

31.37. (DPH: Immunity Passport) The Department of Public Health shall be restricted from using any resources to issue an immunity passport related to COVID-19. This restriction also shall encompass any integration with or becoming an issuer of SMART Health Cards.

31.38. (DPH: Community Violence Intervention and Prevention) (A) In the current fiscal year and from the funds appropriated to the department, the department shall expend up to $200,000 to establish the Community Violence Intervention and Prevention Program.

(B) The program shall:

(1) establish, solicit, advertise, and administer the Community Violence Intervention and Prevention Grant Program to support, expand, and replicate evidence-informed violence intervention and prevention initiatives;

(2) conduct program evaluations in partnership with internal program staff, external stakeholders, and contractors with evaluation expertise to determine the effectiveness of funded programs;

(3) develop data collection policies for funded programs and procedures for distributing that data to relevant state and academic researchers to aid research and analysis of community violence, health, economic development, and other metrics over time;

(4) provide technical assistance to funded violence intervention programs to implement national best practices and state data collection requirements; and

(5) collaborate and coordinate with other state agencies, including the South Carolina Attorney General's Crime Victim Services Division, to identify and apply for federal grants and other funding.

(C) The Community Violence Intervention and Prevention program shall award funds on a competitive basis to nonprofit organizations and community-based partnerships that serve communities that are disproportionately impacted by violence to support, expand, and replicate effective, evidence-informed violence reduction initiatives. The grants must be used to:

(1) implement, expand, or enhance coordination between evidence-informed violence reduction initiatives including, but not limited to, hospital-based violence intervention, street outreach, and group violence intervention strategies that have demonstrated effectiveness at reducing homicides, gun violence, and group violence without contributing to mass incarceration;

(2) support the development and delivery of intervention-based strategies by entities that provide targeted services to individuals at risk of being victimized or engaging in violence to interrupt cycles of violence, reinjury, and retaliation; and

(3) support initiatives that primarily target a reduction of violence among individuals who have been identified as having the highest risk of perpetrating or being victimized by violence in the near future based on the best available medical and public health research.

(D) In awarding grants, the program shall prioritize applicants operating in areas disproportionately affected by firearm violence and whose proposals demonstrate the greatest likelihood of reducing homicides, gun violence, and group violence without

contributing to mass incarceration. The division shall not require grant recipients to participate in the policing, enforcement, or prosecution of any crime as a condition of receiving a grant.

31.39. (DPH: Deferred Maintenance, Capital Project, Ordinary Repair and Maintenance) The Department Public Health is authorized to establish an interest-bearing fund with the State Treasurer to deposit funds for deferred maintenance and other one-time funds from any source. The department is also authorized to retain and deposit into the fund proceeds from the sale of excess real property owned by, under the control of, or assigned to the department. After receiving any required approvals, the department is authorized to expend these funds for the purpose of deferred maintenance, capital project, and ordinary repair and maintenance. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

31.40. (DPH: Allocation of Indirect Cost and Recoveries) The department shall continue to deposit in the general fund all indirect cost recoveries for the department's portion of the Statewide Central Services Cost Allocation Plan (SWCAP). The department shall retain recoveries in excess of the SWCAP amount to support the remaining administrative costs of the agency.

31.41. (DPH: Grant Authority) The department is authorized to make grants to nonprofit organizations and governmental entities to further the objectives of its public health programs. The department shall develop policies and procedures and may promulgate regulations to assure compliance with state and federal requirements associated with the funds used for the grants and to assure fairness and accountability in the award and administration of these grants. The department shall be guided by the definitions of "grant" and "procurement" in the South Carolina Procurement Code and the principles of the Federal Grant and Cooperative Agreement Act, 33 U.S.C. 6301-6308 in determining whether an expenditure of funds will be in the form of a grant or a procurement.

31.42. (DPH: Revenue Carry Forward Authorization) The Department of Public Health is hereby authorized to collect, expend, and carry forward revenues in the following programs: Sale of Goods (confiscated goods, arm patches, etc.), sale of meals at Camp Burnt Gin, sale of publications, brochures, photo copies and certificate forms including, but not limited to, pet rabies vaccination certificate books, sale of listings and labels, sale of State Code and Supplements, sale of films and slides, sale of maps, sale of items to be recycled including, but not limited to, used motor oil and batteries, sale and/or licensing of software products developed and owned by the department, and collection of registration fees for non-DPH employees. Any unexpended balance carried forward must be used for the same purpose.

31.43. (DPH: Data Center Migration) Of the funds appropriated to the Department of Public Health for Data Center Migration, the department must utilize the Department of Administration, Division of Technology Operations for shared services including, but not limited to, mainframe services, application hosting, servers, managed servers, storage, network services, and disaster recovery services. Unexpended funds appropriated for the data center migration may be carried forward from the prior fiscal year and used for the same purpose.

31.44. (DPH: Local Health Departments) Counties of the state will be relieved of contribution requirements for salary, fringe benefits, and travel reimbursement to local health departments. The amount of $5,430,697 is appropriated for county health department salaries, fringe benefits, and travel. These funds and other state funds appropriated for county health units may, based upon need, be utilized in either salary or travel categories. Each county shall provide all other operating expenses of the local health department in an amount at least equal to that appropriated for operations for each county in Fiscal Year 1981. In the event any county makes uniform reductions in appropriations to all agencies or departments for maintenance and operations, exclusive of

salaries and fringe benefits, a like reduction shall be made in funds appropriated for the operating expenses of the local health department.

31.45. (DPH: Agency Lease Payments) Funds appropriated and authorized to the department for lease payments for the lease directed by proviso 118.22 of Act 84 of 2023 shall be maintained in a separate and distinct account. These funds shall be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

31.46. (DPH: Best Chance Network/Colon Cancer Prevention) Of the funds appropriated to the department for Best Chance Network and Colon Cancer Prevention, the department shall utilize $1,000,000 for the Best Chance Network and $2,000,000 as matching funds for the Colon Cancer Prevention Network.

31.47. (DPH: Nursing Home Review) ~~The Department of Public Health shall conduct a study regarding separate requirements for memory care facilities and assisted living facilities within nursing homes. Additionally, the department shall assess and recommend appropriate staff-to-resident ratios to ensure a sufficient number of staff are available at all times to provide necessary nursing care and related services to each resident. A report detailing the findings and recommendations shall be submitted to the Senate Medical Affairs Committee and the House Medical, Military, Public and Municipal Affairs Committee no later than January 1, 2026.~~

31.48. (DPH: Florence Health Department HVAC) ~~The funds appropriated in Act 226 of 2024, Section 118.20(B)(26)(D) to the Department of Public Health for Florence Health Department HVAC shall be redirected for the Department of Public Health's Florence Office relocation and furniture.~~

31.49. *(DPH: Disaster Readiness Fund)* **DELETED**

31.50. *(DPH: Health Systems Modernization)* **DELETED**

31.51. *(DPH: Perinatal Regionalization) The Department of Public Health is authorized to continue the existing designation of perinatal regions in the State of South Carolina. The Department is additionally authorized to renew contracts with currently designated regional perinatal centers (RPCs) to enable fulfillment of the RPC regional requirements established in the perinatal regulations.*

31.52. *(DPH: Blood Borne Virus Screening) Of the funds appropriated for Critical Public Health Services, the South Carolina Department of Public Health, in collaboration with the Frontlines of Communities in the United States (FOCUS) Initiative and the South Carolina Hospital Association, shall allocate up to $200,000 to continue screening, diagnosis, and linkage to care for blood borne viruses through routine screening services in hospital emergency departments. The funds should be used to reduce transmission rates for South Carolinians by improving the early identification of undiagnosed infections, supporting the identification of individuals living with blood borne viruses who were previously diagnosed but are not participating in care, and providing linkage to care for individuals who would benefit from blood borne virus management or participating in preventative services.*

SECTION 32 - H730 – DEPARTMENT OF VOCATIONAL REHABILITATION

32.1. (VR: Production Contracts Revenue) All revenues derived from production contracts earned by people with disabilities receiving job readiness training at the agency's Work Training Centers may be retained by the State Agency of Vocational Rehabilitation and used in the facilities for Client Wages and any other production costs; and further, any excess funds derived from these production contracts may be used for other operating expenses and/or permanent improvements of these facilities.

32.2. (VR: Reallotment Funds) To maximize utilization of federal funding and prevent the loss of such funding to other states in the Basic Service Program, the State Agency of Vocational Rehabilitation be allowed to budget reallotment and other funds received in excess of original projections in following State fiscal years.

32.3. (VR: User/Service Fees) Any revenues generated from user fees or service fees charged to the general public or other parties ineligible for the department's services may be retained to offset costs associated with the related activities so as to not affect the level of service for regular agency clients.

32.4. (VR: Meal Ticket Revenue) All revenues generated from sale of meal tickets may be retained by the agency and expended for supplies to operate the agency's food service programs or cafeteria.

32.5. (VR: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Department of Vocational Rehabilitation is authorized to establish an interest bearing fund with the State Treasurer to deposit funds appropriated for deferred maintenance and other one-time funds from any source. After receiving any required approvals, the department is authorized to expend these funds for the purpose of deferred maintenance, capital projects, and ordinary repair and maintenance. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

SECTION 33 - J020 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

33.1. (DHHS: Recoupment/Restricted Fund) The Department of Health and Human Services shall recoup all refunds and identified program overpayments and all such overpayments shall be recouped in accordance with established collection policy. Further, the Department of Health and Human Services is authorized to maintain a restricted fund, on deposit with the State Treasurer, to be used to pay for liabilities and improvements related to enhancing accountability for future audits. The restricted fund will derive from prior year program refunds. The restricted fund shall not exceed one percent of the total appropriation authorization for the current year. Amounts in excess of one percent will be remitted to the general fund.

33.2. (DHHS: Long Term Care Facility Reimbursement Rate) The department, in calculating a reimbursement rate for long term care facility providers, shall obtain for each contract period an inflation factor, developed by the Revenue and Fiscal Affairs Office. Data obtained from Medicaid cost reporting records applicable to long term care providers will be supplied to the Revenue and Fiscal Affairs Office. A composite index, developed by the Revenue and Fiscal Affairs Office will be used to reflect the respective costs of the components of the Medicaid program expenditures in computing the maximum inflation factor to be used in long term care contractual arrangements involving reimbursement of providers. The Revenue and Fiscal Affairs Office shall update the composite index so as to have the index available for each contract renewal.

The department may apply the inflation factor in calculating the reimbursement rate for the new contract period from zero percent up to the inflation factor developed by the Revenue and Fiscal Affairs Office.

33.3. (DHHS: Medical Assistance Audit Program Remittance) The Department of Health and Human Services shall remit to the State Auditor's Office an amount representing fifty percent (allowable Federal Financial Participation) of the cost of the Medical Assistance Audit Program as established in the State Auditor's Office of the State Fiscal Accountability Authority, Section 105. Such amount shall also include appropriated salary adjustments and employer contributions allocable to the Medical Assistance Audit Program. Such remittance to the State Auditor's Office shall be made monthly and based on invoices as provided by the State Auditor's Office of the State Fiscal Accountability Authority.

33.4. (DHHS: Third Party Liability Collection) The Department of Health and Human Services is allowed to fund the net costs of any Third Party Liability and Drug Rebate collection efforts from the monies collected in that effort.

33.5. (DHHS: Medicaid State Plan) Where the Medicaid State Plan has been altered to cover services that previously were provided by one hundred percent state funds, or that have been requested to be added by other state agencies, the department can bill other agencies for the state share of services provided through Medicaid. In order to comply with Federal regulations regarding allowable sources of matching funds, state agencies are authorized to make appropriation transfers to the Department of Health and Human Services to be used as the state share when certified public expenditures are not allowed for those state agency Medicaid services. The department will keep a record of all services affected and submit periodic reports to the Senate Finance and House Ways and Means Committees.

33.6. (DHHS: Medically Indigent Assistance Fund) The department is authorized to expend disproportionate share funds to all eligible hospitals with the condition that all audit exceptions through the receipt and expenditures of these funds are the liability of the hospital receiving the funds.

33.7. (DHHS: Registration Fees) The department is authorized to receive and expend registration fees for educational, training, and certification programs.

33.8. (DHHS: Fraud and Abuse Collections) The Department of Health and Human Services may offset the administrative costs associated with controlling fraud and abuse.

33.9. (DHHS: Medicaid Eligibility Transfer) The South Carolina Department of Health and Human Services (DHHS) is hereby authorized to determine the eligibility of applicants for the South Carolina Medicaid Program in accordance with the State Plan Under Title XIX of The Social Security Act Medical Assistance Program. The governing authority of each county shall provide office space and facility service for this function as they do for DSS functions under Section 43-3-65.

With funds available to the department and by November first, the Director of the Department of Health and Human Services shall provide the governing authority and the legislative delegation of each county with information on the condition of space furnished for this purpose and shall specifically identify any known deficiencies with respect to the accessibility requirements of the Americans with Disabilities Act (ADA). By May first, the governing authority of any county with an identified ADA-related deficiency shall report to its legislative delegation and the Director of the Department of Health and Human Services on its progress in correcting such deficiency.

33.10. (DHHS: Franchise Fees Suspension) Franchise fees imposed on nursing home beds and enacted by the General Assembly during the 2002 session are suspended.

33.11. (DHHS: Program Integrity Efforts) The Department of Health and Human Services is instructed to expand its program integrity efforts by utilizing resources both within and external to the agency including, but not limited to, the ability to contract with other entities for the purpose of maximizing the department's ability to detect and eliminate provider fraud.

33.12. (DHHS: Post Payment Review) The department is directed to perform post payment reviews as permitted under Medicaid regulations to ensure compliance with the Hyde Amendment provisions as it relates to the performance of medically necessary services under the Medicaid program. The results of such reviews shall be available to the General Assembly upon request in a format that meets the requirements of the Health Insurance Accountability and Portability Act (HIPAA) and Medicaid confidentiality regulations.

33.13. (DHHS: Long Term Care Facility Reimbursement Rates) The department shall direct staff to complete and submit its Medicaid State Plan Amendment for long term care facility reimbursement rates to the Director of the Department of Health and Human Services by August first of each year. The director shall review the plan and submit to the Federal Government on or before August fifteenth of each year provided the State Appropriations Act has been enacted by that date. All additional requests for information from CMS concerning the plan shall be promptly submitted to CMS by the Department of Health and Human Services.

33.14. (DHHS: Nursing Services to High Risk/High Tech Children) The Department of Health and Human Services shall continue a separate classification and compensation plan for Registered Nurses (RN) and Licensed Practical Nurses (LPN) who provide services to Medically Fragile Children, who are Ventilator dependent, Respirator dependent, Intubated, and Parenteral feeding or any combination of the above. The classification plan shall recognize the skill level that these nurses caring for these Medically Fragile Children must have over and above normal home-care or school-based nurses.

33.15. (DHHS: CHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify eligible children and households to the Children's Health Insurance Program (CHIP) and/or Medicaid and must use available state agency program data including, but not limited to, that housed in the Revenue and Fiscal Affairs Office, the Department of Social Services' Supplemental Nutritional Assistance Program (SNAP) and poverty-related information from the Department of Education. Use of this data and cooperative efforts between state agencies reduces the cost of outreach and eligibility activities. In the current fiscal year and with funds available to it, the department shall submit to the Centers for Medicare and Medicaid Services such waivers and/or plan amendments necessary to ensure that the CHIP upper income limit is at least that of the average of the states within CMS Region IV and shall enroll children into the program accordingly.

33.16. (DHHS: Carry Forward) The Department of Health and Human Services is authorized to carry forward and expend any General Fund balance and any cash balances from the prior fiscal year into the current fiscal year for any earmarked or restricted trust and agency, or special revenue account or subfund. The department shall submit a comprehensive reporting of all cash balances brought forward from the prior fiscal year. The report shall, at a minimum, for each account or subfund include the following: the statutory authority that allows the funds to be carried forward, the maximum authorized amount that can be carried forward, the general purpose or need for the carry forward, the specific source(s) of funding or revenue that generated the carry forward, and a detailed description of any pending obligations against the carry forward. The report must be submitted to the President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, and Chairman of the House Ways and Means Committee, within fifteen days after the Comptroller General closes the fiscal year.

33.17. (DHHS: Medicaid Provider Fraud) The department shall expand and increase its effort to identify, report, and combat Medicaid provider fraud. The department shall publish on its' agency homepage by April first, of the current fiscal year, the results of these efforts, the funds recovered, and information pertaining to prosecutions of such cases, including pleas agreements entered into.

33.18. (DHHS: GAPS) The requirements of Article 5, Chapter 6, Title 44 shall be suspended for the current state fiscal year.

33.19. (DHHS: Contract Authority) The Department of Health and Human Services is authorized to contract with community-based not-for-profit organizations for local projects that further the objectives of department programs. The department shall develop policies and procedures and may promulgate regulations to assure compliance with state and federal requirements associated with the funds used for the contracts and to assure fairness and accountability in the award and administration of these contracts. The department may require a match from contract recipients. The department shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committees on the contracts administered.

33.20. (DHHS: Medicaid Accountability and Quality Improvement Initiative) From the funds appropriated and authorized to the Department of Health and Human Services, the department is authorized to implement the following accountability and quality improvement initiatives:

(A) Community Health Improvement Initiative - To improve community health, the department may explore various health quality outreach, education, patient wellness and incentive programs. The department may pilot health interventions targeting diabetes, smoking cessation, weight management, heart disease, and other health conditions. These programs may be expanded as their potential to improve health and lower costs are identified by the department.

(B) Community Health Alignment Initiative - The department shall contract with the Center for Community Health Alignment (CCHA) at the University of South Carolina in a collaborative effort to expand the community health worker program to hospital settings. The goal of this program shall be to improve health outcomes for individuals that do not have access to affordable health insurance by facilitating resource connections and access to safety net providers. The department shall facilitate the Center's coordination of placement and funding of qualified community health workers in hospital settings to achieve program goals. The Center must provide the department with patient, service, and other data to assist in the operation and ongoing evaluation of this initiative. The department may tie hospital reimbursements, as appropriate, to participation in this Community Health Alignment Initiative.

(C) Improving Access Initiatives - The department may pursue Medicaid reimbursement and health care delivery methodologies to sustain and improve access to services particularly in underserved and designated rural areas. The department shall review existing reimbursement levels and, as funds are available, take measures to implement competitive rate structures that provide incentives for providers to treat Medicaid, uninsured, and underinsured individuals. These structures may include the use of disproportionate share, directed payments, and other supplemental payment programs. The department may adjust provider assessments to align with available supplemental funding not to exceed the safe harbor threshold under the federal hold harmless provision. Utilizing income, population, provider capacity, and other relevant data, the department may designate certain areas of the state as rural for Medicaid initiatives. To be eligible for these initiatives, the department may require providers to participate in quality, accountability, and reporting programs.

(D) Quality Through Technology and Innovation in Pediatrics (QTIP) Initiative – The department shall explore ways to enhance the existing QTIP program. The goal of this program is to improve quality measure outcomes, promote medical home concepts, and support mental health skill-building and integration through targeted quality improvement and technical assistance to pediatric practices.

(E) Health Services Initiative – The department may use available funds from the Children's Health Insurance Program (CHIP) allotment to implement specific health service initiatives to improve the public health of children, including targeted low-income children and other low-income children as defined in 42 CFR 457.10. These initiatives may include preventive care and other interventions that improve the overall health and mental well-being of children. These initiatives may not supplant federal funds currently used to provide services under the state's CHIP program.

(F) Primary Care Safety Net Initiative - The department shall formulate a separate methodology to allocate at least $1,500,000 of funding to Free Clinics throughout the state, $2,500,000 of funding for local alcohol and drug abuse authorities created under Act 301 of 1973, ~~and~~ *as well as a grants-based process for distribution of* up to $4,000,000 for capital improvements to the Act 301 facilities ~~through~~ *in* consultation with the Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services, to ensure funds are provided on a needs based approach. The department may continue to develop and implement a process for obtaining encounter-level data that may be used to assess the cost and impact of services provided through this proviso.

(G) To be eligible for funds in this proviso, providers must provide the department with patient, service and financial data to assist in the operation and ongoing evaluation of both the initiatives resulting from this proviso, and other price, quality, transparency, and accountability efforts currently underway or initiated by the department. The Revenue and Fiscal Affairs Office shall provide the department with any information required by the department in order to implement this proviso in accordance with state law and regulations.

(H) The department annually shall evaluate each initiative within this provision to measure its effectiveness in meeting expected goals. The department shall continually monitor all third-party contracts employed under this provision to ensure that appropriations are being efficiently and effectively utilized for their intended purpose. The department also shall annually report on the results of each evaluation to the House Ways and Means Healthcare Budget Subcommittee and the Senate Finance Health and Human Services Subcommittee.

33.21. (DHHS: Rural Health Initiative) From the funds appropriated to the Department of Health and Human Services for the Rural Health Initiative in the current fiscal year, the department shall partner with the following state agencies, institutions, and other key stakeholders to implement these components of a Rural Health Initiative to better meet the needs of medically underserved communities throughout the state. The department may leverage any and all available federal funds to implement this initiative. Recurring and non-recurring funding for the Rural Health Initiative may be carried forward by the department and expended for the same purpose.

(A) The Department of Health and Human Services shall incentivize the development of primary care access in rural and underserved areas, leverage Medicaid spending on Graduate Medical Education (GME) and continue to leverage the use of teaching hospitals to ensure rural physician coverage in counties with a demonstrated lack of adequate access and coverage through the following provisions:

(1) Rural and Underserved Area Provider Capacity - The department shall partner with the University of South Carolina School of Medicine to develop a statewide Rural Health Initiative to identify strategies for significantly improving health care access, supporting physicians, and reducing health inequities in rural communities. In addition, the department shall also contract with the MUSC Hospital Authority in the amount of $1,500,000, and the USC School of Medicine in the amount of $2,000,000 to further develop statewide teaching partnerships. The department shall also expend $5,000,000 to fund medical education and graduate nursing and health science programs approved jointly by the Presidents of the following institutions: the Medical University of South Carolina, the University of South Carolina, and Francis Marion University.

(2) Rural Healthcare Coverage and Education - The USC School of Medicine, in consultation with statewide rural health stakeholders and partners, shall continue to operate a Center of Excellence to support and develop rural medical education and delivery infrastructure with a statewide focus, through clinical practice, training, and research, as well as collaboration with other state agencies and institutions. The Center shall submit to the department an annual spending plan centered on efforts to improve access to care and expand healthcare provider capacity in rural communities. Upon approval of the annual spending plan, the department shall authorize at least $3,000,000 to support center staffing as well as the programs and collaborations delivering rural health research, the ICARED program, workforce development scholarships and recruitment, rural fellowships, health education development, and/or rural practice support and education. Funding released by the department pursuant to this section must not be used by the recipient(s) to supplant existing resources already used for the same or comparable purposes. No later than February first of the current fiscal year, the USC School of Medicine shall report to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the Director of the Department of Health and Human Services on the specific uses of funds budgeted and/or expended pursuant to this provision.

(3) Rural Medicine Workforce Development - The department shall support the development of additional residency and/or fellowship slots or programs in rural medicine, family medicine, and any other appropriate primary care specialties that have been identified by the department as not being adequately served by existing Graduate Medical Education programs. New training sites and/or residency positions are subject to approval as specified by the Accreditation Council for Graduate Medical Education (ACGME). As funds are made available, the department may also accept proposals and award grants for programs designed to expose resident physicians to rural practice and enhance the opportunity to recruit these residents for long-term practice in these rural and/or underserved communities.

(4) Statewide Health Innovations - At least $2,500,000 must be expended by the department to contract with the USC School of Medicine and at least $1,000,000 to Clemson University to develop and continue innovative healthcare delivery and training opportunities through collaborative community engagement via ICARED, Clemson Rural Health Programming, and other innovative programs that provide clinical services, mental and behavioral health services, children’s health, OB/GYN services, and/or chronic disease coverage gaps. In consultation with statewide rural health stakeholders and partners, the department must ensure collaborative efforts with the greatest potential for impact are prioritized.

(5) Rural Health Network Revitalization Project – For the purpose of establishing self-sustaining rural health networks that will improve care delivery in rural communities, funds appropriated for Rural Health Network Revitalization shall be expended, in consultation with the Director of Department of Health and Human Services, by the South Carolina Center for Rural and Primary Healthcare within the University of South Carolina School of Medicine to provide material support, facilitation, technical assistance,

and other resources to rural communities seeking to create or renew their rural health networks. The Center shall submit to the department an annual spending plan. Upon approval of the annual spending plan, the Center shall:

(a) be authorized to provide funding to such communities for a time to establish and support the work;

(b) work with partners across the State to implement evidence-based models of community development and healthcare delivery;

(c) evaluate the implementation and impact of the network development work undertaken; and

(d) facilitate the development, implementation, and evaluation of alternative payment models with payors within the State.

No later than February first of the current fiscal year, the South Carolina Center for Rural and Primary Healthcare within the University of South Carolina School of Medicine shall report to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the Director of the Department of Health and Human Services on the specific uses of funds budgeted and/or expended pursuant to this provision.

(B) The department shall continue to investigate the potential use of disproportionate share, directed payment, and/or any other source of funds in order to improve access to medical services in one or more rural or underserved communities identified by the department in which such access has been determined to be unstable or at-risk. As funds are available to the department, it may establish a grant program for providers to implement sustainable delivery models or capital improvements to enhance access to health care services. When the program is in force, the department shall publish grant criteria and guidelines and, at its discretion, may cap or limit the amount of available funds at any time. The department shall require written proposals and may include stipulations it deems necessary and prudent to ensure funds are used to improve the sustainability of access to services in rural or other underserved areas. The department shall also ensure that a facility has been properly sized to meet the needs of its service area. By October 1st of each year, the department shall report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee on the status of outstanding grants.

(C) The Revenue and Fiscal Affairs Office and the Area Health Education Consortium's Office of Healthcare Workforce Analysis and Planning shall provide the department with any information required by the department in order to implement this proviso in accordance with state law and regulations. Not later than January 1, of the current fiscal year, the department shall submit to the President of the Senate and Speaker of the House of Representatives an evaluation of the state's safety-net providers that includes, at a minimum, Federally Qualified Health Centers, Rural Health Clinics, and to the extent applicable to funding received by the state, free clinics.

33.22. (DHHS: Family Planning Funds) The State has enacted Section 43-5-1185 of the 1976 Code that prohibits state funds, directly or indirectly, from being utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions. Having prevented Planned Parenthood from performing abortions with state funds, once the federal injunction is lifted, the Department of Health and Human Services may not direct any federal funds to Planned Parenthood. An otherwise qualified organization may not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services in compliance with Part IB, Proviso 33.12 of this act is excepted from the above restriction on state family planning funds and may receive state family planning funds.

33.23. (DHHS: Meals in Emergency Operations) The cost of meals may be provided to state employees who are not permitted to leave their stations and are required to work during actual emergencies, emergency situation exercises, and when the Governor declares a state of emergency.

33.24. (DHHS: Optional State Supplement Adjustments) Cost-of-living adjustments in benefit payments made by the federal government will result in adjustments in the Optional State Supplementation (OSS) Program as determined necessary by the Department of Health and Human Services to ensure that payment amounts are not reduced. The department shall adjust the OSS net income limitation, the OSS facility rate, and the personal needs allowance to ensure that payment amounts are not reduced. OSS benefit payment amounts shall be adjusted to reflect the changes in recipients' countable income.

33.25. (DHHS: Broadband and Telehealth Digital Literacy) With funds available to the Department of Health and Human Services, the department shall partner with a member of the South Carolina Telehealth Alliance that has relevant expertise for no less than $500,000 to establish a pilot program that leverages telehealth capabilities to improve the health status and condition of other social determinants for rural or other underserved segments of the Medicaid beneficiary population to be identified by the department. Implemented through grant or contract at the department's discretion, the pilot program shall:

(1) offer digital devices and digital inclusion training for specific categories of Medicaid beneficiaries in one or more communities to be identified by the department;

(2) make Medicaid beneficiaries aware of the eligibility criteria for the Federal Communications Commission's Lifeline program and of the benefits available to them through this program, and if appropriate, support outreach and enrollment; and

(3) result in the development of a report, which shall be provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee, that uses survey and/or other comparable data to explain why many eligible Medicaid members have not previously enrolled for Lifeline, along with findings or recommendations as to how these obstacles may be overcome in the future.

33.26. (DHHS: Brain Health Initiative) South Carolina has been identified as one of five states with the most significant gap between an available neurology workforce and the health needs of people with Alzheimer's and other dementias. From funds appropriated, the Department of Health and Human Services is authorized to continue, in collaboration with the University of South Carolina, the Medical University of South Carolina and Clemson University, advancing the clinical care of dementia, improving cardiovascular and brain health, expanding, and improving the Alzheimer's Disease Registry provided for in Section 44-36-10, and obtaining a better understanding of population risk factors. The universities shall leverage existing programs to meet the unmet dementia care needs for citizens in rural areas throughout South Carolina including, but not limited to, providing informed clinical care, early detection, early diagnosis disclosure, caregiver support, healthy aging, and education of primary care providers. The University also shall utilize and disseminate the brain health resources through the Department of Public Health's "Take Brain Health to Heart" campaign as a tool for community education. The department shall evaluate this initiative annually, including all partnerships and agreements, to assess its effectiveness in achieving expected outcomes.

33.27. (DHHS: Pregnancy Crisis Centers) For the current fiscal year, funding provided to the Department of Health and Human Services for Pregnancy Crisis Centers may only be expended by pregnancy care centers for the purposes of direct care to pregnant women and mothers for related medical care, support, and resources for women and infants.

33.28. (DHHS: Healthcare) From the funds appropriated and authorized to the Department of Health and Human Services, the department shall partner with safety net providers to ensure that high quality reproductive healthcare is incorporated into primary care services and practice and available to all safety net patients. The department shall allocate up to $7,500,000 to ensure that patients eligible for Medicaid and other safety net patients are served by participating providers. In order to administer the program, the department shall partner with a non-profit to administer the program. The department may leverage any and all available federal funds to implement this program. For the purposes of this section, high quality reproductive healthcare does not include abortion services.

33.29. (DHHS: Biomedical Research Center) From funds appropriated, the department shall contract with South Carolina public entities that include health service districts, health authorities, or agencies to develop a biomedical research center for the purpose of analyzing biological pathways, networks, and molecular systems. The center shall perform an evaluation of gene and protein structures along with their functions, variations in sequences and their significance, interactions between genes, proteins, and the environment, and other key discreet elements of the human condition. The purpose of this initiative is the evaluation of genetic profiles and patterns associated with disease risk to establish effective detection and therapeutic responses. The ultimate goal is to transform the orientation of healthcare from current disease treatment to one of wellness and prevention.

The center shall have or source significant relevant experience in the following areas: (1) an established medical data research Institutional Review Board (IRB) to conduct data and human test condition studies; (2) an established record of success recruiting patients to clinical trials particularly from underserved and rural areas of the state; (3) an established model for de-identification of patient data meeting all HIPAA requirements, along with proven information technology infrastructure to gather and successfully incorporate and organize data including System and Organizational Controls 2 (SOC2) to manage information related risk; and (4) robust and documented experience in the realm of molecular medicine insights.

The department is authorized to establish necessary contract conditions, parameters, and targets. For each year that contracts are in place, the department shall provide to the Chairmen of the House Ways and Means Committee, Medical Military Public and Municipal Affairs Committee, State Medical Affairs Committee, and to the Senate Finance Committee a written report by January 1st describing the distribution of funds and progress made in this effort.

33.30. (DHHS: Local Provider Rate Review) The Department of Health and Human Services will conduct an annual rate review of the local health care providers of the Department of Behavioral Health and Development Disabilities, Office of Intellectual and Developmental Disabilities. The review will include any amount sufficient to provide employee compensation increases and increases in the employer's share in the cost of providing health and dental insurance equivalent to those received by state FTEs.

33.31. (DHHS: Children's Hospital and Healthcare Innovation) From the funds appropriated for South Carolina Children's Hospital and Healthcare Innovation, the department shall ~~establish~~ *continue* the South Carolina Children's Hospital and Healthcare Innovation Program. The purpose of the program is to make strategic investments to ensure that children have in-state access to state-of-the-art children's hospitals and pediatric specialty services *to include pediatric palliative care*. The South Carolina Children's Hospital Collaborative, the state children's hospital association, will annually submit for approval by the department funding priorities for infrastructure, working in partnership with the department to additionally identify regional or statewide pediatric specialty service priorities. A minimum of *$1,000,000 shall be utilized for pediatric palliative care services while* 80% of *the remaining* funds shall be utilized for children's hospital infrastructure priorities, being divided equally between the qualifying

children's hospitals unless otherwise agreed upon by the South Carolina Children's Hospital Collaborative. Funds not allocated to *pediatric palliative care services and* children's hospital infrastructure priorities will be utilized for *other* pediatric specialty service priorities agreed upon by the department and the South Carolina Children's Hospital Collaborative. Qualifying children's hospitals must be nonprofit systems providing comprehensive pediatric inpatient and outpatient services, serve as the regional perinatal center for their perinatal region, and serve as training sites for the Medical University of South Carolina or the University of South Carolina medical schools. Annually, and no later than December 31st, the department will provide to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee a report on the disposition of the funds and progress made on identified priorities.

33.32. (DHHS: Prohibit Funding to Abortion Providers) The Director shall withhold funding to abortion providers to the fullest extent allowed under the law.

33.33. *(DHHS: Youth Behavioral Health Beds) The department, in coordination with existing service providers and other relevant state agencies, shall conduct a review of youth behavioral health treatment capacity in the State. The review shall include: (1) the number of beds currently available for inpatient treatment; (2) the estimated number of beds needed to meet demand for inpatient treatment; and (3) the availability of outpatient treatment facilities. The department shall also identify any geographic areas within the State where such services are unavailable or insufficient. The department shall submit a report of its findings and recommendations to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by March 31, 2027.*

SECTION 34 – J080 - DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES

34.1. (BHDD: Patient Fee Account) The Office of Mental Health is hereby authorized to retain and expend its Patient Fee Account funds. In addition to funds collected for the maintenance and medical care for patients, Medicare funds collected by the department from patients' Medicare benefits and funds collected by the department from its veteran facilities shall be considered as patient fees. The office is authorized to expend these funds for departmental operations, for capital improvements and debt service under the provisions of Act 1276 of 1970, and for the cost of patients' Medicare Part B premiums. The office shall remit $290,963 to the General Fund, $400,000 to the Continuum of Care, $50,000 to the Alliance for the Mentally Ill, and $250,000 to S.C. Share Self Help Association Regarding Emotions.

34.2. (BHDD: Institution Generated Funds) The Office of Mental Health is authorized to retain and expend institution generated funds which are budgeted.

34.3. (BHDD: Crisis Intervention Training) Of the funds appropriated to the Office of Mental Health, $275,000 shall be utilized for the National Alliance on Mental Illness (NAMI) SC for Crisis Intervention Training (CIT).

34.4. (BHDD: Uncompensated Patient Medical Care) There is created an Uncompensated Patient Care Fund to be used by the Office of Mental Health for medical costs incurred for patients. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

34.5. (BHDD: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

34.6. (BHDD: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Office of Mental Health is authorized to establish an interest bearing fund with the State Treasurer to deposit funds for deferred maintenance and other one-time funds from any source. The office is also authorized to retain and deposit into the fund proceeds from the sale of excess real property owned by, under the control of, or assigned to the office. After receiving any required approvals, the office is authorized to expend these funds for the purpose of deferred maintenance, capital projects, and ordinary repair and maintenance. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

34.7. (BHDD: Lease Payments to SFAA for SVP Program, Excess Lease Funds) In the current fiscal year, funds appropriated and authorized to the Office of Mental Health for Lease Payments to the State Fiscal Accountability Authority for the Sexually Violent Predator Program are exempt from any across-the-board base reductions. In accordance with the Lease and Use Agreement between the Office of Mental Health and the State Fiscal Accountability Authority, the office is authorized to receive excess lease funds in the amount of $1,914,471.41 and utilize such funds for the department's deferred maintenance, capital projects, ordinary repairs, and maintenance at the facility used to house the Sexually Violent Predator Program.

34.8. (BHDD: Commitments to Treatment Facilities) The authorization for continued implementation of Article 7, Chapter 17, Title 44 of the 1976 Code, Chapter 24, Title 44 of the 1976 Code, and Chapter 52, Title 44 of the 1976 Code, relating to commitments, admissions and discharges to mental health facilities, or treatment facility for the purpose of alcohol and drug abuse treatment, shall be expended for the compensation of court appointed private examiners, guardians ad litem, and attorneys for proposed patients, and related costs arising from the filing, service and copying of legal papers and the transcription of hearings or testimony. Court appointed private examiners, guardians ad litem and attorneys shall be paid at such rates or schedules as are jointly determined to be reasonable by the South Carolina Association of Probate Judges, the Office of Court Administration, and the Office of Mental Health with the approval of the Attorney General. The Office of Mental Health shall notify the Senate Finance Committee and the House Ways and Means Committee of any fee adjustment or change in schedule before implementation and may enter into an agreement with the Commission on Indigent Defense solely for the purpose of processing vouchers for the payment of above fees and costs.

34.9. (BHDD: Judicial Commitment) Except as otherwise provided in Proviso 117.5, no money authorized to be expended for the purposes set forth in Proviso 34.8 shall be used to compensate any state employees appointed by the court as examiners, guardians ad litem, or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.

34.10. (BHDD: Orangeburg ~~Crisis Stabilization Unit Facility~~ *Supportive Housing*) The Office of Mental Health, through its Orangeburg Area Mental Health Center, is authorized to utilize up to two million dollars of its available one-time funds to ~~secure an appropriate site for development, operations, or support of a Crisis Stabilization Unit Facility in Orangeburg County~~ *collaborate with a housing complex/landlord in Orangeburg County to create a supportive housing program*. The office shall provide a report on the status of its efforts to the Chairman of the Senate Finance Committee, the Chairman of the Senate Medical Affairs Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Medical, Military, Public, and Municipal Affairs Committee by January 10, ~~2026~~*2027*.

34.11. (BHDD: 988 Call Centers) In the current fiscal year, from the funds appropriated in this act for 988 Call Centers, the Office of Mental Health is authorized to provide grants to call centers under a current network agreement with the 988 Suicide and Crisis Lifeline in this State. Call centers qualifying for the grants shall utilize the funds for the costs associated with answering calls,

chats, or texts to the 988 line. Grants may be made available for up to one year. By the end of each month, grant recipients shall provide a report on their expenditures of the granted funds to the office. The office shall provide a report on the use of funds to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by June 30 of the current fiscal year. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the office.

34.12. (BHDD: Agency Lease Payments) Funds appropriated and authorized to the Office of Mental Health for lease payments for the lease directed by proviso 118.22 of Act 84 of 2023 shall be maintained in a separate and distinct account. These funds shall be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

34.13. (BHDD: Out-of-Home Placement) The funds appropriated in Act 84 of 2023, Section 118.19(28)(c) to the Office of Mental Health for State-Operated Intensive Group Homes shall be redirected for the purpose of out-of-home placements. An out-of-home placement refers to a situation where a child or adolescent is removed from their home and is placed in a foster care or treatment setting. This includes therapeutic group homes for youth with severe emotional issues that, because of their family or legal circumstances, cannot be treated on an outpatient basis.

34.14. (BHDD: Work Activity Programs) All revenues derived from production contracts earned by individuals served by the Office of Intellectual and Developmental Disabilities in Work Activity Programs be retained by the office and carried forward as necessary into the following fiscal year to be used for other operating expenses and/or permanent improvements of these Work Activity Programs.

34.15. (BHDD: Sale of Excess Real Property) The Office of Intellectual and Developmental Disabilities is authorized to retain revenues associated with the sale of excess real property owned by, under the control of, or assigned to the office and may expend these funds as grants to purchase or build community residences and day program facilities for the individuals the office serves. The office shall follow all the policies and procedures of the Department of Administration or State Fiscal Accountability Authority and the Joint Bond Review Committee.

34.16. (BHDD: Prenatal Diagnosis) Revenues not to exceed $126,000 from client fees, credited to the debt service fund and not required to meet the Office of Intellectual and Developmental Disabilities debt service requirement, may be expended only in the current fiscal year to promote expanded prenatal diagnosis of intellectual and/or other related disabilities by the Greenwood Genetic Center.

34.17. (BHDD: Medicaid-Funded Contract Settlements) The Office of Intellectual and Developmental Disabilities is authorized to carry forward and retain settlements under Medicaid-funded contracts.

34.18. (BHDD: Departmental Generated Revenue) The Office of Intellectual and Developmental Disabilities is authorized to continue to expend office generated revenues that are authorized in the budget.

34.19. (BHDD: Transfer of Capital/Property) The Office of Intellectual and Developmental Disabilities shall only transfer capital to include property and buildings to local DSN providers with written consent of the providers by memorandum of understanding and upon State Fiscal Accountability Authority approval, otherwise, the office shall be responsible for maintenance and improvements.

34.20. (BHDD: Unlicensed ~~Medication~~ Providers) The provision of selected prescribed medications *and the performance of specified tasks* may be performed by designated unlicensed persons in *intermediate care facilities for individuals with intellectual disabilities operated by the Office of Intellectual and Developmental Disabilities and* community-based programs sponsored, licensed or certified by the Office of Intellectual and Developmental Disabilities, provided the unlicensed persons have documented successful completion of medication *and/or task* training and competency evaluation. Licensed nurses, licensed pharmacists and licensed medical doctors may train and supervise designated unlicensed persons to provide medications *and perform specified tasks,* and, after reviewing competency evaluations, may approve designated unlicensed persons for the provision of medications *and performance of specified tasks*. The provision of medications by designated unlicensed persons *includes, but* is *not* limited to, oral, sublingual, buccal, topical, inhalation and transdermal medications; ear drops, eye drops, nasal sprays, injections of regularly scheduled insulin and injections of prescribed anaphylactic treatments. The provision of medications by designated unlicensed persons ~~does not include rectal and vaginal medications,~~ *for conditions requiring evaluation or assessment of the patient of the use of medical judgment including, but not limited to,* sliding scale insulin or other injectable medications*, must be performed under the supervision of a licensed nurse working within his or her scope of practice*. A written or electronic record regarding each medication provided, including time and amount administered, is required as part of the provision of medication. ~~Provision of medication does not include~~ Judgment, evaluation, ~~or~~ *and* assessment ~~by the designated unlicensed persons~~ *of the patient, as well as supervision of an unlicensed person, may be performed by a licensed nurse, licensed pharmacist, or licensed medical doctor in person or via the utilization of telehealth using audio/video technology*. The designated unlicensed persons and the nurses, pharmacists, and medical doctors that train, approve, and supervise these staff shall be protected against tort liability provided their actions are within the scope of their job duties and the established medical protocol.

The Office of Intellectual and Developmental Disabilities shall establish curriculum and standards for training and oversight.

~~This provision shall not apply to a facility licensed as an intermediate care facility for individuals with intellectual and/or related disability.~~

34.21. (BHDD: Child Daycare Centers) Of the funds appropriated to the Office of Intellectual and Developmental Disabilities, the office shall provide reimbursement for services provided to department eligible children at daycare centers previously under contract prior to December 31, 2008. The reimbursement shall not be less than eighty percent of the amount reimbursed in the previous fiscal year. By September fifteenth, the office must transfer $100,000 to the Anderson County Disabilities Board for the provision of these services.

34.22. (BHDD: Debt Service Account) ~~The Office of Intellectual and Developmental Disabilities shall utilize the uncommitted dollars in their debt service account, account E164660, for operations and services that are not funded in the appropriations bill. By August first, the office must report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on the remaining balance in this account and on the amounts and purposes for which the account was used in the prior fiscal year.~~

34.23. (BHDD: Traumatic Brain Injury) Funds appropriated to the agency for Traumatic Brain Injury/Spinal Cord Injury Post-Acute Rehabilitation shall be used for that purpose only. In the event the Office of Intellectual and Developmental Disabilities

receives a general fund reduction in the current fiscal year, any reductions to the post-acute rehabilitation funding shall not exceed reductions in proportion to the agency as a whole.

34.24. (BHDD: Medicaid Direct Billing) The Office of Intellectual and Developmental Disabilities shall facilitate Medicaid direct billing for all providers, including local disabilities and special needs boards, who choose to initiate the direct billing process regardless of the receipt of capital grant funds from the office for the specific facility involved. All entities receiving capital grant funds must use the funds as originally specified in the award. If the purpose or use of a facility constructed or purchased with office grant funds is altered without the approval of the office, the entity must repay the office the amount of the funds awarded. The use of direct billing shall not be construed as a change in the purpose or use of a facility.

34.25. (BHDD: Carry Forward Authorization) For the current fiscal year, the Office of Intellectual and Developmental Disabilities is authorized to carry forward any balance of General Funds appropriated for the reduction of the office's waiting lists in the prior fiscal year and must utilize these funds for the same purpose in the current fiscal year. Within thirty days after the close of the fiscal year, the office shall report the balance carried forward to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

34.26. (BHDD: Agency Lease Payments) Funds appropriated and authorized to the Office of Intellectual and Developmental Disabilities for lease payments for the lease directed by proviso 118.22 of Act 84 of 2023 shall be maintained in a separate and distinct account. These funds shall be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

34.27. (BHDD: Regional Centers Condition Assessments and Renovation Plan) The Office of Intellectual and Developmental Disabilities is directed to engage the services of one or more professional firms qualified to conduct facility condition assessments at each of the office's regional centers and provide a comprehensive plan with recommendations for their renovation, construction, reconstruction, or demolition. The assessment and recommendations must be made on a building-by-building or facility-by-facility basis and focused particularly on buildings and facilities used in the housing, care, and support of residents of the centers. The assessments and recommendations must include for each building or facility a scope of work, approximate time for completion, an informed estimate of its cost, and the sources of funding proposed to defray costs of the comprehensive plan. The office may utilize any available sources of funding not otherwise committed or obligated, including particularly without limitation funding available pursuant to the Families First Coronavirus Response Act of 2020. Each building or facility included within the comprehensive plan must be prioritized, with a general explanation of the rationale for its priority. The comprehensive plan is to be first implemented at the Coastal Regional Facility as a pilot undertaking; thereafter, implementation must be undertaken at each regional center as resources are available. The office may consult with other state agencies whose responsibilities include housing, care, and support of individuals in a medical or residential setting and may leverage any resources of those agencies to facilitate the intent of this proviso. The Facilities Management Division of the South Carolina Department of Administration, and the Office of State Engineer and the Office of Materials Management of the State Fiscal Accountability Authority, must assist the office in procuring the necessary contracts and services to expedite the implementation of this plan. For purposes of Section 11-35-1570, the legislature finds that there is an immediate threat to public health, welfare, and safety. The comprehensive plan must be submitted to the Joint Bond Review Committee for review and comment prior to implementation. Following favorable review of the plan by the committee, all

permanent improvements undertaken pursuant to the comprehensive plan are deemed legislatively authorized for purposes of Chapter 47, Title 2 of the South Carolina Code. The office must provide periodic reports to the Joint Bond Review Committee at such times and in such form and substance as may be prescribed by the committee.

34.28. (BHDD: Training & Conference Revenue) The Office of Substance Use Services may charge fees for training events and conferences. The revenues from such events shall be retained by the office to increase education and professional development initiatives.

34.29. (BHDD: Gambling Addiction Services) In that gambling is a serious problem in South Carolina, the Office of Substance Use Services through its local county commissions may provide, from funds appropriated to the office, information, education, and referral services to persons experiencing gambling addictions.

34.30. (BHDD: Medicaid Match Transfer) At the beginning of the fiscal year, the Office of Substance Use Services will transfer $1,915,902 to the Department of Health and Human Services to meet federal Medicaid Match participation requirements for the delivery of alcohol and other drug abuse services to the Medicaid beneficiary population.

34.31. (BHDD: Carry Forward Unexpended Funds) The Office of Substance Use Services is authorized to carry forward from the prior fiscal year into the current fiscal year unexpended funds in excess of ten percent of the agency's general fund appropriations to continue to fund prevention, treatment and recovery services for opioid addiction services and addiction programs as prioritized by the department.

34.32. (BHDD: South Carolina Center of Excellence in Addiction) Through the South Carolina Center of Excellence in Addiction, Clemson University, the University of South Carolina, the Medical University of South Carolina, Office of Substance Use Services, and Department of Public Health will collaborate on research, training, program implementation, and service delivery for preventing and addressing opioid use disorder and other substance use disorders. The Center will offer statewide support for evidence-based practices and strategies to address the opioid crisis.

34.33. (BHDD: Agency Lease Payments) Funds appropriated and authorized to the Office of Substance Use Services for lease payments for the lease directed by proviso 118.22 of Act 84 of 2023 shall be maintained in a separate and distinct account. These funds shall be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

34.34. (BHDD: Real Property Sale Approval) Notwithstanding any other provision of law, no county drug and alcohol authority receiving state funds shall sell, transfer, or otherwise dispose of any real property owned by the authority without prior approval from a majority of the local legislative delegation representing the county in which the property is located. The authority shall submit a written request to the delegation, including details of the proposed sale, and receive written approval before proceeding with any transaction as to the real property.

34.35. *(BHDD: Collaboration Technology)* **DELETED**

34.36. *(BHDD: FTE Management) (A) The following Full-time Equivalent (FTE) positions authorized and for which funds are appropriated in Part IA of this act serve in an at-will capacity and are exempt from the provisions of Article 5, Chapter 17, Title 8:*

(1) any position, regardless of title or the organizational reporting structure for that position, functioning as the director or administrative head of an Office or Division of the Department of Behavioral Health and Developmental Disabilities;

(2) any position that reports directly to a position functioning as the director or administrative head of an Office or Division of the Department of Behavioral Health and Developmental Disabilities; and

(3) any position, regardless of title or organizational reporting structure, functioning as the director or administrative head of: (a) financial operations; (b) human resources; or (c) legal affairs for the Department of Behavioral Health and Developmental Disabilities.

(B) The exemptions established by this proviso are in addition to and should be read in conjunction with any permanent law regarding the at-will status of any other FTE position within the Department of Behavioral Health and Developmental Disabilities.

SECTION 38 - L040 – DEPARTMENT OF SOCIAL SERVICES

38.1. (DSS: Fee Retention) The Department of Social Services shall recoup all refunds and identified program overpayments and all such overpayments shall be recouped in accordance with established collection policy. All funds shall be retained by the department and may be used to fund Self-Sufficiency and Family Preservation and Support initiatives, to make improvements to the security for FTI and PII data, and for child support operations.

38.2. (DSS: Recovered State Funds) The department shall withhold a portion of the State Funds recovered, under the Title IV-D Program, for credit to the general fund in order to allow full participation in the Federal Tax Refund Offset program offered through the Bureau of the Fiscal Service, the withholding of unemployment insurance benefits through the Department of Employment and Workforce and reimbursement for expenditures related to genetic testing. Such funds may not be expended for any other purpose. The Department of Social Services shall be allowed to utilize the State share of Federally required fees, collected from non-TANF clients, in the administration of the Child Support Services Division. Such funds may not be expended for any other purpose. However, this shall not include Child Support Services Division incentives paid to the program from federal funds to encourage and reward cost effective performance. Such incentives are to be reinvested in the program to increase collections of support at the state and county levels in a manner consistent with federal laws and regulations governing such incentive payments. The department shall not use clerk of court incentive funds to replace agency operating funds. Such funds shall be remitted to the appropriate state governmental entity to further child support collection efforts.

38.3. (DSS: Burial Expenses) The expenditure of funds allocated for burials of foster children and adults in the custody of the Department of Social Services shall not exceed one thousand five hundred dollars per burial.

38.4. (DSS: Battered Spouse Funds) Appropriations included in Subprogram II.J. entitled Battered Spouse shall be allocated through contractual agreement to providers of this service. These appropriations may also be used for public awareness and contracted services for victims of this social problem including the abused and children accompanying the abused. Such funds may not be expended for any other purpose nor be reduced by any amount greater than that stipulated by the Executive Budget Office or the General Assembly for the agency as a whole.

38.5. (DSS: Court Examiner Service Exemption) In order to prevent the loss of federal funds to the State, employees of the Department of Social Services whose salaries are paid in full or in part from federal funds will be exempt from serving as court examiners.

38.6. (DSS: TANF Advance Funds) The Department of Social Services is authorized to advance sufficient funds during each fiscal year from the Temporary Assistance for Needy Families Assistance Payments general fund appropriations to the Temporary Assistance for Needy Families Assistance Payments federal account only for the purpose of allowing a sufficient cash flow in the federal account. The advance must be refunded no later than April of the same fiscal year. Upon the advance of funds as provided herein, the Comptroller General is authorized to process the July voucher for the funding of benefit checks.

38.7. (DSS: Fee Schedule) The Department of Social Services shall be allowed to charge fees and accept donations, grants, and bequests for social services provided under their direct responsibility on the basis of a fee schedule. The fees collected shall be utilized by the Department of Social Services to further develop and administer these program efforts. The below fee schedule is established for the current fiscal year.

Day Care	
Family Child Care Homes (up to six children)	$15
Group Child Care Homes (7-12 children)	$30
Registered Church Child Care (13+)	$50
Licensed Child Care Centers (13-49)	$50
Licensed Child Care Centers (50-99)	$75
Licensed Child Care Centers (100-199)	$100
Licensed Child Care Centers (200+)	$125
Central Registry Checks	
Nonprofit Entities	$8
For-profit Agencies	$25
State Agencies	$8
Schools	$8
Day Care	$8
Other – Volunteer Organizations	$8
Other Children's Services	
Services Related to Adoption of Children from Other Countries	$225
Court-ordered Home Studies in non-DSS Custody Cases	$850
Licensing Residential Group Homes Fee for an Initial License	$250
For Renewal	$75
Licensing Child Caring Institutions Fee for an Initial License	$500
For Renewal	$100
Licensing Child Placing Agencies Fee for an	

Initial License	$500
For Renewal	$60
For Each Private Foster Home Under the Supervision of a Child Placing Agency	$15
Responsible Father Registry	
Registry Search	$50

38.8. (DSS: Food Stamp Fraud) The state portion of funds recouped from the collection of recipient claims in the TANF and Food Stamp programs shall be retained by the department. A portion of these funds shall be distributed to local county offices for emergency and program operations.

38.9. (DSS: TANF - Immunizations Certificates) The department shall require all TANF applicants and/or recipients to provide proof of age appropriate immunizations for children. If such immunizations have not been administered, the department shall assist in referring applicants to appropriate county health departments to obtain the immunizations. For the purposes of this proviso, COVID-19 vaccinations are not "age appropriate immunizations".

38.10. (DSS: County Directors' Pay) With respect to the amounts allocated to the Department of Social Services for Employee Pay Increase in this act, the Department of Social Services is authorized to allot funds for pay increases to individual county directors and regional directors in classified positions without uniformity. Pay increases for DSS county directors and regional directors shall be administered in accordance with the guidelines established by the Department of Administration for Executive Compensation System and other nonacademic unclassified employees. Any employees subject to the provisions of this paragraph shall not be eligible for any other compensation increases provided in this act.

38.11. (DSS: Use of Funds Authorization) Department investigative units shall be authorized to receive and expend funds awarded to these units as a result of a donation, contribution, prize, grant, and/or court order. These funds shall be retained by the department on behalf of the investigative units and deposited in a separate, special account and shall be carried forward from year to year and withdrawn and expended as needed to fulfill the purposes and conditions of the donation, contribution, prize, grant, and/or court order, if specified, and if not specified, as may be directed by the Director of the Department of Social Services. These accounts shall not be used to supplant operating funds in the current or future budgets. The agency shall report to the Senate Finance Committee and Ways and Means Committee by January thirtieth of the current fiscal year on the amount of funds received and how expended.

38.12. (DSS: Use of Funds Authorization) Unless specifically directed by the General Assembly, when DSS is directed to provide funds to a not-for-profit or 501(c)(3) organization, that organization must use the funds to serve persons who are eligible for services in one or more DSS programs.

38.13. (DSS: Grant Authority) The Department of Social Services is authorized to make grants to community-based not-for-profit organizations for local projects that further the objectives of DSS programs. The department shall develop policies and procedures and may promulgate regulations to assure compliance with state and federal requirements associated with the funds used for the grants and to assure fairness and accountability in the award and administration of these grants. The department shall require a match from all grant recipients.

38.14. (DSS: Family Foster Care Payments) *(A)* The Department of Social Services shall furnish as Family Foster Care payments for individual foster children under their sponsorship and under kinship care:

ages 0 – 5 $~~700~~*733* per month
ages 6 - 12 $~~818~~*856* per month
ages 13+ $~~863~~*904* per month

(B) These specified amounts are for the basic needs of the foster children to include kinship care assistance. Basic needs within this proviso are identified as food (at home and away), clothing, housing, transportation, education, and other costs as defined in the U.S. Department of Agriculture study of "Annual Cost of Raising a Child to Age Eighteen". Further, each agency shall identify and justify, as another line item, all material and/or services, in excess of those basic needs listed above, which were a direct result of a professional agency evaluation of clientele need. Legitimate medical care in excess of Medicaid reimbursement or such care not recognized by Medicaid may be considered as special needs if approved by the sponsoring/responsible agency and shall be reimbursed by the sponsoring agency in the same manner of reimbursing other special needs of foster children.

38.15. (DSS: Penalty Assessment) The Department of Social Services may impose monetary penalties against a person, facility, or other entity for violation of statutes or regulations pertaining to programs, other than foster home licensing, that the department regulates. Penalties collected must be remitted to the State Treasurer for deposit into the State General Fund. The department shall promulgate regulations for each program in which penalties may be imposed. The regulations must include guidance on the decision to assess a penalty, the effect of failure to pay a penalty in a timely manner, and a schedule of penalty ranges that takes into account severity and frequency of violations. These regulations must provide for notice of the penalty and the right to a contested case hearing before a designee of or panel appointed by the director of the department. Judicial review of the final agency decision concerning a penalty must be in accordance with statutes or regulations that apply to judicial review of final revocation and denial decisions in that particular program. The department, in accordance with regulations promulgated pursuant to this provision, shall have discretion in determining the appropriateness of assessing a monetary penalty against a person or facility and the amount of the penalty. The authority to assess monetary penalties shall be in addition to other statutory provisions authorizing the department to seek injunctive relief or to deny, revoke, suspend, or otherwise restrict or limit a license or other types of operating or practice registrations, approvals, or certificates.

38.16. (DSS: Child Support Enforcement Automated System Carry Forward) The department shall be authorized to retain and carry forward any unexpended funds appropriated for the Child Support Enforcement automated system and related penalties.

38.17. (DSS: Child Care Voucher) State funds allocated to the Department of Social Services and used for child care vouchers must be used to enroll eligible recipients within provider settings exceeding the state's minimum child care licensing standards. The department may waive this requirement on a case by case basis.

38.18. (DSS: Meals in Emergency Operations) The cost of meals may be provided to state employees who are not permitted to leave their stations and are required to work during actual emergencies, emergency situation exercises, and when the Governor declares a state of emergency.

38.19. (DSS: Day Care Facilities Supervision Ratios) For the current fiscal year, staff-child ratios contained in Regulations 114-504(B), 114-504(C), 114-524(B), and 114-524(C) shall remain at the June 24, 2008 levels.

38.20. (DSS: Foster Care Goals) To comply with the requirements of 42 U.S.C. Section 671(a)(14) and 45 C.F.R. Section 1356.21(n), it shall be the goal of the state that the maximum number of Title IV-E funded children who will remain in foster care for more than twenty-four months will not exceed a total of 2,617 during the fiscal year. The Department of Social Services shall develop appropriate plans for timely permanency and use appropriate data benchmarks and targets that will achieve this goal.

38.21. (DSS: Comprehensive Teen Pregnancy Prevention Funding) (A) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, the department must award the dollars allocated to a nonprofit 501(c)(3) entity to provide abstinence first, age appropriate comprehensive approach to health and sexuality education with a goal of preventing adolescent pregnancy throughout South Carolina.

(B) Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

(C) The monies appropriated must be paid over a twelve month basis for services rendered. Unexpended funds shall be carried forward for the purpose of fulfilling the department's contractual agreement.

(D) The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

38.22. (DSS: SNAP Coupons) The Department of Social Services shall continue the "Healthy Bucks" program established to provide coupons that allow Supplemental Nutrition Assistance Program (SNAP) recipients to obtain additional fresh fruits and vegetables when purchasing fresh produce at authorized farmers markets and vendors with SNAP benefits through their EBT cards. Healthy Buck coupons shall allow the beneficiary to increase the amount of produce purchased, up to twenty dollars per month. The agency shall be authorized to retain and carry forward any unexpended funds appropriated for the Healthy Bucks Program. The agency shall report semi-annually to the General Assembly on the status of the program. The report shall include, at a minimum, the number of recipients, counties served, and cumulative expenditure data for the program.

38.23. (DSS: Internal Child Fatality Review Committees) In the current fiscal year, the Department of Social Services shall continue the work of the Internal Child Fatality Review Committees (internal committees) pursuant to the authority granted in Sections 43-1-60(3), 43-1-80, and 63-7-910(E) to allow for the rapid and expeditious review of reported child fatalities that are reported to the Department of Social Services on suspicion of abandonment, child abuse, neglect or harm as defined in Section 63-7-20. This review process will enable the department to respond to the safety needs of any surviving siblings and will lead to improvement in the department's efforts to prevent child fatalities caused by abandonment, child abuse, neglect, or harm. Each internal committee shall be composed of a board-certified child abuse pediatrician, an agent from the State Law Enforcement Division, a local law enforcement officer, a representative from the local coroner's office, and representatives from the Department of Social Services. The internal committee may invite other service provider organizations as deemed necessary. The department is authorized to provide reasonable compensation for board-certified child abuse pediatricians serving on an internal committee. Internal committees shall have access to information and records maintained by a provider of medical care regarding a child whose death is being reviewed by the internal committee, including information on prenatal care; all information and records maintained by any state, county, or local government agency including, but not limited to, birth certificates, law enforcement investigation data, county coroner or medical examiner investigation data, parole and probation information and records, and information and records of health agencies that provided services to the child or family. The meetings, information obtained by, reports prepared by, and

statements made before the internal committees are confidential and protected from disclosure pursuant to the Freedom of Information Act, criminal and civil proceedings, and subpoenas as set forth in Sections 63-7-940 and 63-7-1990.

38.24. (DSS: Tuition Reimbursement/Student Loan Repayment) (A) The Department of Social Services is allowed to spend state, federal, and other sources of revenue to provide tuition assistance, tuition reimbursement and/or student loan repayment to aid in retaining caseworkers and critical needs department jobs based on objective guidelines established by the State Director of the Department of Social Services. The department may pay tuition expenses directly to a college or university or to the employee.

(B) The department may also provide paid educational leave for any employees in an FTE position to attend class while enrolled in programs that are related to the agency's mission. All such leave is at the agency head's discretion.

(C) The department may enter into an agreement with staff employed in critical need departments to repay them for their outstanding student loans and/or reimburse tuition expenses. The employee must be employed in a critical needs area, which would be identified at the agency head's discretion, be in a covered FTE, and not have any significant or performance-based disciplinary actions. Payments cannot exceed the balance of the student loan or the cost of tuition and required books.

38.25. (DSS: SNAP Eligibility) The Department of Social Services shall not seek, apply for, accept, or renew any waiver of the requirements established pursuant to 7 U.S.C. Section 2015(o), relating to the mandatory work requirements of the Supplemental Nutrition Assistance Program.

38.26. (DSS: Pro Bono Program) From the funds appropriated to the Department of Social Services the director shall be authorized to utilize the funds appropriated to the department to establish a pro bono program for private attorneys to represent the department in hearings. Attorneys that volunteer for the program must meet the same qualifications as the attorney's hired by the department. The department shall provide training for the pro bono attorneys.

38.27. (DSS: Economic Services System Application Modernization) *(A) Of the funds appropriated in this act for the Department of Social Services' Economic Service System Application Modernization (ESSAM), the Department of Social Services is directed to work with the Department of Administration's Office of Technology and Information Services regarding the design, development, security and privacy controls, and implementation of the ESSAM application. Prior to the expenditure of any funds for the project, the Department of Social Services must provide an outlined description of the project proposal with itemized, detailed spend information and key project milestones and deliverables to be reviewed by the Department of Administration's Office of Technology and Information Services through its information technology planning process.*

(B) Upon project commencement, the Department of Administration must be given access to a detailed project plan, work breakdown structure, budget versus actual project spend, project risk register, status reports, issue logs, and the project document repository.

(C) The department shall be authorized to retain and carry forward any unexpended funds appropriated for the ~~Economic Services System Application Modernization (ESSAM)~~ *ESSAM* Project.

38.28. *(DSS: Childcare Provider Fraud) The department shall assess its efforts to identify, report, and combat childcare provider fraud for all childcare providers who participate in and accept funding from state and federal sources, the South Carolina Child Care Scholarship Program, or receive any grants from the department. The department shall provide the results of these efforts in a report detailing fraud mitigation measures implemented, any incidents of fraud detected, corrective actions taken, funds recovered, and information pertaining to prosecutions of such cases, including plea agreements entered into, for the previous calendar year to*

the Chairmen of the Senate Finance and House Ways and Means Committees and the Office of the Governor by the last day of February of the current fiscal year.

SECTION 39 - L240 - COMMISSION FOR THE BLIND

39.1. (BLIND: Matching Federal Funds) For the current fiscal year the amount appropriated in this section under Program II for Rehabilitative Services is conditioned upon matching by federal funds to the maximum amount available under the Federal Vocational Rehabilitation Program.

39.2. (BLIND: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Commission for the Blind is authorized to establish an interest-bearing fund with the State Treasurer to deposit funds appropriated for deferred maintenance and other one-time funds from any source. After receiving any required approvals, the commission is authorized to expend these funds for the purpose of deferred maintenance, capital projects, and ordinary repair and maintenance. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

39.3. (BLIND: Remodeling) The Commission for the Blind shall utilize the $30,000 appropriated in Part IB, Section 118 - X910 - Statewide Revenue in the 2019-20 General Appropriations Act, by proviso 118.16(30), for agency facility remodeling and renovation needs.

39.4. (BLIND: Reallotment Funds) To maximize utilization of federal funding in the Basic Service Program, the Commission for the Blind shall be allowed to reallocate funds received in excess of original projections.

39.5. *(BLIND: Carry Forward) The Commission for the Blind is authorized to carry forward any unspent funds appropriated for direct services into the current fiscal year to be expended for the same purpose.*

SECTION 40 - L060 - DEPARTMENT ON AGING

40.1. (AGING: State Matching Funds Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of the required state matching funds appropriated in Part IA, Section 40, Aging Assistance, shall be carried forward into the current fiscal year to be used as required state match for federal funds awarded to subdivisions on or before September thirtieth of the current fiscal year.

40.2. (AGING: State Match Funding Formula) Of the state funds appropriated under "Aging Assistance," the first allocation by the Department on Aging shall be for the provision of required State matching funds according to the Department on Aging formula for distributing Older Americans Act funds. The balance of this item shall be distributed to the planning and service areas of the State. In the event state appropriations are reduced, reductions to the planning and service areas shall be based on amounts distributed in accordance with the previous requirements.

40.3. (AGING: Registration Fees) The Department on Aging is authorized to receive and expend registration fees for educational, training and certification programs.

40.4. (AGING: Council Meeting Requirements) The duties and responsibilities, including the statutory requirement to hold meetings of the Coordinating Council established pursuant to Section 43-21-120 under the Department on Aging, are suspended for the current fiscal year.

40.5. (AGING: Home and Community-Based Services) State funds appropriated for Home and Community-Based Services shall be used to fund those services that most directly meet the goal of allowing seniors to live safely and independently at home. Allowable services, as defined in the Department on Aging's State Plan, include programs to promote social connection, group dining, home delivered meals, transportation to group dining sites, transportation for essential trips, personal care, homemaker, home chore, home modification, legal assistance, assessments, dental services, and pest control. *During funding emergencies, to include a midyear reduction, delay, or elimination of federal funding, services may be limited to meals and transportation only.* Area Agencies on Aging (AAAs) may expend no more than ten percent for administrative services and one-quarter of one percent shall be retained by the Department on Aging to provide monitoring and oversight of the program. However, up to ~~three percent~~ *$350,000* of the annual state appropriation for Home and Community-Based Services may be retained at the Department on Aging to be allocated by the department to the affected regions in cases of an emergency and/or natural disaster recognized by the Governor. If these funds are not utilized in the fiscal year allocated, they are to be treated as carry forward funds and reallocated to the AAAs. The Intrastate Funding Formula shall be used as a guideline for the allocation of state funds appropriated for Home and Community-Based Services. The Department on Aging shall develop and implement a structured methodology to allocate the state Home and Community-Based Services funding. The methodology shall include flexibility to reallocate funds amongst the AAAs, and be composed of, at a minimum, the following factors: a minimum base amount, the fiscal year's federally allocated funds, federal and state carry forwards funds, and an appropriate weighted proportion that will achieve the mission of the Department on Aging to provide as many services as possible to the citizens of South Carolina. Each AAA shall submit a budget for approval by the Department on Aging indicating the services to be provided. Any unexpended Home and Community-Base Services funds in this program shall be carried forward by the Department on Aging and used for the same purposes. Funds may not be transferred from the Home and Community-Based special line item for any other purpose.

40.6. (AGING: Geriatric Loan Forgiveness Program) In lieu of quarterly payments to a recipient of the Geriatric Physician Loan Program, the Department on Aging is authorized to make a single lump sum payment to the lending institution of up to $35,000 or the loan balance, whichever is less.

Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated in Part IA, Section 40, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.

40.7. (AGING: Caregivers Carry Forward) Unexpended funds from appropriations to the Department on Aging for caregivers shall be carried forward from the prior fiscal year and used for the same purpose.

40.8. (AGING: Vulnerable Adult Guardian ad Litem Carry Forward) Any unexpended funds from appropriation to the Department on Aging for the Vulnerable Adult Guardian ad Litem Program shall be carried forward from the prior fiscal year and used for the same purpose.

40.9. (AGING: Alzheimer's Respite Program) Funds appropriated to the Department on Aging for Alzheimer's Respite Program must be used to provide respite care and diagnostic services and must be maximized, to the extent feasible, to attain federal matching dollars. On or before September thirtieth of each year, the department must submit to the Governor, Senate Finance Committee, and

House Ways and Means Committee an annual financial statement and outcomes measures attained for the fiscal year just ended. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the department may not reduce the program funds greater than such stipulated percentage.

40.10. (AGING: Allocations and Aid Carryforward) Unexpended funds appropriated to the Department on Aging for allocations or aid shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose by the department.

40.11. *(AGING: Reserve Funds) In the event of a delay or elimination of federal funding during the fiscal year, the Department on Aging may allocate funds in its General Fund Carryforward reserve account to Area Agencies on Aging to ensure that services continue to be provided. Should these reallocated funds not be fully expended by the end of the current fiscal year, the Department on Aging may return the unused funds to other agency reserves.*

40.12. *(AGING: Grant Forgiveness)* **DELETED**

SECTION 41 - L080 - DEPARTMENT OF CHILDREN'S ADVOCACY

41.1. (DCA: Foster Care-Private Foster Care Reviews) The Department of Children's Advocacy, Foster Care Program is authorized to restructure its programs, including but not limited to, suspending reviews of children privately placed in private foster care and/or changing the location of reviews of children in public foster care, to maintain continuous operations within existing resources as dictated by recent budget reductions. These decisions must be based upon the availability of existing funds. This provision supersedes any previous statutory or regulatory mandate.

41.2. (DCA: Guardian Ad Litem Program) For the current fiscal year, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by two percentage points. The revenue resulting from this reduction must be used exclusively for operations of the Guardian ad Litem program and be deposited in the State Treasury in a separate and distinct fund known as the "South Carolina Guardian ad Litem Trust Fund." Unexpended revenues in this fund carry forward to succeeding fiscal years, and earnings in this fund must be credited to it. The Guardian ad Litem program may carry forward the other funds authorized herein for its operations from the prior fiscal year into the current fiscal year.

41.3. (DCA: Continuum of Care Carry Forward) The Department of Children's Advocacy, Continuum of Care Program may carry forward funds appropriated herein to continue services.

SECTION 42 - L320 – HOUSING FINANCE AND DEVELOPMENT AUTHORITY

42.1. (HFDA: Federal Rental Assistance Administrative Fee Carry Forward) All federal rental assistance administrative fees shall be carried forward to the current fiscal year for use by the authority in the administration of the federal programs under contract with the authority.

42.2. (HFDA: Program Expenses Carry Forward) For the prior fiscal year, monies withdrawn from the authority's various bond-financed trust indentures and resolutions, which monies are deposited with the State Treasurer to pay program expenses, may be carried forward by the authority into the current fiscal year.

42.3. (HFDA: Advisory Committee Mileage Reimbursement) Members of the nine-member South Carolina Housing Trust Fund Advisory Committee are eligible for mileage reimbursement at the rate allowed for state employees as established in Proviso 117.20(J)(Travel-Subsistence Expenses & Mileage) in this act.

42.4. (HFDA: Allocation of Indirect Cost Recoveries) The authority shall deposit in the state general fund indirect cost recoveries for the authority's portion of the Statewide Central Services Cost Allocation Plan (SWCAP). The authority shall retain recoveries in excess of the SWCAP amount to be deposited in the state general fund.

42.5. (HFDA: Housing Trust Fund Disaster Initiative) Funds allocated, granted, or awarded under the Housing Trust Fund's Disaster Initiative shall not be included when calculating the percentage of trust fund expenditures per county.

42.6. (HFDA: Collaboration) In accordance with the South Carolina Housing Trust Fund Act (Section 31-13-450), the South Carolina State Housing Finance and Development Authority may collaborate with Habitat for Humanity South Carolina by providing up to $5,000,000 in existing funds for the current fiscal year. These funds shall be used to increase and preserve affordable homeownership across the state through a lump-sum block grant allocated to Habitat for Humanity South Carolina. Habitat for Humanity South Carolina shall administer the affordable housing proposal and oversee programmatic obligations to local Habitat for Humanity affiliates. The two entities shall establish a memorandum of understanding no later than July 31 which outlines the distribution and maintenance of funds and eligible project activities, including a program implementation stipend. Of the $5,000,000, Habitat for Humanity South Carolina shall not allocate more than twenty percent of the total annual funding in any single county during the fiscal year, in accordance with Section 31-13-445. An annual report summarizing the expenditure of funds shall be submitted to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees no later than June 30.

42.7. *(HFDA: Workforce Housing) (A) The Housing Finance and Development Authority is authorized to use any appropriated funds in this act for the Made it Home! Program to address the lack of affordable home ownership across the state by facilitating the new construction of affordable single family homes. The authority is authorized to expend federal or other funds for the same purpose.*

(B) The authority shall:

(1) develop program guidelines, reporting requirements, down payment assistance and homebuyer eligibility requirements; and

(2) establish the criteria for awarding distribution to participating partners that includes qualifications, experience, market analysis, construction plans, specifications, timeliness of completion, and capacity.

(C) The authority may establish a fund separate and distinct from the general funds of the State that consists of monies received or authorized under this provision and any other sources of revenue, public or private, including donations for the purpose of the program. The interest, repayment, or other increments resulting from investment must be deposited into the fund. Unexpended funds may be carried forward and expended for the same purposes, including any prior appropriations received for the purpose of this program. The funds appropriated in Act No. 69 of 2025, by proviso 118.16(39) may be carried forward for this purpose.

(D) The authority may receive reimbursements for the costs or expenses incurred in the administration and operation of the Made it Home! Program from the funds authorized or appropriated in this provision.

(E) The authority shall submit a report to the Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing the awards made, participating partners, homes constructed and purchased, and the program's overall impact by June 30 of the current fiscal year.

SECTION 43 - P120 - FORESTRY COMMISSION

43.1. (FC: Grant Funds Carry Forward) The Forestry Commission is authorized to use unexpended federal grant funds in the current year to pay for expenditures incurred in the prior year.

43.2. (FC: Retention of Emergency Expenditure Refunds) The Forestry Commission is authorized to retain all funds received as reimbursement of expenditures from other state or federal agencies when personnel and equipment are mobilized due to an emergency.

43.3. (FC: Commissioned Officers' Physicals) The Forestry Commission is authorized to pay the cost of physical examinations for agency personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

43.4. (FC: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the Forestry Commission may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency director, and providing funds are available.

43.5. (FC: Sale of Promotional Items) The Forestry Commission may sell promotional items that advocate for the forestry and forest culture, including items featuring the South Carolina Forestry Commission Forest Life brand logo, for the purposes of generating funds for the agency operations. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and used for the same purposes.

43.6. (FC: Firefighting Equipment and Response Carry Forward) The Forestry Commission is authorized to carry forward any unspent funds appropriated for firefighting equipment into the current fiscal year to be expended for the same purpose.

43.7. (FC: Response to Declared Emergencies) In the event of a declared emergency pursuant to Section 25-1-440 requiring the response of the South Carolina Forestry Commission, the State Treasurer and the Comptroller General are hereby authorized and directed to pay from the Disaster Trust Fund of the State such funds as necessary to cover the costs incurred, if available. In the event the Disaster Trust Fund is exhausted or does not have a balance sufficient to cover the incurred costs, the General Fund of the State may be utilized. The total amount transferred to the South Carolina Forestry Commission shall not exceed ~~$3,000,000~~*$5,000,000*. Upon any transfer of funds, the State Treasurer and the Comptroller General shall notify the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. Any funds reimbursed to the State shall be deposited in the respective fund from which it was transferred, up to the amount of funds advanced to the South Carolina Forestry Commission for these activities.

SECTION 44 - P160 - DEPARTMENT OF AGRICULTURE

44.1. (AGRI: Market Bulletin) The Market Bulletin shall be mailed only to those persons who request it in writing and a record of each request shall be maintained by the department. Provided further, that the Department of Agriculture is authorized to charge

a yearly subscription fee to each person requesting the bulletin and may charge for classified advertisements printed in the bulletin. The funds collected pursuant to this provision shall be retained by the department to defray the costs of publication and related incidental expenses.

44.2. (AGRI: Fruit/Vegetable Inspectors Subsistence) A daily subsistence allowance of up to $30.00 may be allowed for temporarily employed fruits and vegetables inspectors from funds generated by fruits and vegetables inspection fees and budgeted under other funds in Program II. Consumer Protection, B. Inspection Services, in lieu of reimbursements for meals and lodging expense.

44.3. (AGRI: Warehouse Receipts Guaranty Fund) The Department of Agriculture may retain and expend fifty thousand dollars from the Warehouse Receipts Guaranty Fund established by Section 39-22-150 of the 1976 Code as is necessary for the department to administer the funding of the program.

44.4. (AGRI: Weights & Measures Registration) All servicepersons required to be registered with the Department of Agriculture pursuant to the provisions of Section 39-9-65 of the 1976 Code shall pay to the department a registration fee of $25.00. Revenues generated by this provision shall be for use by the Department of Agriculture to offset expenses incurred in administering this registration program.

44.5. (AGRI: Sale of Property Revenue) The department may retain revenues associated with the sale of the property titled to or utilized by the department, except for the State Farmers Market property, and must expend these funds on capital improvements approved by the Joint Bond Review Committee and the State Fiscal Accountability Authority. The department must continue to occupy any property until replacement capital improvements are completed.

44.6. (AGRI: Export Certification) The Department of Agriculture is allowed to charge up to $250 for each export certification of agricultural products and to retain revenues to offset expenses incurred in performing certifications.

44.7. (AGRI: Feed Label Registration) The Department of Agriculture is authorized to require the annual registration of feed labels by manufacturers and to charge a fee of $15.00 for such registrations. Revenues generated by these fees shall be retained and used by the department to offset expenses incurred in operating the Feed Inspection Program.

44.8. (AGRI: Commodity Boards) In the current fiscal year, the provisions of the Consolidated Procurement Code related to a commodity board's expenditure of assessments collected from producers, as those terms are defined in Section 46-17-40 of the 1976 Code, are suspended.

44.9. (AGRI: Agribusiness Infrastructure Carry Forward) The Department of Agriculture is authorized to carry forward any revenues, accrued interest, and unexpended Agribusiness Infrastructure funds from the prior fiscal year into the current fiscal year to be expended for the same purpose. Any Agribusiness Infrastructure funds carried forward are not considered part of and should not be deducted from the base for purposes of calculating the agency's general fund appropriations ten percent carry forward amount, as provided for in this act.

44.10. (AGRI: South Carolina Tax Exemption Program) The Department of Agriculture is authorized to charge up to $24 for a three-year registration card for agricultural producers to claim a sales tax exemption on certain qualified purchases. The Department of Agriculture is also authorized to charge $5 for any replacement cards. The funds collected pursuant to this provision shall be retained by the department to defray any costs associated with the South Carolina Agricultural Tax Exemption Program.

44.11. (AGRI: State Farmers Market Escrow Accounts) The department may retain remaining revenues associated with the State Farmers Market Escrow, Lease Escrow, and the State Farmers Market Sale Proceeds and may expend these funds for the planning, development, construction, improvement, and maintenance of the State Farmers Market including, but not limited to, capital improvements approved by the Joint Bond Review Committee and the State Fiscal Accountability Authority.

44.12. (AGRI: Commodity Boards Interest Retention) Commodity Boards shall be allowed to retain and carry forward any accrued interest generated from the Boards' accounts held by the State, including interest generated from assessments collected from producers, as defined in Section 46-17-40.

44.13. (AGRI: Seed and Plant Certification) For the current fiscal year, certification of seeds and plants in regard to germination and mechanical purity of the seed depends upon the reports of the seed laboratory of the State Department of Agriculture or other laboratory providing a scope of testing satisfying the requirements dictated by the Association of Official Seed Certifying Agencies and utilizing rules for testing as defined by the Association of Official Seed Analysts. Seeds may not be certified by Clemson University unless the germination and purity test reports of the seed laboratory of the department or other laboratory as defined above indicate that the seeds comply with the agricultural seed laws of this State.

44.14. *(AGRI: Carry Forward Certified SC School Cafeteria Funds) The Department of Agriculture is authorized to carry forward any unexpended funds from the $1,000,000 in recurring Certified SC School Cafeteria funding from previous fiscal years into the current fiscal year to be expended for the same purpose. Any Certified SC School Cafeteria funds carried forward are not considered part of, and should not be deducted from, the base for purposes of calculating the agency's general fund appropriations ten percent carry forward amount, as provided for in this act.*

SECTION 45 - P200 - CLEMSON UNIVERSITY - PSA

45.1. (CU-PSA: Phytosanitary Certificates) Revenues collected from the issuance of phytosanitary certificates shall be retained by the Division of Regulatory and Public Service for the purpose of carrying out phytosanitary inspections.

45.2. (CU-PSA: Witness Fee) The Public Service Activities of Clemson University are hereby authorized to charge a witness fee of $100.00 per hour up to $400.00 per day for each PSA employee testifying as a fact witness regarding matters related to his or her professional expertise, or the exercise of his or her employment duties, in civil matters which do not involve the State as a party in interest. This fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial appearances and deposited into a designated revenue account.

45.3. (CU-PSA: Nursery/Nursery Dealer Registration Fee) The Division of Regulatory and Public Service Programs is authorized to retain up to $92,000 of revenue collected from the issuance of Nursery/Nursery Dealer Fees for the purpose of carrying out nursery/nursery dealer inspections. Revenue collected from this fee above $92,000 shall be deposited into the general fund.

45.4. (CU-PSA: Retention of Fees) All revenues collected from the regulatory programs of agrichemical, plant industry, and crop protection, including: fertilizer, lime, and soil amendments registration fees; pesticide licensing fees; seed certification fees; and fertilizer tax/inspection fees must be retained by Clemson University PSA regulatory programs.

45.5. (CU-PSA: Pesticide Registration) All revenues collected from pesticide registration fees and revenue collected from structural pest control businesses for business licensing must be retained by Clemson University PSA Regulatory and Public Service

Programs to support general regulatory, enforcement, and education programs and to carry out provisions of the South Carolina Pesticide Control Act and regulations related to it.

45.6. (CU-PSA: Lime Inspection Fee) The Public Service Activities of Clemson University are hereby authorized to charge an inspection fee of fifty cents per ton on Agricultural Liming Materials sold or distributed in this state. Clemson University-PSA may retain, expend, and carry forward these funds to maintain its programs.

45.7. (CU-PSA: Livestock-Poultry Health Programs) For the current fiscal year, Clemson University Public Service Activities shall maintain operation of the state Meat Inspection Program. All revenues and recoveries from USDA Food Safety Inspection Services and from USDA Animal and Plant Health Inspection Services for Clemson University PSA's Livestock-Poultry Health Programs and its departments shall be retained by Clemson University-PSA's Livestock-Poultry Health Program for purposes of carrying out the operation of its programs.

45.8. (CU-PSA: Boll Weevil Eradication) For the current fiscal year, Clemson University Public Services Activities shall maintain operation of the Boll Weevil Eradication Program. In the calculation of any across-the-board budget reduction mandated by the Executive Budget Office or the General Assembly, the amount appropriated for the Boll Weevil Eradication Program shall be excluded from Clemson PSA's base budget. In the event of such a reduction, Clemson PSA may reduce the amount of funds appropriated for this program by an amount not to exceed the percentage associated with the mandated reduction.

45.9. (CU-PSA: Landplaster Inspection Fee) For the purpose of regulating its use as applied to land for crop production, landplaster (gypsum), shall be defined as a product consisting chiefly of calcium sulfate with two combined water ($CaSO_4$ $2H_2O$) and is incapable of neutralizing soil acidity. It shall contain not less than seventy percent $CaSO_4$ $2H_2O$. All registrants of landplaster who sell or distribute in this state that previously were required to pay an inspection fee of $1.50 per ton shall now pay to Clemson University Regulatory Services an inspection fee of fifty cents for each ton sold. Clemson University-PSA may retain, expend, and carry forward these funds from the prior fiscal year into the current fiscal year to maintain its programs.

45.10. (CU-PSA: Regulatory Services Programs) For the current fiscal year, Clemson University Public Service Activities shall lead state and federal eradication efforts of the Asian Longhorned Beetle (Anoplophora glabripennis) *and the Yellow Legged Hornet (Vespa velutina)*. All revenues and recoveries from USDA Animal and Plant Health Inspection Service (USDA-APHIS) for Clemson University PSA's Regulatory Services Programs and its departments shall be retained by Clemson University-PSA's Regulatory Services Program for purposes of carrying out the operation of its programs.

SECTION 46 – P210 - SOUTH CAROLINA STATE UNIVERSITY - PSA

46.1. (SCSU-PSA: Animal Research and Education) For the current fiscal year, South Carolina State Public Service Activities is directed to coordinate and collaborate with the Harvey S. Peeler Jr. College of Veterinary Medicine for the expenditure of funds appropriated for the Animal Research and Education Center. Any future appropriations for the Center shall require the same coordination and collaboration between the same agencies.

SECTION 47 - P240 - DEPARTMENT OF NATURAL RESOURCES

47.1. (DNR: Publications Revenue) For the current fiscal year all revenue generated from the sale of the "South Carolina Wildlife" magazine, its by-products and other publications, shall be retained by the department and used to support the production of same in order for the magazine to be self-sustaining. In addition, the department is authorized to sell advertising in the magazine and to increase the magazine's subscription rate, if necessary, to be self-sustaining. No general funds may be used for the operation and support of the "South Carolina Wildlife" magazine.

47.2. (DNR: Casual Sales Tax Collection) The Department of Natural Resources shall continue to collect the casual sales tax as contained in the contractual agreement between the Department of Revenue and the Department of Natural Resources and the State Treasurer is authorized to reimburse the department on a quarterly basis for the actual cost of collecting the casual sales tax and such reimbursement shall be paid from revenues generated by the casual sales tax.

47.3. (DNR: Proportionate Funding) Each of South Carolina's forty-six soil and water conservation districts shall receive a proportionate share of funding set aside for Aid to Conservation Districts at $25,000 per district for general assistance to the district's program. Available funding above $25,000 for each district will be apportioned by the Department of Natural Resources based upon local needs and priorities as determined by the board. During the fiscal year, the districts' funding may only be reduced in an amount not to exceed the percentage of each agency budget reduction. No district shall receive any funds under this provision unless the county or counties wherein the district is located shall have appropriated no less than three hundred dollars to the district from county funds for the same purposes.

47.4. (DNR: Carry Forward - Contract for Goods & Services) If any funds accumulated by the Department of Natural Resources Geology Program, under contract for the provision of goods and services not covered by the department's appropriated funds, are not expended during the preceding fiscal years, such funds may be carried forward and expended for the costs associated with the provision of such goods and services.

47.5. (DNR: Revenue Carry Forward) The department may collect, expend, and carry forward revenues derived from the sale of goods and services in order to support aerial photography, map services, climatology data, and geological services. The department shall annually report to the Senate Finance Committee and the House Ways and Means Committee the amount of revenue generated from the sale of these goods and services.

47.6. (DNR: Clothing Allowance) The Department of Natural Resources is hereby authorized to provide Natural Resource Enforcement Officers on special assignment with an annual clothing allowance (on a prorata basis) not to exceed $600 per officer for required clothing used in the line of duty.

47.7. (DNR: Commissioned Officers' Physicals) The department is authorized to pay for the cost of physical examinations for department personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

47.8. (DNR: Web Services and Technology Development) The department may carry forward any unexpended general fund balance remaining on the Other Operating Expenses line, identified in the "Web Services and Technology Development" program of the department appropriations from Part IA in this act. Balances carried forward from the prior fiscal year are only authorized to be expended to support technology operating expenses within the department.

47.9. (DNR: Predator Control Program) Of the funds authorized and appropriated in this act, the Department of Natural Resources is directed to develop and implement a coyote tagging and reward program within this state. The department must tag and release four coyotes in each of the four game zones and apply a reward of three thousand dollars per tagged coyote to the hunter/trapper, or their designee. No hunter/trapper, or their designee, may collect the reward on more than two coyotes per fiscal year. Employees of the Department of Natural Resources, members of the General Assembly, and their immediate families are not eligible to receive a reward.

47.10. (DNR: Triploid Grass Carp) For the current fiscal year, no water recreation funds or any other funding source may be used to fund the stocking of triploid grass carp on Lake Marion and Lake Moultrie.

47.11. (DNR: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the Department of Natural Resources may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency director, and providing funds are available.

47.12. (DNR: Exempted Fishing Permits) The Department of Natural Resources shall explore the feasibility of employing exempted fishing permits (EFPs) within the South Atlantic region as a mechanism to allow limited state-level management of the federally managed snapper-grouper complex. The department shall work cooperatively with natural resources management agencies from the states of North Carolina, Georgia and Florida, the South Atlantic Fishery Management Council (SAFMC) and NOAA Fisheries to determine interest in and the possibility of jointly pursuing individual state EFPs as well as an overarching EFP that might allow for a new management approach for the South Atlantic snapper-grouper complex.

47.13. (DNR: Funds Transfer to Forestry Commission) For the current fiscal year, the Department of Natural Resources shall transfer $100,000 of the funds appropriated for operating expenses of Wildlife and Freshwater Fisheries (Wildlife Management Areas) to the Forestry Commission.

47.14. (DNR: Waterfowl Impoundments Projects) The Department of Natural Resources, when procuring goods and services for the planning, development, construction, improvement, and/or maintenance of waterfowl impoundments on land owned by the department or owned by the state and managed by the department, may enter into agreements with a qualified, not-for-profit entity that has received North American Wetlands Conservation Act (NAWCA) funds for a project and specializes in waterfowl impoundment development, and that entity is considered a sole source provider under the provisions of Section 11-35-1560 of the 1976 Code. The department shall be required to have a representative of the agency present to view the opening of bids with this provision.

47.15. (DNR: Building Maintenance Carry Forward) At the end of each fiscal year, the department may transfer any unexpended general fund balance remaining on the “Other Operating Expenses” line identified in the “Administration” program to a separate and distinct account to be carried forward by the department. Balances carried forward in this account must only be expended for rent, maintenance, and capital improvement needs in the headquarters building. The department must report to the Chairmen of the Senate Finance Committee and House Ways and Means Committee any amount transferred and expenditures made from the fund by October first.

47.16. (DNR: Matching Grant Programs) Of the funds appropriated and/or authorized to the South Carolina Conservation Bank, $1,000,000 shall be provided to the Department of Natural Resources as the state match for the North American Wetlands Conservation Act (NAWCA) or similar wetland enhancement and restoration projects that benefit waterfowl subject to the prior

consent of the Bank, and $3,000,000 as the state match for the Wildlife and Sportfish Restoration grant program. The department annually shall report to the Senate Finance Committee, the House Ways and Means Committee, and the South Carolina Conservation Bank regarding utilization of the funds and the impact of the funds on conservation efforts in the State of South Carolina.

47.17. (DNR: Special Carry Forward Delayed Vehicle/Equipment Delivery) The department may carry forward appropriations and authority encumbered by purchase orders issued to procure vehicles, trailers, boats, outboard motors, and other specialized equipment. Each purchase order must meet or exceed $16,000, and only delivery of items delayed due to manufacturing and material supply chain or transportation disruptions qualify for carry forward. The department will provide a report to the Executive Budget Office listing open purchasing documents with encumbered amounts supporting the special carry forward by August 1.

47.18. (DNR: Wildlife Habitat Management) Funds appropriated to the department shall be used to conduct wildlife habitat management activities on the Department of Parks, Recreation, and Tourism property in Georgetown County known as Ramsey Grove. The Department may provide opportunities for limited public waterfowl hunts on the property through the department's Wildlife Management Area program.

47.19. (DNR: Deer Processing Pilot Program) ~~Funds appropriated to the Department of Natural Resources for the Pilot Deer Donation Program shall be used for the creation and implementation of a deer processing pilot program. This program shall be designated to incentivize the harvesting of antlerless deer in areas that are having impacts on the agriculture sector of the State's economy. The grants to processors will allow hunters to deliver antlerless deer to the processors without a processing fee if the deer is to be donated as established by the department in the grant. The department is authorized to create a program and provide grants year-round to deer processors in this state. Grants shall only be provided to deer processors who agree to donate the processed meats to non-profit organizations. The department shall establish a fee structure to be paid to cooperating deer processors before awarding grants. The department may contract with vendors without competition. A report shall be provided by the department to the Chairmen of the Senate Finance and House Ways and Means Committees by June 30, 2026, on the implementation of the pilot program and the grants awarded.~~

47.20. *(DNR: Invasive Plant Eradication) The Department of Natural Resources is authorized to establish a Pilot Early Detection and Rapid Response (EDRR) program to identify and eradicate newly established invasive plant species. These are species that have been found to be reproducing in South Carolina, outside of cultivation, only within the last decade, i.e., newly arrived, non-native species. For this purpose, the department may utilize funds provided by other state or federal agencies to hire staff and procure equipment and supplies. Department personnel are authorized to perform invasive species control work on both public and private lands, provided that work on those properties is conducted only with the written consent of the landowner. No fees shall be charged to landowners for participation in this program.*

47.21. *(DNR: Delisting Initiative) To advance the federal delisting objectives for the relict Trillium (Trillium reliquum), the Department of Natural Resources is authorized to conduct recovery and management activities on public and private lands. Authorized activities include botanical surveys, exotic species control, and the establishment of new populations through propagation and transplanting. These activities may be supported by federal, private, or other non-state funds. Work on private property shall be conducted only with the written consent of the landowner, and no fees shall be charged to the landowner for these services.*

47.22. *(DNR: Coastal and Marine Resource Center Planning Study) (A) From the funds appropriated to the Department of Natural Resources for the Coastal and Marine Resource Center, the department shall collaborate with the College of Charleston to develop a comprehensive proposal for the establishment of a new Coastal and Marine Resource Center.*

(B) The proposal shall include, but not be limited to:

(1) a detailed project timeline, including planning, design, permitting, and construction phases;

(2) a comprehensive cost estimate and funding plan;

(3) an evaluation of potential sites for the new center, and

(4) a plan for the disposition, redevelopment, or continued use of any facilities or property currently utilized for this purpose.

(C) The Department of Natural Resources shall submit the completed proposal to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 1, 2027.

SECTION 48 - P260 - SEA GRANT CONSORTIUM

48.1. (SGC: Publications Revenue) Funds generated by the sale of pamphlets, books, and other promotional materials, the production of which has been paid for by non-state funding, may be deposited in a special account by the consortium and utilized as other funds for the purchase of additional pamphlets, books, and other promotional materials for distribution to the public.

48.2. (SGC: Collection of Fees for Consortium Programs and Events) The South Carolina Sea Grant Consortium shall generate funds to support programs and outreach events, including the State's Clean Marina Program, through the collection of registration fees that do not exceed the direct cost of the associated program.

48.3. *(SGC: Return of Funds)* **DELETED**

SECTION 49 - P280 - DEPARTMENT OF PARKS, RECREATION AND TOURISM

49.1. (PRT: Tourism and Promotion) The funds appropriated in this act for Regional Promotions shall be distributed equally to the eleven Regional Tourism groups, except that the Grand Strand Tourism Region's funds shall be divided, with 22% distributed to the Myrtle Beach Chamber of Commerce, 51.11% distributed to the Georgetown Chamber of Commerce, 13.33% distributed to the City of Georgetown, and 13.33% distributed to the Williamsburg Chamber of Commerce for tourism-related activities. In addition, $250,000 shall be distributed to the Lake Wylie Chamber of Commerce. The Myrtle Beach Chamber of Commerce and the Georgetown Chamber of Commerce shall submit a report to the Senate Finance Committee and the House Ways and Means Committee by December first each year describing how these funds were expended in the prior fiscal year.

49.2. (PRT: Destination Specific Tourism Marketing) The minimum grant awarded by the Destination Specific Tourism Program shall be $250,000. Each state dollar must be matched with two dollars of private funds. An organization receiving a state grant must certify that, as of the date of the application: (i) the private funds are new dollars specifically designated for the purpose of matching state funds; (ii) the private funds have not been previously allocated or designated for tourism-related destination marketing; and (iii) the organization has on hand or has an approved line of credit of not less than the amount of private funds needed to provide the required match. Organizations applying for a grant must include in the grant application, information on how the

organization proposes to measure the success of the marketing and public relations program, including the estimated return on investment to the state. Promotional programs proposed by an applicant must be based on research-based outcomes. Grants must be made only to organizations that have a proven record of success in creating and sustaining new and repeat visitation to its area and must have sufficient resources to create, plan, implement, and measure the marketing and promotional efforts undertaken as a part of the program. The department must award a grant only to one qualified destination marketing organization within their tourism region where the organization's private funds are raised. An organization receiving a grant must use the public and private funds only for the purpose of destination specific marketing and public relations designed to target international and/or domestic travelers outside the state to destinations within the state. All grants that qualify under the program must be funded if funds are available. Funding of all qualified grants will be on a first come first served basis with such basis retained throughout the term of this proviso. No organization shall receive in the first quarter more than fifty percent of the state dollars allocated to the program. If by the end of the third quarter matching funds are still available with no other organizations meeting the criteria for funding, the funds will be distributed to the organization or organizations that have and can meet all of the requirements of this proviso. Grant recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the director of the Department of Parks, Recreation and Tourism on the expenditure of the grants funds and on the proposed outcome measures.

49.3. (PRT: Advertising Funds Carry Forward) The Department of Parks, Recreation and Tourism may carry forward any unexpended funds appropriated on the Advertising line within Program II. A. Tourism Sales and Marketing from the prior fiscal year into the current fiscal year to be used for the same purposes, which include the Tourism Partnership Fund, Destination Specific Marketing Grants, and the agency advertising fund.

49.4. (PRT: Film Marketing) From the funds authorized to the Department of Parks, Recreation and Tourism in Section 49, Part IA of this act for the South Carolina Film Commission, the department may use the film marketing funds for the following purposes: (1) to allow for assistance with recruitment and infrastructure development of the film industry; (2) to develop a film crew base; (3) to develop ally support in the film industry; (4) marketing and special events; and (5) to allow for assistance with the auditing and legal service expenses associated with the Motion Picture Incentive Act.

49.5. (PRT: Motion Picture Administration Application Fee) The Department of Parks, Recreation and Tourism may charge an application fee for the Motion Picture Incentive programs and may retain and expend these funds for the purposes of meeting administrative, data collection, credit analysis, cost-benefit analysis, reporting and auditing, and other statutory obligations. A fee schedule must be established and approved by the Director of the Department of Parks, Recreation and Tourism.

49.6. (PRT: Gift Shops) At the discretion of the Department of Parks, Recreation and Tourism, the State House Gift Shop may close on weekends.

49.7. (PRT: PARD Interest) The department is hereby prohibited from utilizing the interest generated in the PARD program for anything other than the uses authorized by the law creating PARD. Should the PARD account not reach the required amount of $920,000 to activate the minimum $20,000 per county distribution, the department shall carry forward the funding until such time as the funds are sufficient to distribute as originally intended.

49.8. (PRT: Wage and Supplier Rebate Funds) From the funds set aside pursuant to the Motion Picture Incentive Act, any funds committed to film projects shall be carried forward from the prior fiscal year and used for the same purpose. Any uncommitted funds

shall be carried forward from the prior fiscal year and must be used solely for wage and supplier rebate funds pursuant to the Motion Picture Incentive Act and may not be used for any other purpose.

49.9. (PRT: Funds Exempt from Budget Cut) In the calculation of any across the board cut mandated by the Executive Budget Office or the General Assembly, any amounts appropriated for pass through, special items, or other items specified in any general proviso, which are exempt from reduction, shall be excluded from the Department of Parks, Recreation and Tourism's base budget.

49.10. (PRT: PARD) The Department of Parks, Recreation, and Tourism shall be authorized to expend restricted funds for the Parks and Recreation Development Fund (PARD) in accordance with the Section 51-23-20 of the 1976 Code, Regulations, and generally accepted accounting standards. The department is allowed to reimburse PARD grantees from current year funds for prior year expenditures as allowed in Section 51-23-30.

For the current fiscal year, funds placed in a County Area account as allowed in Section 51-23-30 may remain unexpended in the account indefinitely, any regulation or provision to the contrary notwithstanding. However, once an application is approved by a county delegation, the project must be completed and funds expended within three years of the approved application.

49.11. (PRT: Admission Fees and Charges) The department may impose reasonable fees and charges for admission to and/or use of park and recreational facilities and the revenues from such fees and charges must be used for park and recreational uses.

49.12. (PRT: Vending Services) The State Park Service, an office within the Department of Parks, Recreation and Tourism shall be granted an exemption requiring the State Park Service to use the Commission for the Blind for vending services. All revenues earned by vending and retail operations at the State Parks shall be retained by the department to support the operational costs of the South Carolina State Parks. These funds may be carried forward from the prior fiscal year and must be used for the same purpose. This exemption does not apply to vending services at the State Welcome Centers.

49.13. (PRT: State Funded Grant Programs) Any unexpended general funds appropriated for the PARD Grants, Undiscovered SC, and Sports Marketing Grants Programs shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose.

49.14. (PRT: SC Film Office Rebate Funds) From the funds authorized pursuant to the Motion Picture Incentive Act, any rebates awarded by the SC Film Office may be paid without distinction of the source of funds.

49.15. (PRT: Compensatory Payment) In the event the Governor declares a State of Emergency, employees of the Department of Parks, Recreation and Tourism may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency director, and providing funds are available.

49.16. (PRT: Destination Specific Tourism) In the current fiscal year, non-recurring funds appropriated to the Destination Specific Tourism Marketing grant program shall not be subject to a match requirement.

49.17. (PRT: State Park Employee Housing) The Comptroller General shall, upon request of an employee of the South Carolina Department of Parks, Recreation and Tourism's State Park Service, and with the authorization of the department, make deductions from the employee's compensation for rental payments of an employee's residential housing that is located within a South Carolina State Park. The Comptroller General shall pay over to the Department of Parks, Recreation and Tourism all amounts collected by payroll deduction for this purpose for the exclusive use by the department for state park operations.

49.18. (PRT: State Parks Carry Forward) The department may carry forward any prior year unexpended general operating funds allocated to the State Park Service. The funds carried forward must be used for the same purpose.

49.19. (PRT: Local Film Carry Forward) (A) Any unexpended funds authorized or appropriated to the Department of Parks, Recreation and Tourism for the South Carolina Film Commission may be carried forward. ~~For Fiscal Year 2025-26~~ *For the current fiscal year*, up to two million dollars of these carried forward funds shall be used to create a pilot program whereby:

(B) An entity may apply to receive a state rebate with a project budget of a minimum of $250,000 and maximum of $999,999. Organizations certifying the satisfaction of the following requirements may receive a state rebate for 25% of all production costs, including wages and supplies, after a cumulative audit from the South Carolina Department of Revenue and the South Carolina Film Commission. The requirements are as follows:

(1) producer must be registered with both the South Carolina Secretary of State and the South Carolina Department of Revenue;

(2) producer must be a primary resident of South Carolina with a minimum of two years of residency in this State;

(3) all production activity must be physically in South Carolina;

(4) all producers' personal and corporate income taxes must be current;

(5)(i) applicant must disclose the fiduciarily responsible parties with existing production;

(ii) the production funds must be in a separate account and be used exclusively for the production;

(6) production must have full funding prior to producing; and

(7) production must include a five-second long static or animated official FilmSC logo in the end credits before the below-the-line crew crawl for the life of the project and a link to filmsc.com on the production's web page.

(C) Upon application approval, production-based activity must begin within 60 calendar days. Once an application is approved by the South Carolina Film Commission, the project must be completed and funds expended within three years of the approval date. The final rebate will be distributed to the production company on record.

49.20. (PRT: Calhoun Falls State Park Marina) Of the funds appropriated or carried forward in prior fiscal years for Calhoun Falls State Park, the Department of Parks, Recreation and Tourism is directed to utilize these funds to initiate construction of the marina during the current fiscal year.

49.21. RESERVED

49.22. (PRT: Sports Marketing – Motorsports Entertainment Complex) For the current fiscal year, of the funds appropriated for Sports Marketing, $2,000,000 shall be allocated for the marketing and promotion of a motorsports entertainment complex, as defined in Section 12-21-2425, that hosts more than one National Association for Stock Car Auto Racing national touring race in this State.

49.23. *(PRT: Regional Promotions Carry Forward) The department may carry forward any prior year unexpended general operating funds allocated to Regional Promotions. The funds carried forward must be used for the same purpose.*

49.24. *(PRT: Post-Production Carry Forward) (A) Any unexpended funds authorized or appropriated to the Department of Parks, Recreation and Tourism for the South Carolina Film Commission may be carried forward. For the current fiscal year, up to two million dollars of these carried forward funds shall be used to create a pilot program.*

(B) An entity may apply to receive a state rebate with a project budget of a minimum of $250,000 and maximum of $9,999,999. Organizations certifying the satisfaction of the following requirements may receive a state rebate for 20% of all post-production costs for projects filmed outside of South Carolina and 25% for all post-production costs filmed in South Carolina, after a cumulative audit from the South Carolina Department of Revenue and the South Carolina Film Commission. The requirements are as follows:

(1) all post-production activity must be physically in South Carolina, and the vendor must:

(i) have a physical address with a storefront and business sign; and

(ii) be registered with the South Carolina Secretary of State.

(2) post-production vendor must be registered to pay South Carolina income tax, withholding tax, property tax, and sales tax, if applicable;

(3) post-production activity includes wages and supplies for editing, sound design, scoring, and VFX;

(4) all post-production vendors' corporate income taxes must be current;

(5) applicant must disclose the fiduciarily responsible parties with existing production;

(6) the post-production funds must be in a separate account and be used exclusively for the post-production; and

(7) upon application approval, post-production-based activity must begin within 60 calendar days. Once an application is approved by the South Carolina Film Commission, the project must be completed and funds expended within three years of the approval date. The final rebate will be distributed to the post-production company on record.

SECTION 50 - P320 - DEPARTMENT OF COMMERCE

50.1. (CMRC: Development - Publications Revenue) The proceeds from the sale of publications may be retained in the agency's printing, binding, and advertising account to offset increased costs.

50.2. (CMRC: Economic Dev. Coordinating Council - Set Aside Fund) From the amount set aside in Section 12-28-2910, the council is authorized to use up to ten percent of such amount for actual operating expenses in support of administrative program costs and business recruitment and retention and up to $60,000 to support the Geographic Information Systems (GIS) program, as approved by council. Any balance on June thirtieth of the prior fiscal year may be carried forward and expended for the same purposes in the current fiscal year.

50.3. (CMRC: Coordinating Council Funds) In order to provide maximum flexibility to encourage the creation of new jobs and capital investment, the Coordinating Council for Economic Development has the authority to transfer economic development funds at its disposal to the Closing Fund, provided the transfer is approved by a majority vote of the Coordinating Council members in a public meeting. Any unexpended balance on June thirtieth of the prior fiscal year may be carried forward and expended in the current fiscal year by the Department of Commerce for the same purpose.

50.4. (CMRC: Export Trade Show Funds) Funds collected from South Carolina companies for offsetting costs associated with participation in future trade shows may be carried forward from the prior fiscal year to the current fiscal year and used for that purpose.

50.5. (CMRC: Special Events Advisory Committee) The Department of Commerce is required to establish a Special Events Advisory Committee to provide oversight to the department as it relates to the department's Special Events Fund. The Advisory Committee shall be made up of contributors to the Fund appointed by the Secretary of Commerce and shall consist of no fewer than eight members, including a chairman. The Advisory Committee shall establish guidelines for the use of these funds. The Department of Commerce shall prepare a detailed report and have an independent audit of all expenditures of the fund during the previous calendar year. None of these funds shall be used for operating expenses. The report shall be submitted to the Governor, the Speaker

of the House, the President of the Senate, the Chairman of the House Ways and Means Committee, and Chairman of the Senate Finance Committee.

50.6. (CMRC: Development-Rental Revenue) Revenue received from the sublease on non-state-owned office space may be retained and expended to offset the cost of the department's leased office space.

50.7. (CMRC: Development-Ad Sales Revenue) The department may charge a fee for ad sales in department authorized publications and may use these fees to offset the cost of printing and production of the publications. Any revenue generated above the actual cost shall be remitted to the General Fund.

50.8. (CMRC: Foreign Offices) The Secretary of Commerce shall be authorized to appoint the staff of the department's foreign offices on a contractual basis on such terms as the Secretary deems appropriate, subject to review by the Department of Administration.

50.9. (CMRC: Funding For I-73) Of the funds authorized for the Coordinating Council Economic Development, $500,000 shall be made available for the routing, planning, and construction of I-73.

50.10. (CMRC: Closing Fund) In order to encourage and facilitate economic development, funds appropriated for the Closing Fund for competitive recruitment purposes shall be used as approved by the Coordinating Council for Economic Development. Any unexpended at the end of the prior fiscal year may be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes.

50.11. (CMRC: Coordinating Council - Application Fee Deposits) Application fees received by the department must be deposited within five business days from the Coordinating Council application approval date.

50.12. (CMRC: Recycling Advisory Council Reporting) The Recycling Market Development Advisory Council must submit an annual report outlining recycling activities to the Governor and members of the General Assembly by March fifteenth each year.

50.13. (CMRC: Regional Economic Development Organizations) The Department of Commerce shall utilize $5,000,000 appropriated in the current fiscal year for Regional Economic Development Organizations to provide funds to the following economic development organizations and must be disbursed as follows:

(1)	Upstate Alliance	$750,000;
(2)	Central SC Economic Development Alliance	$750,000;
(3)	North Eastern Strategic Alliance (NESA)	$745,000;
(4)	Charleston Regional Development Alliance	$660,000;
(5)	I-77 Alliance	$660,000;
(6)	Economic Development Partnership	$450,000;
(7)	Southern Carolina Alliance	$600,000; and
(8)	The LINK Economic Alliance	$385,000.

Each dollar of state funds must be matched with one dollar of private funds. The organization receiving state funds must certify that the private funds are new dollars specifically designated for the purpose of matching state funds and have not been previously allocated or designated for economic development. No funds appropriated in this proviso may be used for routine operating costs of the organization as defined by the Department of Commerce.

Upon receipt of the request for the funds and certification of the matching funds, the Department of Commerce shall disburse the funds to the requesting organization.

Funds recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the Secretary of Commerce on the expenditure of the funds and on the outcome measures. Fund recipients shall also provide electronic copies of the annual report to the General Assembly by November first. The Department of Commerce shall post these reports on their website.

Any unexpended, unallocated, or undistributed funds appropriated in prior fiscal years for Regional Economic Development Organizations shall first be made available to Regional Economic Development Organizations and any remainder shall be transferred to the Rural Infrastructure Fund at the Department of Commerce. If more than one alliance applies for the same funds, the funds will be distributed pro-rata.

50.14. (CMRC: SC Manufacturing Extension Partnership) No funds appropriated to the department that are designated for the SC Manufacturing Extension Partnership may be utilized to compensate employees or individuals who engage in lobbying services on behalf of the department or the partnership. In addition, the department shall prepare an annual report on the SC Manufacturing Extension Partnership's expenditures for the prior fiscal year and shall submit the report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by November first.

50.15. (CMRC: Business Incubator/Innovation Program) Any funds appropriated to the department for the Business Incubator/Innovation Program shall be used for eligible projects that address one or more of the goals in the South Carolina Innovation Plan and any investments must be accompanied by a dollar-for-dollar match from non-state appropriated funds. Up to $300,000 may be used by the department for administrative costs associated with this program.

50.16. (CMRC: Council on Competitiveness) The Department of Commerce shall utilize the funds appropriated in the current fiscal year for the South Carolina Council on Competitiveness to provide funds for existing business economic development activities. Each dollar of state funds disbursed must be matched equally with non-state appropriated funds and prior to the disbursement of funds, the Council on Competitiveness must certify that these funds are new dollars specifically designated for the purpose of matching state funds and have not been previously allocated or designated for economic development. The Council on Competitiveness shall provide a report on the expenditure of the funds and on the outcome measures by January first, to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Secretary of Commerce.

50.17. (CMRC: Grant Funds Carry Forward) The Department of Commerce may carry forward any unexpended balance on June thirtieth of the prior fiscal year of grant funds appropriated and/or authorized for Innovation, Research/Applied Research Centers, SCOPE, and LocateSC and expend such funds in the current fiscal year for the same purpose.

50.18. (CMRC: Funding for Rail Infrastructure) Of the funds authorized for the Coordinating Council for Economic Development under Section 12-10-85 (B), the Secretary of Commerce may utilize these funds toward state-owned rail infrastructure projects.

50.19. (CMRC: Development - Funding for Rural Infrastructure) There is established within the Department of Commerce the Rural School District and Economic Development Closing Fund.

(A) The Secretary of Commerce shall use the fund to facilitate economic development and infrastructure improvements in counties that contain a school district that has been defined by the Department of Education as having a poverty rate greater than or equal to 86%.

(B) The Secretary of Commerce shall use the fund to facilitate economic development and infrastructure improvements in counties that meet each of the following criteria: (1) one of the top twelve counties in South Carolina with the highest population decline (by percentage) since 2010; (2) one of the top twelve counties with the highest average unemployment rate for 2018; and (3) according to the US Census 2017 - a county with a poverty rate in excess of twenty percent. Funds are to be used on, but not limited to, economic development projects, water and sewer infrastructure, and school building infrastructure. Once a project is committed, the funds may be utilized to finish that specified project, even if the county does not remain an eligible county in subsequent years. This plan must be reviewed by the Joint Bond Review Committee before these funds may be expended. Of the funds transferred to the fund, up to $15,000,000 may be used in any county that is contiguous to an eligible county as long as that contiguous county has one county-wide consolidated public school district. Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes.

50.20. (CMRC: Coordinating Council Membership) For the current fiscal year, the Chairman of the Senate Finance Committee, or his designee, and the Chairman of the House Ways and Means Committee, or his designee, shall be included in the membership of the SC Coordinating Council for Economic Development and shall have the same rights and guidelines as pertains to the existing members of the council.

50.21. (CMRC: Strategic Economic Development Fund) In the current fiscal year, there is established, within the Department of Commerce, the Strategic Economic Development Fund for the purpose of funding projects that are essential to the State's ongoing and future economic development success. The Secretary of Commerce shall identify and recommend potential projects for review and comment by the Joint Bond Review Committee before any funds may be awarded or expended. Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes.

50.22. (CMRC: Emergency Services Pilot) ~~There is established a pilot program within the Department of Commerce named the Public/Private Partnerships - Emergency Services Fund for the purpose of funding projects that increase a local government's emergency services capacity and capability. Every project must involve investment and participation by both private companies and local governments in order to be eligible for funding. The Department of Commerce will provide an annual update by January 15 of each year to the Chairmen of the Senate Finance Committee and House Ways and Means Committee until all funds are expended. Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year for the same purposes.~~

50.23. (CMRC: Job Development Tax Credit Program) The state agencies responsible for management, reporting, approving, and auditing the Jobs Development Tax Credit program may increase fees charged to companies within the program as necessary to cover the operation expenses of the program. These fees would be included in each agency's Fines and Fees Annual Report.

50.24. (CMRC: SC Nexus Carry Forward) The Department of Commerce may carry forward unexpended funds from the prior fiscal year of allocation/grant funds appropriated and/or authorized for SC Nexus into the current fiscal year for the same purpose.

50.25. (CMRC: Sustainable Aviation Fuel Production) ~~In Fiscal Year 2024-2025, from the funds appropriated to the Department of Commerce, up to $250,000 shall be expended to partner with a public research institution located in this State to conduct a study to determine the viability of sustainable aviation fuel production (SAF) in South Carolina. The study must include, but is not limited to:~~

~~(1) identification of the leading pathways for supplying SAF at scale and what infrastructure does South Carolina need to put in place to ensure a supply of SAF to both commercial and military facilities;~~

~~(2) identification of the sources of raw materials for biofuel within South Carolina;~~

~~(3) the economic potential for South Carolina to capture some of the production market for SAF, including the potential to create new jobs;~~

~~(4) the range for production costs;~~

~~(5) identification of the current processes currently available to produce biofuel;~~

~~(6) identification of any state led or federal initiatives and how they may apply to the implementation of a similar, scalable program in South Carolina;~~

~~(7) identification of the lifecycle cost of inputs (feedstock, fossil fuel, energy costs of production) for the production of biofuel;~~

~~(8) identification of price points for both the producer and end user defined by current and future markets;~~

~~(9) identification of the current production capacity and any useable facilities that may be re-purposed or scaled to meet potential demand for biofuel;~~

~~(10) identification of air transport industry initiatives for use and demand for biofuel;~~

~~(11) identification of what risk reduction measures or financial support mechanisms that are available from the federal government;~~

~~(12) identification of any barriers to entry, such as policy or regulatory constraints;~~

~~(13) identification of the capability of the fuel handling companies for storage of biofuel and the capacity in the existing transport systems; and~~

~~(14) identification of downside risks.~~

50.26. *(CMRC: Commerce NBIF Loan)* **DELETED**

50.27. *(CMRC: Nuclear Advisory Council) The Office of Regulatory Staff shall reimburse the South Carolina Department of Commerce for expenses associated with the Governor's Nuclear Advisory Council from the South Carolina Energy Office's radioactive waste funds.*

50.28. *(CMRC: Rural Development) In the current fiscal year, the Department of Commerce shall utilize funds appropriated for Rural Development for projects in Tier III and Tier IV counties, as well as census tracks that qualify as Opportunity Zones in Tier I and Tier II counties. Maximum awards for these Community and Rural Development projects are $1,500,000 and will require a minimum 10% match. The Department of Commerce will provide an annual report to the Chairmen of the Senate Finance Committee and House Ways and Means Committee until all funds are expended.*

50.29. *(CMRC: Expenditure Limitations) For the current fiscal year, the Department of Commerce shall not enter into open-ended incentive agreements or contracts. Any incentive agreement or contract executed by the Department of Commerce must specify a maximum expenditure amount, which shall represent the total funds the department is authorized to expend on the development and completion of a particular project.*

50.30. *(CMRC: Funding Limitations) For the current fiscal year, the Department of Commerce shall not utilize any funding source other than amounts appropriated in this act to complete, in whole or in part, any project promulgated under Act 3 of 2023.*

All expenditures related to completing such projects shall be limited solely to funds appropriated by the General Assembly in this act and shall be expended only in the matter in which they are appropriated.

SECTION 52 - P360 – PATRIOTS POINT DEVELOPMENT AUTHORITY

52.1. (PPDA: USS Laffey Overnight Stays) From the funds authorized or appropriated to Patriots Point Development Authority as "other operating expenses" members of the USS Laffey Association who are temporarily present at Patriots Point to perform voluntary maintenance on the USS Laffey may remain onboard the vessel overnight if the Executive Director approves and has deemed it safe to do so.

SECTION 53 - P400 - S.C. CONSERVATION BANK

53.1. (CB: Trust Program Carry Forward) The Conservation Bank may carry forward any unexpended funds allocated to the Conservation Bank Trust Program from the prior fiscal year into the current fiscal year to be used for the same purpose.

53.2. (CB: General Fund Carry Forward) Of the funds appropriated in the prior fiscal year to the Conservation Bank for administration, unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.

SECTION 54 - P450 - RURAL INFRASTRUCTURE AUTHORITY

54.1. (RIA: Rural Infrastructure Fund Carry Forward) The Rural Infrastructure Authority may carry forward from the prior fiscal year into the current fiscal year funds appropriated to the Rural Infrastructure Fund. The authority shall retain any unexpended funds at the close of the fiscal year, and these funds shall be carried forward from the prior fiscal year into the current fiscal year.

54.2. (RIA: Carry Forward - Local Government Assistance) The Rural Infrastructure Authority may carry forward from prior fiscal years into the current fiscal year funds appropriated for the purpose of providing financial assistance and for matching federal funds for financial assistance to local governments with water, wastewater, and sewer projects.

54.3. (RIA: Carry Forward Calculation) For purposes of calculating the amount of funds which may be carried forward by the Rural Infrastructure Authority, grant and loan program funds carried forward by the Office of Local Government shall be excluded from the calculation of the carry forward authorized by provision elsewhere in this act.

54.4. (RIA: State Water Pollution Control Revolving Fund) In the event that any state funds remain after fully matching federal grants for the State Revolving Funds under the Clean Water Act or Safe Drinking Water Act, such funds may be deposited into the South Carolina Infrastructure Revolving Loan Fund established pursuant to Section 11-40-50.

54.5. (RIA: Statewide Water and Sewer Fund) The Rural Infrastructure Authority shall use the funds allocated for the Statewide Water and Sewer Fund to assist qualified infrastructure projects not eligible for the Rural Infrastructure Fund. The authority shall utilize the same procedures and guidelines established for the Rural Infrastructure Fund to select qualified projects for the Statewide Water and Sewer Fund. The authority may carry forward from the prior fiscal year into the current fiscal year funds appropriated to the Statewide Water and Sewer Fund.

54.6. (RIA: Carry Forward - Planning and Technical Assistance Funds) The Rural Infrastructure Authority may carry forward unexpended funds appropriated for Planning and Technical Assistance - Small & Rural Utilities from the prior fiscal year into the current fiscal year to be used for the same purpose.

54.7. *(RIA: Aiken Wastewater Treatment Plant Regional Assessment & Master Plan) Of the funds granted to Aiken County from the South Carolina Rural Infrastructure Authority for the Wastewater Treatment Plant Regional Assessment and Master Plan, the county shall complete the evaluation of long-term regional wastewater treatment needs including an analysis of financial, managerial, and operational capacity, in collaboration with the study advisory committee, and in accordance with the terms and conditions as set forth in the grant agreement by November 2, 2026, and provide the evaluation to the Aiken and Edgefield County Legislative Delegations by the same date. Should the evaluation not be completed in full by this date, the funds shall be remitted back to the Authority.*

SECTION 55 – P500 - DEPARTMENT OF ENVIRONMENTAL SERVICES

55.1. (DES: Infectious Waste Contingency Fund) The Department of Environmental Services is authorized to use not more than $75,000 from the Infectious Waste Contingency Fund per year for personnel and operating expenses to implement the Infectious Waste Act.

55.2. (DES: Spoil Easement Areas Revenue) The department is authorized to collect, retain and expend funds received from the sale of and/or third party use of spoil easement areas, for the purpose of meeting the State of South Carolina's responsibility for providing adequate spoil easement areas for the Atlantic Intracoastal Waterway in South Carolina.

55.3. (DES: Permitted Site Fund) The Department of Environmental Services may expend funds as necessary from the permitted site fund established pursuant to Section 44-56-160(B)(1), for legal services related to environmental response, regulatory, and enforcement matters, including administrative proceedings and actions in state and all federal courts.

55.4. (DES: Shift Increased Funds) The director is authorized to shift increased appropriated funds in this act to offset shortfalls in other critical program areas.

55.5. (DES: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

55.6. (DES: Compensatory Payment) In the event the President of the United States has declared a state of emergency or the Governor has declared a state of emergency in a county in the State, Fair Labor Standards Act exempt employees of the department may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency Director, and providing funds are available.

55.7. (DES: Storm Water and Ocean Outfalls) In the current fiscal year, funds appropriated to the department for Ocean Outfalls shall be distributed equally to the City of Myrtle Beach and the City of North Myrtle Beach for the purpose of storm water drainage and ocean outfall construction and repair as state matching funds for Horry County Ocean Water Quality Outfall Initiatives. The department shall be authorized to retain and carry forward these funds into the current fiscal year to be used for the same purpose. Any interest generated by the account must be retained and deposited into this account, to be used as state matching funds for either local or federal funding, and utilized for Ocean Water Quality Outfall Initiatives in Horry County.

55.8. (DES: Reimbursement of Expenditures) The Department of Environmental Services is authorized to collect, expend, retain, and carry forward for general operating purposes all funds received in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year.

55.9. (DES: Organizations Receiving State Appropriations) Notwithstanding any other provisions of this act, the funds appropriated to the Department of Environmental Services for the allocation/contribution of specific amounts of state aid to organizations, programs, special items, or activities shall be distributed as appropriated except when instructed by the Executive Budget Office or the General Assembly to reduce funds within the department by a certain percentage, the department may reduce these items up to the stipulated percentage.

55.10. (DES: Pollutants Remediation Fund) (A) Of the funds appropriated for PFAS Remediation, there is established within the Department of Environmental Services the PFOS, PFOA, and Emerging Pollutants Remediation Fund which shall be held and administered by the department for the purpose of remediating drinking water perfluorooctanesulfonic acid (PFOS) pollution, perfluorooctanoic acid (PFOA) pollution, cyanobacteria (blue-green algae), and pollution from other emerging contaminants of concern to the department, currently identified or later identified at or above the EPA Health Advisory Limit or EPA Maximum Containment Level. Earnings on balances in the fund shall be credited to the fund. Amounts remaining in the fund at the end of the fiscal year accrue only to the credit of the fund, and the fund shall be available in perpetuity for the purpose of remediating PFOS, PFOA, and other emerging contaminants.

(B) At least sixty percent of the funds shall be made available to private well owners and municipal, county, joint, or otherwise small public drinking water systems in the form of forgivable loans or grants. Up to forty percent of the funds shall be made available to municipal, county, joint, or otherwise public drinking water systems serving more than thirty thousand customers, in the form of forgivable loans or grants.

(C) Forgivable loans or grants may be disbursed from the fund for the purposes of:

(1) facilitating drinking water improvements that prevent exposure to PFOA and PFOS through drinking water if the combined concentrations of PFOA and PFOS are at or above the EPA Health Advisory Limit of 70 parts per trillion or an updated health advisory or Maximum Contaminant Level issued by EPA;

(2) facilitating drinking water improvements that prevent exposure to PFOA and PFOS through drinking water if a regulated water utility demonstrates evidence of a known source and the presence of PFOA or PFOS, and a department-approved risk assessment indicating the potential to adversely affect public health in the future, regardless of if the current combined concentrations are at or above the EPA Health Advisory Limit of 70 parts per trillion;

(3) facilitating drinking water improvements that prevent exposure to Cyanobacteria to include, but not be limited to, Microcystis, Lyngbya, Dolichospermum, and Planktothrix at or above EPA drinking water health advisories;

(4) facilitating drinking water improvements that prevent exposure to other emerging contaminants of concern to the department through drinking water if these concentrations of these contaminants exceed an EPA Health Advisory Limit or an EPA Maximum Contaminant Level; or

(5) facilitating drinking water improvements that prevent exposure to other emerging contaminants of concern to the department through drinking water if a regulated water utility demonstrates evidence of a known source and the presence of the

contaminants, and a department-approved risk assessment indicating the potential to adversely affect public health in the future, regardless of if the current concentrations are at or above the EPA Health Advisory Limit or EPA Maximum Contaminant Level.

(D) For purposes of this provision, "facilitate drinking water improvements" means providing for the construction or improvements to drinking water supply, storage, treatment, and distribution facilities and associated costs, as determined in consultation between the department, water provider, and the well owner as the most reasonable, that are necessary to:

(1) change water sources including, but not limited to, connecting a private well to public water system or regionalization efforts that facilitate the merger of one or more drinking water systems to a source with no PFOS and PFOA or with lower combined concentrations of PFOS and PFOA; or

(2) treat drinking water, including the utilization of point-of-use or point-of-entry drinking water treatment or filtration systems that are certified by a third-party certification body as compliant with NSF/ANSI standards to remove or significantly reduce concentrations of perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), and other emerging contaminants of concern that meet or exceed the maximum contaminant level (MCL) as set forth by a national primary drinking water regulation proposed by the EPA.

(E) Additional funds may be deposited into the fund, which may include:

(1) funds appropriated by the General Assembly;

(2) private grants, gifts, and bequests;

(3) contributions to the fund in satisfaction of any public or private obligation for environmental mitigation or remediation, whether such obligation arises out of law, equity, contract, regulation, administrative proceeding, or judicial proceeding;

(4) net proceeds of bonds issued by the department; and

(5) interest or other income earned on the monies in the fund.

(F) The department may use up to $2,000,000 from the fund for implementation of its PFAS strategy and for staffing or other costs associated with the administration of the fund.

55.11. (DES: Poultry Manure Application) DES may not expend any funds in the current fiscal year to enforce any portion of a regulation that limits a facility that utilizes poultry manure and other animal by-products and does not allow up to at least seventy-two hours to incorporate the by-product after land application.

55.12. (DES: Deferred Maintenance, Capital Project, Ordinary Repair and Maintenance) The Department Environmental Services is authorized to establish an interest-bearing fund with the State Treasurer to deposit funds for deferred maintenance and other one-time funds from any source. The department is also authorized to retain and deposit into the fund proceeds from the sale of excess real property owned by, under the control of, or assigned to the department. After receiving any required approvals, the department is authorized to expend these funds for the purpose of deferred maintenance, capital project, and ordinary repair and maintenance. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

55.13. (DES: Radiological Health Monetary Penalties) The department shall retain up to the first $30,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to the radiological health programs in DES. These funds shall be separately accounted for in the department's fiscal records.

55.14. (DES: Water Recreational Resources Fund Transfer) For the current fiscal year, notwithstanding the provisions of Section 12-28-2730(D), the Department of Natural Resources shall transfer the amount calculated for the Aquatics Nuisance Species Program from the special water recreational resources fund to the Department of Environmental Services to fund the hydrology and aquatics nuisance species programs transferred to and devolved upon the Department of Environmental Services pursuant to Act 60 of 2023.

55.15. (DES: Data Center Migration) Of the funds appropriated to the Department of Environmental Services for Data Center Migration, the department must utilize the Department of Administration, Division of Technology Operations for shared services including, but not limited to, mainframe services, application hosting, servers, managed servers, storage, network services, and disaster recovery services. Unexpended funds appropriated for the data center migration may be carried forward from the prior fiscal year and used for the same purpose.

55.16. (DES: Allocation of Indirect Cost and Recovery) The department shall continue to deposit in the general fund all indirect cost recoveries for the department's portion of the Statewide Central Services Cost Allocation Plan (SWCAP). The department shall retain recoveries in excess of the SWCAP amount to support the remaining administrative costs of the agency.

55.17. (DES: Grant Authority) The department is authorized to make grants to nonprofit organizations and governmental entities to further the objectives of its environmental programs. The department shall develop policies and procedures and may promulgate regulations to assure compliance with state and federal requirements associated with the funds used for the grants and to assure fairness and accountability in the award and administration of these grants. The department shall be guided by the definitions of "grant" and "procurement" in the South Carolina Procurement Code and the principles of the Federal Grant and Cooperative Agreement Act, 33 U.S.C. 6301-6308, in determining whether an expenditure of funds will be in the form of a grant or a procurement.

55.18. (DES: Revenue Carry Forward Authorization) The Department of Environmental Services is hereby authorized to collect, expend, and carry forward revenues in the following programs: Sale of Goods (confiscated goods, arm patches, sale of minerals, etc.), sale of publications, brochures, Spoil Easement Areas revenue, performance bond forfeiture revenue for restoring damaged critical areas, beach renourishment appropriations, photo copies and certificate forms including, but not limited to, sale of listings and labels, sale of State Code and Supplements, sale of films and slides, sale of maps, sale of items to be recycled including, but not limited to, used motor oil and batteries, sale and/or licensing of software products developed and owned by the department, and collection of registration fees for non-DES employees. Any unexpended balance carried forward must be used for the same purpose.

55.19. (DES: Dam Safety Emergency Fund) The Dam Safety Emergency Fund shall be utilized for emergency actions to protect life or property under Section 49-11-190(D). The department shall deposit up to $250,000 of appropriated funds into the fund at the beginning of each fiscal year. Fund balances shall be carried forward from each prior fiscal year into the current fiscal year and used for the same purpose. Expenses recovered from dam owners under Section 49 -11-190(D) shall be deposited into the fund.

55.20. (DES: Innovative Reusable Byproduct Pilot Program) (A) Of the funds appropriated to the Department of Environmental Service, the department shall create the Innovative Reusable Byproduct Pilot Program. The purpose of the program is to determine whether innovations in manufacturing, food production, timber, and other similar industries regulated by the department can provide new opportunities to use byproduct which would otherwise require management as solid waste. The program shall not apply to: (1) hazardous waste; (2) infectious waste; (3) radioactive waste; or (4) refuse as defined and regulated pursuant to the South Carolina Mining Act.

(B) Interested parties may apply to be considered for participation in the pilot program, but no more than five applicants can be selected for participation at any one time. The terms and conditions for participation by the projects selected by the department shall be set forth in a written agreement which shall provide, at a minimum, that a selected project must cease to operate if it is having a significant adverse impact on the environment.

(C) The department shall submit a report on the program to the General Assembly annually no later than June 30. This report shall include any legislative recommendations to provide for the use of reusable byproducts.

55.21. (DES: Dam Repair Assistance) Of the funds appropriated for system upgrades, there is established within the Department of Environmental Services a Dam Repair Assistance Grant Program. The funds shall be utilized for cost-sharing grants to correct dam deficiencies identified by the Department for high and significant hazard dams regulated under the Dams and Reservoir Safety Act. A grant of up to seventy-five percent (75%) of the total cost to correct the dam deficiency identified by the department may be provided. Funds may also be used by the department to administer and manage the grant program. System upgrades funds shall be carried forward and expended for the same purpose. The department shall maintain policies, criteria, and guidance for the grant program on the department's website.

55.22. (DES: York Water Filtration Fund) ~~Funds remaining of the $700,000 appropriated in Act 239 of 2022, Proviso 118.19 (B)(83)(h) to the Department of Health and Environmental Control for the York Water Filtration Plant shall be transferred and used for the Lincoln Road Sidewalk Project.~~

55.23. (DES: PFAS Pilot Program) There is established within the Department of Environmental Services the PFAS Removal Evaluation Fund. The Department of Environmental Services shall use the fund to create and implement the PFAS Removal Evaluation Pilot Program. The purpose of the pilot program is to evaluate and facilitate the implementation of emerging technologies to remove PFAS compounds from industrial wastewater. The department will establish the selection criteria, terms, and conditions for participation in the pilot program. A progress report on the viability of the piloted technologies and their effectiveness in PFAS removal shall be submitted to the General Assembly no later than June 30, ~~2026~~ *2027*.

55.24. (DES: Permitting Timeframes) Except for Energy Infrastructure Projects, which are defined as the construction, placement, authorization, or removal of energy infrastructure including, but not limited to, electric transmission and generation assets, natural gas transmission assets, and all associated or appurtenant infrastructure and activities, including communications and distribution infrastructure, the Department of Environmental Services will issue a decision on a completed application for a permit no later than ninety days after the date the application is received by the department. The department may require a preapplication meeting with the applicant to establish milestones within the review period prior to commencing the ninety-day review period. The department and applicant may mutually agree in writing to extend the ninety-day review period. Such agreement shall be in writing and state a specific date on when the extension will end. The department shall not stop, stay, or otherwise alter the review period without such written agreement with the applicant.

55.25. *(DES: State Water Plan Funds) In the current fiscal year, all funds previously allocated for State Water Planning purposes may be utilized for statewide water planning and implementation activities. These funds shall support the continued development, completion, and implementation of the South Carolina State Water Plan. Expenditures shall be made in the order in which funds were received until fully expended.*

55.26. *(DES: AI Pilot Program) From the funds appropriated, the Department of Environmental Services shall develop and implement a framework to identify, pilot, and scale artificial intelligence solutions that improve efficiency, transparency, and service delivery in environmental permitting. The framework shall support modernization of environmental permitting by enabling a range of innovative use cases such as streamlining application review, leveraging advanced data analytics, and improving applicant interactions while ensuring security and compliance with all applicable laws and regulations. To support implementation, the department may utilize internships, fellowships, time-limited positions, or other personnel strategies in collaboration with academic institutions and workforce partners. All activities should prioritize innovation and adaptability to meet evolving program needs.*

55.27. *(DES: Permit Central – Nuclear) (A) With funds appropriated in the current fiscal year, the Department of Environmental Services (DES) shall establish Permit Central—Nuclear to develop a roadmap for the coordination and streamlining of permitting processes for advanced nuclear technologies and medical radioactive isotope harvesting activities under existing state authority.*

(B) The roadmap shall address advanced reactor technologies, including Small Modular Reactors (SMRs), molten salt reactors, microreactors, and fusion systems, as well as nuclear lifecycle facilities and activities, which may include, but are not limited to, fuel cycle facilities, advanced manufacturing, testing, integration, deployment, operations, transportation, fuel management, and decommissioning, and use of radioactive isotopes for medical, research, and industrial applications.

(C) In developing the roadmap, DES, through Permit Central—Nuclear, may review the existing state and federal regulatory framework, coordinate with applicable federal authorities including the U.S. Nuclear Regulatory Commission and the U.S. Department of Energy, and identify opportunities to position South Carolina to support advanced nuclear deployment efficiently and effectively under existing law.

(D) Permit Central—Nuclear may utilize existing DES full-time equivalent positions, internships, fellowships, time-limited positions, or other personnel strategies, and may collaborate with industry expertise, including the Savannah River National Laboratory Regulatory Center of Excellence, academic institutions, and nuclear industry experts.

(E) DES, through Permit Central—Nuclear, shall submit a report to the General Assembly by December 1, 2026, outlining the roadmap and any recommended administrative or statutory considerations. Nothing in this proviso shall be construed to expand DES regulatory authority beyond that provided by existing law.

SECTION 57 - B040 - JUDICIAL DEPARTMENT

57.1. (JUD: Prohibit County Salary Supplements) County salary supplements of Judicial Department personnel shall be prohibited.

57.2. (JUD: County Offices For Judges) Every county shall provide for each circuit and family judge residing therein an office with all utilities including a private telephone, and shall provide the same for Supreme Court Justices and Judges of the Court of Appeals upon their request.

57.3. (JUD: Judicial Expense Allowance) Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit Court Judge and any retired judge who receives payment for performing full-time judicial duties pursuant to Section 9-8-120 of the South Carolina Code of Laws, shall receive one thousand five hundred dollars per month as expense allowance.

57.4. (JUD: Special Judge Compensation) In the payment of funds from "Contractual Services," and "Administrative Fund," that no special judge shall be paid for more than a two
week term within a fiscal year except that this restriction will not apply in case of an ongoing trial.

57.5. (JUD: BPI/Merit) Judicial employees shall receive base and average merit pay in the same percentages as such pay are granted to classified state employees.

57.6. (JUD: Supreme Court Bar Admissions) Any funds collected from the Supreme Court Bar Admissions Office may be deposited into an escrow account with the State Treasurer's Office. The department is authorized to receive, expend, retain, and carry forward these funds.

57.7. (JUD: Travel Reimbursement) State employees of the Judicial Department traveling on official state business must be reimbursed in accordance with Proviso 117.20(J) of this act.

57.8. (JUD: Interpreters) The funds appropriated in this section for "Interpreters" shall be used to offset costs associated with interpreters appointed in judicial proceedings under Sections 17-1-50, 15-27-155, and 15-27-15. The selection, use, and reimbursement of interpreters shall be determined under such guidelines as may be established by the Chief Justice of the Supreme Court.

57.9. (JUD: Reimbursement Receipt Deposit) Amounts received as payment for reproducing, printing, and distributing copies of court rules and other department documents shall be retained for use by the department.

57.10. (JUD: Surplus Property Disposal) Technology equipment that has been declared surplus may be donated directly to counties for use in court-related activities.

57.11. (JUD: Judicial Carry Forward) In addition to the funds appropriated in this section, the funds appropriated for the Judicial Department in the prior fiscal year which are not expended during that fiscal year may be carried forward to be expended in the current fiscal year.

57.12. (JUD: Case Management Services) The Judicial Department shall retain revenue generated by charging a fee for technology support services provided to users of the State case management system. These funds may be expended and carried forward to offset the costs of supporting and maintaining the case management system.

57.13. (JUD: Magistrates' Training) ~~From the funds appropriated to the Judicial Department, the department shall provide magistrates annual continuing education on domestic violence, which may include, but is not limited to:~~

~~(1) the nature, extent, and causes of domestic and family violence;~~

~~(2) issues of domestic and family violence concerning children;~~

~~(3) prevention of the use of violence by children;~~

~~(4) sensitivity to gender bias and cultural, racial, and sexual issues;~~

~~(5) the lethality of domestic and family violence;~~

~~(6) legal issues relating to domestic violence and child custody;~~

~~(7) procedures, penalties, programs, and other issues relating to criminal domestic violence, including social and psychological issues relating to such violence, the vulnerability of victims and volatility of perpetrators, and the court's role in ensuring that the parties have appropriate and adequate representation; and~~

~~(8) procedures and other matters relating to issuing orders of protection from domestic violence.~~

57.14. (JUD: Judges Salary Exemption) For the current fiscal year, judges' salaries and related employer contributions in Part IA, Section 57, are exempt from mid-year across-the-board reductions.

57.15. (JUD: Judicial Department Applicability) For purposes of this act and any other provision of law that would have any effect on the expenditure of state revenue through the applicability of the particular provision or through compliance with a mandate or requirement of the provision, the terms "state agency" or "agency" do not include any component of the Judicial Department unless the provision of law specifically includes these entities and the inclusion only applies for purposes of the particular provision.

57.16. (JUD: Court Costs Carry Forward) The Judicial Department shall retain the funds collected from costs related to court proceedings (including the cost of hearings, investigations, prosecution, service of process and court reporter services) under Rules 413 or 502 of the SC Appellate Court Rules, or from costs related to the appointment of a receiver or an attorney to assist the receiver under Rule 413, that are assessed against a party. The department is authorized to receive, expend, retain, and carry forward these funds which shall be used for the same purpose.

57.17. (JUD: Appellate Court Fee) The Judicial Department shall retain the funds collected as required by the SC Appellate Court Rules. The department is authorized to receive, expend, retain, and carry forward these funds which shall be used by the department.

57.18. (JUD: Interpreter Training and Certification) The Judicial Department shall collect and retain funds received from applicants for interpreter training and certification tests. These funds shall be used to offset expenses incurred for the SC Court Interpreter Certification Program. The department is authorized to receive, expend, retain, and carry forward these funds.

57.19. (JUD: Travel Court) Upon approval of the Chief Justice, Supreme Court Justices and Judges of the Court of Appeals or any acting Justice on the Supreme Court or acting Judge of the Court of Appeals may be reimbursed for actual expenses incurred for a traveling term of court held outside of Richland County.

57.20. (JUD: Calhoun and Supreme Court Building Office Space Renovations) ~~Funds appropriated in Act 239 of 2022, Section 118.19(48) to the Judicial Department for the Court of Appeals New Courtroom and Office Space shall be redirected to be used to renovate office space located in the Calhoun Building and Supreme Court Building.~~

57.21. (JUD: Administrative Expense for Retired Judges) Upon approval of the Chief Justice, a retired judge or justice appointed by the Chief Justice to perform judicial duties shall receive $400 per day.

57.22. (JUD: Chief Administrative Judge Allowance) Each Chief Administrative Judge assigned to Circuit and Family Courts shall receive one thousand dollars per month as an administrative allowance.

57.23. *(JUD: Family Court Judges)* **DELETED**

SECTION 58 - C050 - ADMINISTRATIVE LAW COURT

58.1. (ALC: Copying Costs Revenue Deposit) The Administrative Law Court shall retain and expend, for the same purpose for which it is generated, all revenue received during the current fiscal year as payment for printing and distributing copies of court rules and other agency documents.

58.2. (ALC: County Office Space for Judges) Every county shall provide for each Administrative Law Judge residing therein, upon their request, an office within the existing physical facilities if space is available, to include all utilities and a private telephone.

The request shall only be made provided that the judge's residence is not within fifty miles of the official headquarters of the agency by which the Administrative Law Judge is employed.

58.3. (ALC: ALJ Travel) While holding court or on other official business outside the county in which he resides, within fifty miles of his residence, an Administrative Law Judge is entitled to a subsistence allowance in the amount of $35 per day plus such mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a location fifty miles or more from his residence, an Administrative Law Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State. However, notwithstanding any other provision of law, the allowance as provided shall not exceed $8,000 per judge in a fiscal year.

58.4. (ALC: Office Space for Hearing Officers) Every county and municipality shall provide a space to conduct administrative hearings for the Office of Motor Vehicle Hearings upon request by the Chief Judge of the ALC. This space shall be within their existing physical facilities and include all utilities.

SECTION 59 - E200 - OFFICE OF ATTORNEY GENERAL

59.1. (AG: Prior Year Expenditures) The Office of Attorney General is authorized to use unexpended federal funds in the current fiscal year to pay for expenditures incurred in the prior fiscal year.

59.2. (AG: Other Funds Carry Forward) Any balance of unexpended funds, not including general fund appropriations, may be carried forward for the operation of the Office of Attorney General.

59.3. (AG: Reimbursement for Expenditures) The Office of Attorney General may retain for general operating purposes, any reimbursement of funds for expenses incurred in a prior fiscal year.

59.4. (AG: Donation Carry Forward) All revenue derived from donations received at the Office of the Attorney General shall be retained, carried forward, and expended according to agreement reached between the donor, or donors, and the Attorney General.

59.5. (AG: Securities Fee Revenue) Funds collected by the Office of the Attorney General pursuant to Section 35-1-702(b) may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose. All funds collected pursuant to Section 35-1-702 and not specifically directed in statute shall be remitted to the General Fund of the State.

59.6. (AG: Savannah River Maritime Commission Funds) The Office of the Attorney General is authorized to use funds appropriated for litigation expenses related to the Savannah River Maritime Commission to reimburse litigation expenditures incurred by the Office of the Attorney General on behalf of the Savannah River Maritime Commission, the State, or other state agency during the current fiscal year for any proposed or existing federal project on the Savannah River related to construction in navigable waters or water quality. Following the conclusion of these litigation matters any remaining funds shall be deposited in the General Fund.

59.7. (AG: Gang Violence Prevention/Youth Mentor) The Office of the Attorney General may expend other funds to implement and maintain gang prevention and youth mentoring programs in conjunction with Section 63-19-1430 of the 1976 Code, the Youth Mentor Act.

59.8. (AG: Litigation Recovery Account) During the current fiscal year, when there is a recovery or an award in any litigation managed by the Attorney General, any funds received that would have otherwise been credited to the General Fund shall be deposited

to the credit of a special account created in the Office of State Treasurer entitled "Litigation Recovery Account." The funds deposited in this account must be expended only as prescribed by law.

59.9. (AG: Public Official Attorney Fees) The Executive Director of the State Fiscal Accountability Authority shall pay from the Insurance Reserve Fund, up to $50,000 of opposing attorney's fees and court costs as ordered by the court in those cases in which the Attorney General defends one or more public officers in their official capacities.

The Attorney General must certify to the Executive Director the amount the court has ordered the Attorney General to pay for opposing attorney's fees and court costs and upon receipt of the certification, the Executive Director shall pay up to $50,000 of the amount certified to the appropriate individual or entity. The Attorney General must report any court ordered payment of attorney's fees and court costs that exceed $50,000 to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee for consideration by the General Assembly.

59.10. (AG: Victim/Witness Program Formula Distribution) If funds in the South Carolina Victims' Compensation Fund exceed the amount required to operate the State Crime Victim Compensation Department and pay claims of crime victims, the first $650,000 of such excess must be used for Victim/Witness programs by distribution to Judicial Circuits based on a formula and criteria developed by the policy committee, and otherwise subject to requirements of Proviso 60.8.

59.11. (AG: Physical Abuse Examinations) Of the funds appropriated in this section for Victims' Rights, up to $120,000 may be expended for physical abuse examinations.

59.12. (AG: Procuring Services) In order to maximize services for victims of crime, if the fulfilling of requirements pursuant to Section 16-3-1410 of the 1976 Code, necessitates hiring any outside entities, the State Crime Victim Compensation Department must follow procedures established by the SC Consolidated Procurement Code. Any entity contracting with the agency will submit an annual report by August first to the Governor's Office and to the Chairmen of the Senate Finance Committee and House Ways and Means Committee detailing expenditures from the prior fiscal year in accordance with the State Office of Victims' Assistance. The Attorney General's Office is directed to transfer $122,032 of the funds carried forward from the prior fiscal year in the Victims' Compensation Fund, and up to $41,892 from general funds from Victim's Assistance to pay for any contracts or services procured.

59.13. (AG: State Crime Victim Compensation Department) For the current fiscal year, The State Crime Victim Compensation Department may enter into memoranda of agreement with third-party victim service providers to secure emergency medical, transportation, or other crisis stabilization services on a reimbursable basis. Such agreements shall not allow for more than eight percent of the total reimbursement to cover a provider's administrative, marketing, and advocacy costs. Annually, and no later than October first of each year, the State Crime Victim Compensation Department shall report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of House Ways and Means Committee on the performance of third-party providers and the use of funds authorized pursuant to this provision in the prior fiscal year.

59.14. (AG: State Crime Victim Compensation) A county or municipality may retain carry forward funds that were collected pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208 (B) and (D), and 14-1-211 (B) of the 1976 Code, but no more than $25,000 or ten percent of funds collected in the prior fiscal year, whichever is higher. If a county or municipality does not spend at least ninety percent of the funds collected pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208 (B) and (D), and 14-1-211 (B) on Article 16, Chapter 3, Title 16 first priority and/or second priority programs during the fiscal year

that the funds are received then the county or municipality shall remit any unspent funds that are greater than the allowed carried forward funds, regardless of the year collected, to the State Victim Assistance Program (SVAP) with the Office of the Attorney General within 120 days after the end of the fiscal year. All funds must be accounted for in the annual audit for each county or municipality.

The State Crime Victim Compensation Department shall offer training and technical assistance to each municipality and county annually on acceptable use of both priority one and priority two funds and funds available for competitive bid.

The State Crime Victim Compensation Department is authorized to transfer to the State Victim Assistance Program any state funds deemed available under Crime Victims Compensation authority to the State Victim Assistance Programs be placed in the competitive bid process.

The State Victim Assistance Program shall offer any funds remitted to it to non-profit organizations that provide direct victim services on a competitive bid process. These funds may be used by the non-profit for administrative costs and victim services.

A county or municipality may be exempt from the remittance requirements of this proviso upon submission of a plan to the State Crime Victim Compensation Department that meets the statutory requirements for the use of funds. A county or municipality must submit the report within 60 days after the end of the fiscal year. The State Crime Victim Compensation Department shall review the submitted plan and advise the county or municipality of plan compliance with statutory requirements.

59.15. (AG: Crime Victim Services Funeral and Burial Compensation) The Department of Crime Victim Compensation shall set a funeral and burial compensation maximum of $6,500.

59.16. (AG: Attorney General Representation) In the current fiscal year, when the Attorney General institutes or defends an action on behalf of the State of South Carolina pursuant to any power granted by the common law, the Constitution of South Carolina, 1895, or the South Carolina Code of Laws, he acts in the public interest of the State of South Carolina and not as the legal representative or attorney of any department or agency of state government, including the executive, legislative, or judicial branches, or boards. Departments, agencies, or boards are not parties to these actions, and the documents or electronically-stored information of such departments, agencies, or boards are not in the possession, custody, or control of the Attorney General. This provision does not affect the ability of the Attorney General to institute or defend an action in a proprietary capacity on behalf of or representing any department, agency, or board. Unless the Attorney General institutes actions for damages in the name of and on behalf of a department, state agency, or board, the Attorney General acts in the public interest of South Carolina as provided in this provision.

59.17. (AG: ICAC Affiliate Counseling and Spousal Support Group) From funds appropriated, the South Carolina Attorney General's Office (SCAGO) is authorized to provide private monthly counseling sessions with a clinically licensed mental health professional for the law enforcement and prosecution staff trained by the SCAGO and affiliated with the SC Internet Crimes Against Children (ICAC) Task Force, and to provide four annual group counseling sessions for the spouses of the ICAC Task Force members.

SECTION 60 - E210 – COMMISSION ON PROSECUTION COORDINATION

60.1. (PCC: Solicitor Salary) The amount appropriated in this section for salaries of solicitors shall be paid to each full-time solicitor. Each full-time circuit solicitor shall earn a salary not less than each full-time circuit court judge.

60.2. (PCC: Solicitor Expense Allowance) Each solicitor shall receive one thousand dollars ($1,000.00) per month as expense allowance.

60.3. (PCC: Judicial Circuits State Support) The amount appropriated and authorized in this section for Judicial Circuits (16) State Support shall be apportioned among the circuits. The first ~~$7,632,961~~ *$9,232,961* shall be distributed on a per capita basis based upon the current official census. The next ~~$2,919,041~~ *$6,399,041* shall be distributed on a pro-rata basis in equal amounts. Payment shall be made as soon after the beginning of each quarter as practical.

60.4. (PCC: Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year may be carried forward into the current fiscal year and expended for the operation of the Commission on Prosecution Coordination or the Offices of the Solicitor relating to operational expenses.

60.5. (PCC: Solicitor's Office - County Funding Level) It is the intent of the General Assembly that the amounts appropriated for solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services without any additional charges. If the county reduces the amount of support provided to solicitors' offices below the level provided in the prior fiscal year the Solicitor shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the amount of such reduced support.

60.6. (PCC: Solicitors Victim/Witness Assistance Programs) When funds are available, the amount appropriated and authorized in Part IA, Section 60 for Solicitors Victim/Witness Assistance Programs shall be apportioned among the circuits on a per capita basis and based upon the current official census. Payment shall be made as soon after the beginning of each quarter as practical.

60.7. (PCC: CDV Prosecution) The amount appropriated and authorized in this section for Criminal Domestic Violence Prosecution shall be apportioned among the circuits on a pro-rata basis. If not privileged information, the Commission on Prosecution Coordination shall collect and retain information and data regarding Criminal Domestic Violence Prosecution and shall include: the number of dispositions, types of dispositions and county in which the disposition took place and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal year.

60.8. (PCC: Establish Victim/Witness Program) The funds appropriated in this section for Victim/Witness Program must be equally divided among the judicial circuits, less any adjustments made for budget reductions. The funds for each circuit must be distributed to the solicitor's office of that circuit and only used by the solicitor for the purpose of establishing a Victim/Witness Program in the circuit which shall provide, but not be limited to, the following services:

(1) Make available to victims/witnesses information concerning their cases from filing in general sessions court through disposition.

(2) Keep the victim/witness informed of his rights and support his right to protection from intimidation.

(3) Inform victims/witnesses of and make appropriate referrals to available services such as medical, social, counseling, and victims' compensation services.

(4) Assist in the preparation of victims/witnesses for court.

(5) Provide assistance and support to the families or survivors of victims where appropriate.

(6) Provide any other necessary support services to victims/witnesses such as contact with employers or creditors.

(7) Promote public awareness of the program and services available for crime victims.

The funds may not be used for other victim-related services until the above functions are provided in an adequate manner.

It is the intent of the General Assembly that the amounts appropriated in this section for victim assistance programs in solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services. Any reduction by any county in funding for victim assistance programs in solicitors' offices shall result in a corresponding decrease of state funds provided to the solicitors' office in that county for victim assistance services. Each solicitor's office shall submit an annual financial and programmatic report which describes the use of these funds. The report shall be submitted to the Governor, the Attorney General, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on October first, for the preceding fiscal year.

60.9. (PCC: DUI Prosecution) The amount appropriated and authorized in this section for Driving Under the Influence Prosecution shall be apportioned among the circuits on a pro-rata basis. If not privileged information, the Commission on Prosecution Coordination shall collect and retain information and data regarding Driving Under the Influence Prosecution and shall include: the number of dispositions, types of dispositions and county in which the disposition took place and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal year.

60.10. (PCC: Violent Crime Prosecution) The amount appropriated and authorized in this section for Violent Crime Prosecution shall be apportioned pro rata among the circuits. Payment shall be made as soon after the beginning of each quarter as practical.

60.11. (PCC: Caseload Equalization Funding) The amount appropriated in this act and authorized for Caseload Equalization will have the first $10,350,000 distributed at an amount of $225,000 per county. The remaining $12,006,872 shall be distributed based upon the average incoming caseload for each county as reported by the Judicial Department for the prior three fiscal years.

60.12. (PCC: Summary Court Domestic Violence Fund Distribution) The Summary Court Domestic Violence Prosecution funding shall be distributed based on the average incoming caseload for each county as reported by the South Carolina Judicial Department for the prior three fiscal years.

60.13. (PCC: Drug Court Funding) The funds appropriated to the Commission on Prosecution Coordination for drug court funding and distributed to the Offices of Solicitor shall be used for the purpose of operating drug courts and other diversion programs.

SECTION 61 - E230 – COMMISSION ON INDIGENT DEFENSE

61.1. (INDEF: Defense of Indigents Formula) The amount appropriated in this act for "Defense of Indigents" shall have the first $3,600,000 distributed as follows: $1,200,000 shall be distributed in the amount of $75,000 per circuit for 1.00 Public Defender and $2,400,000 shall be distributed in the amount of $150,000 per circuit for 2.00 investigators; the remaining amount appropriated shall be apportioned among counties in accord with Section 17-3-330 of the 1976 Code, but on a per capita basis and based upon the most current official decennial census of the United States; provided that no county shall receive funding in an amount less than the amount apportioned to it as of July 1, 2020. The level of contribution of each county as of July 1, 2001, must be maintained. No county shall be permitted to contribute less money than the amount the county contributed in the prior fiscal year. Within the amount of money established for indigent defense services, the State shall authorize the Commission on Indigent Defense to receive up to or spend no more than $3,000,000 for the Death Penalty Trial Fund annually for use of the defense in capital cases pursuant to Section 16-3-26 of the 1976 Code, for juveniles facing the possibility of a sentence of life without parole, and for the expenses of the operation of the Commission on Indigent Defense to include salaries and operations expenses of the Death Penalty Trial Division. The State

also shall authorize the Commission on Indigent Defense to receive up to or spend no more than $2,500,000 annually to pay fees and expenses of private counsel appointed in noncapital cases pursuant to Section 17-3-50 (Conflict Fund). Of the funds generated from the fees imposed under Sections 14-1-206(C)(4), 14-1-207(C)(6) and 14-1-208(C)(6),on a monthly basis, fifty percent must be deposited into the Death Penalty Trial Fund, fifteen percent must be deposited into the Conflict Fund, and thirty-five percent each month must be apportioned among the counties' public defender offices pursuant to Section 17-3-330. At the end of each fiscal year any leftover funds shall carryover to the next fiscal year for the same purposes. All applications for the payment of fees and expenses in capital cases shall be applied for from the Death Penalty Trial Fund which shall be administered by the Commission on Indigent Defense. All applications for the payment of fees and expenses of private counsel or expenses of public defenders pursuant to Section 17-3-50 shall be applied for from the Conflict Fund administered by the Commission on Indigent Defense. Reimbursement in excess of the hourly rate and limit set forth in Section 17-3-50 is authorized only if the court certifies, in a written order with specific findings of fact, prior to the fees being incurred, that reimbursement in excess of the rates or limit is necessary to provide reimbursement adequate to ensure effective assistance of counsel and reimbursement in excess of the limit is appropriate because the services to be provided are reasonable and necessary. If prior approval by written order of the court is not obtained, no additional fees shall be paid under any circumstances.

Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the representation of the defendant, the court shall authorize the defendant's attorney to obtain such services on behalf of the defendant and shall authorize the payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed five hundred dollars as the court considers appropriate. Payment in excess of the five hundred dollar limit is authorized only if the court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall be made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of the court is not obtained, no additional expenses shall be paid under any circumstances.

Indigent defense vouchers authorized in this provision must be reviewed and paid pursuant to procedures and policies established by the Commission on Indigent Defense. The commission shall provide a copy of the established procedures and policies to the Senate Finance Committee and the House Ways and Means Committee.

61.2. (INDEF: State Employee Compensation Prohibited) Except as otherwise provided in Proviso 117.5, no money appropriated pursuant to Defense of Indigents shall be used to compensate any state employees appointed by the court as examiners, guardians ad litem or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.

61.3. (INDEF: Appellate Conflict Fund) The purpose of the Appellate Conflict Fund is to provide money to pay attorneys for representing indigent defendants on appellate review when the Office of Appellate Defense is unable to do so. Funds designated for appellate use in conflict cases shall be administered by the Commission on Indigent Defense. The Office of Appellate Defense must first determine that it is unable to provide representation. Fees shall be $40 per hour for out of court work and $60 for in court work, with a maximum of $3,500 per case for noncapital appeals. Fees shall be $50 per hour for out of court work and $75 per hour for in court work in capital appeals with a maximum of $10,000 per capital appeal. The appropriate appellate court shall review and approve vouchers for payment for appellate conflict cases. The Office of Appellate Defense shall continue to provide printing and

other support functions currently provided from their resources. On June thirtieth of each year, the Commission on Indigent Defense shall review all outstanding obligations in this fund. Any unspent and unobligated money shall be used to pay outstanding vouchers in the Death Penalty Trial Fund or the Conflict Fund, provided the designated fund has become exhausted during the year.

61.4. (INDEF: SC Appellate Court Rule 608 Appointments) The funds appropriated under "SC Appellate Court Rule 608 Appointments" shall be used for Civil Court Appointments including Termination of Parental Rights, Abuse and Neglect, Probate Court Commitments, Sexually Violent Predator Act, and Post-Conviction Relief (PCR) and Criminal Conflict appointments to reimburse court appointed private attorneys and for other expenditures as specified in this provision. SC Appellate Court Rule 608 Appointments funds may not be transferred or used for any other purpose.

A portion of the funds appropriated under "SC Appellate Court Rule 608 Appointments" shall be used for "Termination of Parental Rights" cases and "Abuse and Neglect" cases to reimburse private attorneys who are appointed by the Family Court to represent guardians ad litem, children, or parents under the provisions of Sections 63-7-1620 et seq., 63-7-2560 et seq., 63-9-320(A)(2) et seq., 63-19-810 et seq., and 63-19-2210 et seq.; for "Probate Court Commitment" cases to reimburse private attorneys who are appointed by the Probate Court to represent indigent persons; and for "Sexually Violent Predator" cases to reimburse private attorneys who are appointed by the Circuit Court pursuant to Sections 44-48-10, et seq., to represent indigent persons. When private counsel is appointed pursuant to these provisions, counsel shall be reimbursed a reasonable fee to be determined on the basis of fifty dollars per hour or reimbursement may also be made on the basis of a set (flat) fee. The method of payment and the amount of the set fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed two thousand dollars for any case under which such private attorney is appointed.

A portion of the funds appropriated under "SC Appellate Court Rule 608 Appointments" shall be used for noncapital Post Conviction Relief Cases. Any attorney appointed shall be compensated at a rate not to exceed forty dollars per hour for time expended out of court and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The method of payment and amount of set (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed one thousand dollars in any single case.

A portion of the funds appropriated under "SC Appellate Court Rule 608 Appointments" shall be used for noncapital criminal cases pursuant to Section 17-3-50 (Conflict Fund). Any attorney appointed shall be compensated at a rate not to exceed forty dollars per hour for time expended out of court and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The method of payment and amount of set (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed three thousand five hundred dollars in any single felony case or one thousand dollars in any single misdemeanor case.

Reimbursement in excess of the hourly rate and limit set forth herein is authorized only if the court certifies, in a written order with specific findings of fact, prior to the fees being incurred, that reimbursement in excess of the rates or limit is necessary to provide reimbursement adequate to ensure effective assistance of counsel and reimbursement in excess of the limit is appropriate because the services to be provided are reasonable and necessary. If prior approval by written order of the court is not obtained, no additional fees shall be paid under any circumstances.

Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the representation of the defendant, the court shall authorize the defendant's attorney to obtain such services on behalf of the defendant and shall authorize the payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed

five hundred dollars as the court considers appropriate. Payment in excess of the five hundred dollar limit is authorized only if the court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall be made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of the court is not obtained, no additional expenses shall be paid under any circumstances.

Indigent defense vouchers authorized in this provision must be reviewed and paid pursuant to procedures and policies established by the Commission on Indigent Defense. The commission shall provide a copy of the established procedures and policies to the Senate Finance Committee and the House Ways and Means Committee.

A portion of the funds appropriated under "SC Appellate Court Rule 608 Appointments" may be used by the Commission on Indigent Defense to retain, on a contractual basis, the services of attorneys and other professionals to assist court appointed attorneys to provide quality and effective representation. The commission shall establish all policies, procedures, and contract provisions as it deems appropriate for the implementation of the system including, but not limited to, the selection and compensation of contract awardees.

61.5. (INDEF: Carry Forward) To offset budget reductions, the Commission on Indigent Defense may carry forward and utilize any unencumbered balances available in the Appellate Conflict Fund and the SC Appellate Court Rule 608 Appointment Fund at the end of the prior fiscal year.

61.6. (INDEF: Public Defender Fee) Every person placed on probation on or after July 1, 2003, who was represented by a public defender or appointed counsel, shall be assessed a fee of five hundred dollars. The revenue generated from this fee must be collected by the clerk of court and sent on a monthly basis to the Commission on Indigent Defense. However, if a defendant fails to pay this fee, this failure alone is not sufficient basis for incarceration for a probation violation. This assessment shall be collected and paid over before any other fees.

61.7. (INDEF: Defense of Indigents Civil Action Application Fee) (A) A person requesting appointment of counsel in any termination of parental rights (TPR), abuse and neglect, or any other civil court action in this state shall execute an affidavit that the person is financially unable to employ counsel and that affidavit shall set forth all of the person's assets. This affidavit must be completed before counsel may be appointed. If it appears that the person has some assets but they are insufficient to employ private counsel, the court, in its discretion, may order the person to pay these assets or a portion thereof to the Commission on Indigent Defense.

(B) A forty dollar application fee for appointed counsel services must be collected from every person who executes an affidavit that they are financially unable to employ counsel. The person may apply to the court, the clerk of court, or other appropriate official for a waiver or reduction in the application fee. If it is determined that the person is unable to pay the application fee, the fee may be waived or reduced, provided that if the fee is waived or reduced, the clerk or appropriate official shall report the amount waived or reduced to the trial judge and the trial judge shall order the remainder of the fee paid by a time payment method or such method as the trial judge deems appropriate. The clerk of court or other appropriate official shall collect the application fee imposed by this section and remit the proceeds to the State Treasurer's Office on a monthly basis separate from the application fee collected pursuant to Section 17-3-30(B). The monies must be deposited in an interest-bearing account separate from the general fund and used only to provide for indigent defense services. The monies shall be administered by the Commission on Indigent Defense. The clerk of

court or other appropriate official shall maintain a record of all persons applying for representation and the disposition of the application and shall provide this information to the Commission on Indigent Defense on a monthly basis as well as reporting the amount of funds collected or waived.

(C) In matters in which a juvenile is brought before a court, the parents or legal guardian of such juvenile shall execute the above affidavit based upon their financial status and shall be responsible for paying any fee. In matters concerning juveniles, the parents or legal guardians of said juvenile, shall be advised in writing of this requirement at the earliest stage of the proceedings against said juvenile.

(D) Nothing contained above shall restrict or hinder a court from appointing counsel in any emergency proceedings or where existing statutes do not provide sufficient time for an individual to complete the application process.

(E) The appointment of counsel, as herein before provided, creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in an amount equal to the costs of representation as determined by a voucher submitted by the appointed counsel and approved by the court, less that amount that the person pays to the appointed counsel.

(F) Such claim shall be filed in the office of the clerk of court in the county where the person is assigned counsel, but the filing of a claim shall not constitute a lien against real or personal property of the person unless, in the discretion of the court, part or all of such claim is reduced to judgment by appropriate order of the court, after serving the person with at least thirty days' notice that judgment will be entered. When a claim is reduced to judgment, it shall have the same effect as judgments, except as modified by this provision.

61.8. (INDEF: Exemption for Pass Through Funding) The funds distributed by the Commission on Indigent Defense to the Legal Services Corporation in accordance with Section 14-1-204 of the 1976 Code shall not be considered part of the commission's budget for purposes of calculating budget reductions.

61.9. (INDEF: Reporting Requirement) Circuit Public Defenders shall provide, in a manner and form as the agency head requires, information and data concerning caseloads, dispositions, and other information as required by the agency head or General Assembly. The agency shall withhold payments and transfers to Circuit Public Defenders who are not in compliance with the agency reporting requirements.

61.10. (INDEF: Capital Case Contract Attorneys) Funds appropriated from the Death Penalty Trial Fund may be used by the commission to retain, on a contractual basis, the service of attorneys qualified to provide representation in capital proceedings to include: capital trials, post-conviction relief actions, re-sentencing, appeals or any other capital litigation proceeding.

The commission shall establish all policies, procedures, and contract provisions as it deems appropriate for the implementation of the system, including but not limited to the selection and compensation of contract awardees. The commission may use these funds to retain, on a contractual basis, the services of other professionals to assist court appointed attorneys to provide quality and effective representation in the above capital proceedings.

61.11. (INDEF: Optional Courts and Indigent Representation) If a municipality has or elects to have an optional municipal court system, it must provide adequate funds for representation of indigents. No public defender shall be appointed in any such court unless the municipality and the office of the circuit public defender have reached an agreement for indigent representation and no funds allocated to the commission shall be used to provide compensation for appointed counsel in municipal courts.

61.12. (INDEF: Indigent Sex Offender Registry Removal Cases) The funding appropriated under SC Appellate Court Rule 608 Appointments shall be used for Sex Offender Registry Removal actions to include court ordered investigative, expert, or other services necessary for representation by public defenders or other private appointed counsel.

Any private attorney appointed shall be compensated at a rate not to exceed forty dollars per hour for time expended out of court and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The method of payment and amount of set (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed three thousand five hundred dollars.

Reimbursement in excess of the hourly rate and limit set forth herein is authorized only if the court certifies, in a written order with specific findings of fact, prior to the fees being incurred, that reimbursement in excess of the rates or limit is necessary to provide reimbursement adequate to ensure effective assistance of counsel and reimbursement in excess of the limit is appropriate because the services to be provided are reasonable and necessary. If prior approval by written order of the court is not obtained, no additional fees shall be paid under any circumstances.

Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the representation of the defendant, the court shall authorize the defendant's attorney to obtain such services on behalf of the defendant and shall authorize the payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed five hundred dollars as the court considers appropriate. Payment in excess of the five-hundred-dollar limit is authorized only if the court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall be made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of the court is not obtained, no additional expenses shall be paid under any circumstances.

The Commission on Indigent Defense may retain, on a contractual basis, the services of attorneys and other professionals to assist court appointed attorneys to provide quality and effective representation in these cases.

61.13. (INDEF: Assistant Public Defender Personnel and Retention Funding) The $11,200,733 appropriated shall be distributed as follows: $5,746,944 shall be distributed in the amount of $359,184 per circuit for 3.00 Public Defenders; and the remaining amount of $5,453,789 shall be apportioned on a per capita basis and based upon the most current official decennial census of the United States.

61.14. *(INDEF: Public Defender Technology and Digital Storage) The $691,000 appropriated shall be apportioned among the circuits in quarterly disbursements. The first $360,000 shall be distributed on a pro-rata basis at $22,500 per circuit, and the remaining $331,000 shall be distributed on a per capita basis.*

SECTION 62 - D100 - STATE LAW ENFORCEMENT DIVISION

62.1. (SLED: Special Account Carry Forward) Funds awarded to the State Law Enforcement Division by either court order or from donations or contributions shall be deposited in a special account with the State Treasurer, and shall be carried forward from year to year, and withdrawn from the Treasurer as needed to fulfill the purposes and conditions of the said order, donations or contributions, if specified, and if not specified, as may be directed by the Chief of the State Law Enforcement Division. Funds

expended from the special account must be annually reported by October first to the Senate Finance Committee and the Ways and Means Committee.

62.2. (SLED: Computer/Communications Center Carry Forward) Revenue generated from the operation of the division's criminal justice computer/communications center and not expended during the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

62.3. (SLED: Agents Operations Carry Forward) Any unexpended balance on June thirtieth, of the prior fiscal year, in Part IA, Section 62 of the section "Agents Operations" may be carried forward and expended for the same purpose in the current fiscal year.

62.4. (SLED: Match for Federal Grants Carry Forward) State appropriations to SLED that are required to provide match for federal grant programs in the prior fiscal year may be carried forward into the current fiscal year and expended for the same purpose as originally appropriated.

62.5. (SLED: Clothing Allowance) The State Law Enforcement Division is hereby authorized to provide agents and criminalists with an annual clothing allowance (on a pro rata basis) not to exceed $600 per agent/criminalist for required clothing used in the line of duty.

62.6. (SLED: Witness Fee) The State Law Enforcement Division is hereby authorized to charge a witness fee of $130.00 per hour up to $1,000 per day for each employee testifying in civil matters which do not involve the State as a part in interest. This fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial appearances and deposited into a designated revenue account.

62.7. (SLED: Commissioned Officers' Physicals) The department is authorized to pay for the cost of physical examinations for department personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

62.8. (SLED: Meals in Emergency Operations) The State Law Enforcement Division may provide meals to employees of SLED who are not permitted to leave assigned duty stations and are required to work during deployment, emergency simulation exercises and when the Governor declares a state of emergency.

62.9. (SLED: Hazardous Materials Security Detail) The State Law Enforcement Division (SLED) is authorized to be reimbursed for security related law enforcement services provided to entities authorized to transport sensitive materials within the borders of South Carolina. SLED shall determine all costs associated with security details and is authorized to coordinate the collection, retention, and distribution to any assisting agency. SLED and each assisting agency shall expend any funds associated with minimizing risks related to the transportation of these hazardous materials for the implementation of homeland security initiatives.

62.10. (SLED: Sex Offender Registry Fee) Each Sheriff is authorized to charge and collect an annual amount of one hundred fifty dollars from each sex offender required to register by law. If such sex offender has been declared indigent by the Sheriff of the county in which the offender must register and provides proof of the declaration at the time of registration, the fee will automatically be waived. If an offender is not declared indigent and fails to pay the fee, he is officially declared unregistered. This fee shall be divided between the Sheriffs and the State Law Enforcement Division with one hundred dollars of the fee retained by the Sheriffs and the remaining fifty dollars remitted by the Sheriffs to SLED on a quarterly basis. These funds must be used to support the Statewide Sex Offender Registry.

62.11. (SLED: Private Detective Fees Criminal History Checks) The State Law Enforcement Division is authorized to charge private detective companies, individual private detectives, private security companies, armed security guards, and proprietary

security companies a fee of twenty-five dollars to process state criminal history checks and fifty dollars for federal fingerprint based criminal history checks. These funds shall be collected, retained, expended, and carried forward by the State Law Enforcement Division.

62.12. (SLED: CWP Instructors Certification) The State Law Enforcement Division is authorized to charge one hundred dollars for the issuance of a Certified Concealable Weapons Permit Instructor certificate, and one hundred dollars every three years for each renewal. These funds shall be collected, retained, expended, and carried forward by the State Law Enforcement Division.

62.13. (SLED: Expungement Requests) The State Law Enforcement Division is authorized to collect a twenty-five dollar expungement fee for each request to expunge criminal records. These funds shall be used to offset the operational and research expenses associated with processing these expungement requests. SLED is authorized to collect, retain, expend, and carry forward these funds. Persons found not guilty by a court of competent jurisdiction or where charges have been dismissed or nolle prossed shall be excluded from the fee requirement.

62.14. (SLED: Retention of Funds Reimbursed by State or Federal Agencies) The State Law Enforcement Division is authorized to collect, expend, retain, and carry forward all funds received from other state or federal agencies in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year.

62.15. (SLED: Monies Associated with Illegal Gaming Devices) The State Law Enforcement Division is authorized to retain, expend, and carry forward all monies associated with illegal gaming devices seized by the division, once orders of destruction and awarding of these monies have been received from a court of competent jurisdiction.

62.16. (SLED: Private Detective/Security Fee) The license and registration fees set by the State Law Enforcement Division for private detective businesses, private security businesses, including employees of these businesses, and companies which provide private security on their own premises must not exceed those fees set by regulation as of January 1, 2011, unless otherwise approved by the General Assembly. From the funds collected from these fees, the State Law Enforcement Division must transfer $480,000 to the Department of Public Safety which shall be used for the purpose of providing security in the Capitol Complex area.

62.17. (SLED: Criminal Record Search Fees) The State Law Enforcement Division is authorized to charge and collect a fee of eight dollars for a criminal record search for local park and recreation volunteers through a commission, municipality, county, or the South Carolina Department of Parks, Recreation and Tourism. Any organization that is authorized to receive the reduced fee must not charge the volunteer, mentor, member, or employee more than the eight dollars or any additional fee that is not required by the State Law Enforcement Division. All criminal record searches conducted under this provision must be for a volunteer, mentor, member or employee performing in an official capacity of the organization and must not be resold.

62.18. (SLED: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the State Law Enforcement Division may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the Chief, and providing funds are available.

62.19. (SLED: Meth Lab Clean Up Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year, in the special line “Meth Lab Clean Up” may be carried forward and expended for agency law enforcement operations in the current fiscal year.

62.20. (SLED: CWP Renewal and Replacement) A concealed weapons permit may not be suspended by a state official, agent, or employee supported by state funds if the permit holder has initiated a renewal or replacement application and the processing and

issuance of a renewal or replacement permit is delayed for administrative reasons. A concealed weapons permit remains valid during the pendency of the renewal or replacement process so long as the application for replacement renewal is submitted prior to the expiration of the permit.

62.21. (SLED: Drug Lab Electronic Mandatory Reporting System) Of the funds appropriated for Meth Lab Clean Up, the State Law Enforcement Division is authorized to expend such funds for the development and implementation of a statewide electronic mandatory reporting system for municipal, county and state governmental entities to report information, as directed by the State Law Enforcement Division, pertaining to the discovery or seizure of methamphetamine laboratories and dumpsites.

62.22. (SLED: Mandatory Meth Lab Reporting) If a municipal, county, or state governmental entity locates, finds, or seizes a methamphetamine laboratory or dumpsite within the State, the governmental entity shall report the incident within three business days to the State Law Enforcement Division.

The State Law Enforcement Division shall determine the reporting mechanism and is authorized to request, receive, catalogue, classify, and maintain all information it determines necessary pertaining to the laboratory or dumpsite including, but not limited to, the location, the type of manufacturing method used, and suspect information. The State Law Enforcement Division shall maintain information related to these governmental reports on its website, which must be made available to the public, and is authorized to use funds appropriated for Meth Lab Clean Up towards the prudent maintenance of information reported.

A governmental entity that fails to report information to the State Law Enforcement Division pursuant to this proviso is ineligible to receive public safety grants that are funded through the South Carolina Public Safety Coordinating Council pursuant to Section 23-6-520(2) of the 1976 Code.

62.23. (SLED: Human Trafficking) The State Law Enforcement Division is authorized to receive grant funding for the purposes of hiring human trafficking agents.

62.24. (SLED: CWP Program Carry Forward) The department shall carry forward any unexpended funds that were appropriated or authorized for the purpose of the statewide concealed weapon permit program into the current fiscal year to be expended for the same purposes.

62.25. (SLED: PTSD Treatment Program) Coroners and deputy coroners, as defined in Section 17-5-5, shall be eligible for the PTSD treatment program administered through the State Law Enforcement Division and the South Carolina Law Enforcement Assistant Program.

62.26. (SLED: Executive Protection Unit) (A) Of the funds appropriated in Part IA, Section 63, State Law Enforcement Division (SLED), for Counter-Terrorism, SLED is authorized to maintain an Executive Protection Unit and shall employ personnel to provide protective services and security to the Governor, the Governor's immediate family, the Lieutenant Governor, the Governor-elect, the Governor-elect's immediate family, and the Lieutenant Governor-elect.

(B) Upon request and subject to the approval of the Chief of SLED, based on a demonstrable need or a specifically identified threat to the individual to be protected, SLED is further authorized to utilize the funds appropriated to provide protective services for, or to support existing security details assigned to, current or former public officials or employees of this State or of the United States, visiting Governors from other states and their immediate families, visiting legislative leadership from other states, and officials or dignitaries of the governments of foreign countries who are visiting this State.

(C) The Department of Public Safety and the Department of Natural Resources are authorized to designate or assign appropriate personnel, equipment, funds, or other resources to support the provision of protective services authorized herein as requested by and in consultation with the Chief of SLED. If SLED requests the assistance of other law enforcement agencies in the State of South Carolina, those officers are authorized to provide such assistance as may be requested by the Chief of SLED.

(D) Law enforcement officers assigned to any security detail or who provide the protective services authorized herein shall only perform services related to the provision of security to the executives and shall not provide any unrelated law enforcement action during the assignment absent specific directive from the Chief of SLED to address an identified threat to the public, which shall only be considered after all executives have been safeguarded.

62.27. *(SLED: Public Higher Education Campus Mapping Data Program) (A) From the funds appropriated to the State Law Enforcement Division (SLED) to facilitate efficient emergency responses in public institutions of higher learning by public safety agencies in this State, the Campus Mapping Data Program is established as a statewide initiative within the SLED. The department shall contract with a vendor to provide campus mapping data for each public institution of higher learning in the State. The data must be provided to each public institution of higher learning, campus police department, local law enforcement agency, and public safety agency for use in response to emergencies. For purposes of this provision, emergencies include, but are not limited to, any event in which a law enforcement officer, firefighter, rescue squad, emergency medical service provider, public safety telecommunicator, or any other emergency management provider may respond.*

(B) Campus mapping data must:

(1) be compatible with software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific institution for which the data is provided without requiring such agencies to purchase additional software or requiring a fee to view or access the data;

(2) be compatible with security software platforms in use by the specific institution for which the data is provided without requiring the local law enforcement agencies or public institutions to purchase additional software or requiring a fee to view or access the data;

(3) be in a printable format and, if requested, be in a digital file format that may be integrated into interactive mobile platforms in use;

(4) be verified by the entity producing the data for accuracy by a walk-through of campus buildings and grounds;

(5) be oriented true north;

(6) include accurate floor plans overlaid on current, verified aerial imagery of the campus, which must be updated by the department as it considers necessary;

(7) contain site-specific labeling that matches the structure of campus buildings, including room labels, hallway names, and external door or stairwell numbers and locations of hazards, critical utility locations, key boxes, automated external defibrillators, and trauma kits;

(8) contain site-specific labeling that matches the campus grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties;

(9) be overlaid with gridded x and y coordinates; and

(10) be updated and accessible within software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific institution.

(C) To ensure that campus mapping data used by law enforcement and emergency response agencies remains accurate and current, each public institution of higher learning shall review all campus facilities and infrastructure, including athletic facilities and branch campuses, to identify material changes, renovations, additions, or updates and shall report such changes to the South Carolina Law Enforcement Division and the mapping vendor under contract pursuant to this provision, provided that nothing herein prohibits more frequent coordination or updates as necessary. The minimum maintenance cost for each public institution of higher learning may not exceed fifteen percent of the initial cost of mapping for the public institution of higher learning.

(D) Campus mapping data is not subject to disclosure under the Freedom of Information Act. For purposes of this provision, "campus mapping data" means information collected pursuant to this provision in an electronic or a digital format and provided to assist first responders in responding to emergencies at an institution.

SECTION 63 - K050 – DEPARTMENT OF PUBLIC SAFETY

63.1. (DPS: Special Events Traffic Control) The highway patrol must not charge any fee associated with special events for maintaining traffic control and ensuring safety on South Carolina public roads and highways unless approved by the General Assembly. Nothing shall prohibit the Treasury of the State from accepting voluntary payment of fees from private or public entities to defray the actual expenses incurred for services provided by the Department of Public Safety.

63.2. (DPS: Retention of Private Detective Fees) The Department of Public Safety is hereby authorized to receive, expend, retain, and carry forward all funds transmitted from SLED related to fees charged and collected by SLED from license and registration fees for private detective businesses, private security businesses, including employees of these businesses, and companies which provide private security on their own premises. The funds transferred are to be used in the Bureau of Protective Services Program to provide security for state agencies and the Capitol Complex.

63.3. (DPS: CMV Driver Rest Areas) A joint working group is to be established between the Department of Transportation, Department of Public Safety, State Transport Police and the South Carolina Trucking Association to review and evaluate where critical rest areas may be made available for commercial motor vehicle drivers to park and obtain their federally mandated required rest.

63.4. (DPS: SC Law Enforcement Officers Hall of Fame Scholarships/Donations) The Department of Public Safety is hereby authorized to accept donations from the public in order to provide scholarships to the children of law enforcement officers killed in the line of duty. The South Carolina Law Enforcement Officers Hall of Fame Advisory Committee is authorized to set the criteria for awarding such scholarships. All revenue received for this purpose shall be used to provide scholarships and shall be retained, carried forward, and expended for the same purpose. Funds received and designated for scholarships shall not be used for any other purpose.

The department shall also be authorized to receive and expend funds including any donations, contributions, grants, or gifts from private individuals, foundations, agencies, corporations, or the state or federal government, for the purpose of carrying out the programs and objectives of the South Carolina Law Enforcement Officers Hall of Fame. The department shall be authorized to

retain, expend, and carry forward unexpended funds received for the South Carolina Law Enforcement Officers Hall of Fame and utilize those funds for the same purposes in the current fiscal year.

63.5. (DPS: Body Cameras) The Department of Public Safety is authorized to retain and carry forward unexpended funds associated with body cameras from the prior fiscal year into the current fiscal year and expend those funds for the same purpose.

63.6. (DPS: Overtime Pay) For the current fiscal year, the department is authorized and required to pay current non-exempt law enforcement officers by October 1st for any compensatory time earned and not used in the prior fiscal year. The funds for this compensation must be provided from available personal services, appropriated overtime funding, and/or employer contributions funds carried forward from the prior fiscal year. If the amount of carried forward funds is not sufficient to pay all the non-exempt law enforcement officers accrued compensatory time, the department shall pay the officers on a percentage distribution based on the hours owed per officer up to the total amount that the department has carried forward.

63.7. (DPS: In-Car Camera Funding) For the current fiscal year, from funds appropriated to and/or authorized for the Department of Public Safety, there is maintained within the department an "In-Car Video Camera Fund" for the purpose of assisting law enforcement agencies in purchasing and maintaining in-car video cameras and ongoing costs related to the maintenance and storage of data recorded by in-car video cameras.

The Public Safety Coordinating Council shall oversee the fund and establish a process for the application for and disbursement of monies to law enforcement agencies. The council shall disburse the funds in a fair and equitable manner, taking into consideration the DUI enforcement activity of the law enforcement agencies, with priority given to those law enforcement agencies who prioritize DUI enforcement activity.

63.8. (DPS: School Safety Program) (A) Funds appropriated for the School Safety Program and School Resource Officers in this act shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource officer for school districts, including the South Carolina Public Charter School District and schools authorized by an institution of higher learning, that otherwise would lack the adequate resources to hire their own school resource officers. In making determinations of eligibility, the department shall use the most recent index of taxpaying ability as the district's indicator of ability to pay with districts of the lowest index of taxpaying ability receiving priority consideration. Districts, in collaboration with a local law enforcement agency of its choosing, must apply for funding through the department. In making awards the department shall provide funding directly to the local law enforcement agency, or private companies, as authorized, to pay for the cost of the law enforcement officer that shall serve as a full time school resource officer. Unexpended funds may be carried forward and expended for salaries, equipment, and training. School district superintendents shall provide to the department at the end of each quarter the number of full and part-time school resource officers that currently serve schools in their respective districts, regardless of the fund sources supporting those officers. *Of the funds appropriated for the School Safety Program and School Resource Officers, the Department of Public Safety shall consider a public or charter school serving kindergarten through eighth grade with an enrollment exceeding one thousand five hundred students to be eligible for a state-funded School Resource Officer, without regard to whether the school is located within a single facility. Funds allocated pursuant to this provision shall be used solely to supplement locally-funded School Resource Officers by authorizing a state-funded position and shall not be used to supplant or replace local funds appropriated for the same purpose.*

(B) The Department of Education shall transfer any fund balance to the Department of Public Safety by August 15.

63.9. (DPS: Governor's Law Enforcement Officer of the Year Award) The Department of Public Safety shall establish an advisory committee to create an award nomination and recipient selection process for the Governor's Law Enforcement Officer of the Year Award. The advisory committee annually shall select a state law enforcement officer of the year, a county law enforcement officer of the year, and a municipal law enforcement officer of the year. Each winner shall be recognized by the Office of the Governor and also shall receive an award of $10,000 to be distributed by the department. These awards shall not be subject to South Carolina income taxes.

SECTION 64 -N200 - LAW ENFORCEMENT TRAINING COUNCIL

64.1. (LETC: CJA-Federal, Other Flow Through Funds) In order to complete projects begun in a prior fiscal year, the Law Enforcement Training Council, Criminal Justice Academy is authorized to expend federal and earmarked funds in the current fiscal year for expenditures incurred in the prior fiscal year.

64.2. (LETC: CJA-Retention of Emergency Expenditure Refunds) The Law Enforcement Training Council, Criminal Justice Academy is authorized to collect, expend, retain, and carry forward all funds received from other state or federal agencies in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year when personnel and equipment are mobilized and expenses incurred due to an emergency.

64.3. (LETC: CJA-Academy Store Revenue) The South Carolina Criminal Justice Academy revenues earned by retail operations shall be retained by the SCCJA to support operational costs. These funds may be carried forward from the prior fiscal year and must be used for the same purpose.

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

65.1. (CORR: Canteen Operations) Revenue derived wholly from the canteen operations within the Department of Corrections on behalf of the inmate population, may be retained and expended by the department for the continuation of the operation of said canteens and the welfare of the inmate population or, at the discretion of the Director, used to supplement costs of operations. The canteen operation is to be treated as an enterprise fund within the Department of Corrections and is not to be subsidized by state appropriated funds.

65.2. (CORR: E.H. Cooper Trust Fund) Any unclaimed funds remaining in any inmate account, after appropriate and necessary steps are taken to determine and contact a rightful owner of such funds, shall be deposited into the Inmate Welfare Fund.

65.3. (CORR: Instructional Salaries) The certified instructional personnel of the Department of Corrections shall receive a percentage increase in their annual salary for the current fiscal year equal to the percentage allocated to the instructional personnel throughout the State.

65.4. (CORR: Funding Through State Criminal Assistance Program) All funds received by the State from the United States Department of Justice, State Criminal Alien Assistance Program, for care and custody of illegal aliens housed in the state correctional facilities shall be retained by the South Carolina Department of Corrections to offset incurred expenses.

65.5. (CORR: Remedial Education Funding) A criminal offender committed to the custody of the Department of Corrections, who has been evaluated to function at less than an eighth grade educational level, or less than the equivalent of an eighth grade educational level, may be required by department officials to enroll and actively participate in academic education programs. Funds appropriated to the Department of Corrections for educational programs shall be prioritized to assure such remedial services are provided.

65.6. (CORR: Tire Retreading Program Restriction) The tire retreading program at the Lieber Correctional Institution shall be limited to the marketing and sale of retreads to state governmental entities.

65.7. (CORR: Social Security Administration Funding) All funds received by the South Carolina Department of Corrections from the Social Security Administration under Section 1611 (e)(1)(I) of the Social Security Act, which provides payment for information regarding incarcerated Social Security Insurance recipients, shall be retained by the South Carolina Department of Corrections and credited to a fund entitled "Special Social Security" for the care and custody of inmates housed in the state correctional facilities.

65.8. (CORR: Medical Expenses) The Department of Corrections shall be authorized to charge inmates a nominal fee for any medical treatment or consultation provided at the request of or initiated by the inmate. A nominal co-pay shall be charged for prescribed medications. Inmates shall not be charged for psychological or mental health visits.

65.9. (CORR: Prison Industry Funds) The Director of the Department of Corrections, at his discretion, is hereby authorized to utilize prison industry funds for projects or services benefiting the general welfare of the inmate population or to supplement costs of operations.

These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

65.10. (CORR: Reimbursement for Expenditures) The Department of Corrections may retain for general operating purposes any reimbursement of funds for expenses incurred in a prior fiscal year.

65.11. (CORR: Sale of Real Property) Funds generated from the sale of real property owned by the Department of Corrections shall be retained by the department to offset renovation and maintenance capital expenditures.

65.12. (CORR: Funds From Vehicle Cleaning) Monies generated by inmates engaged in the cleaning and waxing of private vehicles, or any other adult work activity center, shall be placed in a special account and utilized for the welfare of the inmate population.

65.13. (CORR: Release of Inmates) The Director of the Department of Corrections and other persons having charge of prisoners who are required to serve a period of six months or more, may release all such prisoners, including prisoners to whom Section 24-13-150(A) of the 1976 Code applies, on the first day of the month in which their sentences expire, and if the first day of the month falls on a Saturday, Sunday, or a legal holiday, such prisoners may be released on the last weekday prior to the first of the month which is not a holiday.

65.14. (CORR: Western Union Funding) All funds received by the South Carolina Department of Corrections from the Western Union Quick Collect Revenue Sharing Program or similar private sector entities, which provides payment for processing electronic transfers into the E.H. Cooper Trust Fund, shall be retained by the South Carolina Department of Corrections and credited to a fund entitled "Inmate Welfare Fund" to be expended for the benefit of the inmate population.

65.15. (CORR: Monitoring Fees) The Department of Corrections is authorized to charge an inmate who participates in community programs a reasonable fee for the cost of supplying electronic and telephonic monitoring. The fees charged may not exceed the actual cost of the monitoring.

65.16. (CORR: Inmate Insurance Policies) The Department of Corrections may collect and record private health insurance information from incarcerated individuals. The department may file against any private insurance policy covering an inmate to recoup any health care expenditures covered by the policy. Health care will be provided in accordance with law and standards regardless of whether or not an inmate is covered by insurance.

65.17. (CORR: Work Release Transportation Fee) The South Carolina Department of Corrections is authorized to charge a $4.00 per day transportation fee to participants in the work release program only when such transportation is provided by the department. Monies collected shall be credited to the South Carolina Department of Corrections, and utilized solely to fund transportation of work release participants and vehicle replacement for the work release program.

65.18. (CORR: Special Assignment Pay Level 2 & 3 Facilities) Funds appropriated for special assignment pay at the Department of Corrections are for the purpose of addressing vacancies and turnover of staff by providing a pay differential for certain employees assigned to institutions with a Level II or Level III security designation. The funds are to be used for special assignment pay only and may not be transferred to any other program. If the employee leaves one of the qualifying job classes or leaves a Level II or Level III institution for a non-Level II or non-Level III facility, they shall no longer be eligible for this special assignment pay. Only employees in full-time equivalent positions are eligible for this special assignment pay.

The special assignment pay is not a part of the employee's base salary and is as determined by the Director of the Department of Corrections at Level II and Level III institutions:

(1) Cadets;
(2) Correctional Officers, including Class Code JD-30 (Officer I and II positions);
(3) Corporals I and II;
(4) Sergeants and Lieutenants;
(5) Captains and Majors;
(6) Nursing Staff;
(7) Food Services Staff; and
(8) Warden.

65.19. (CORR: Quota Elimination) Pursuant to Section 24-3-60, upon notification by the county, the Department of Corrections shall accept newly sentenced inmates from each local jail and detention center.

For sentenced inmates who the county is willing to transport, the department may limit the acceptance at the Kirkland Correctional Institution to the hours of 8:00 a.m. to 1:00 p.m., Monday through Friday, excluding holidays, and at the Perry and Lieber Correctional Institutions to the hours of 8:00 a.m. to 10:30 a.m., Monday through Thursday, excluding holidays, and at the Camille Graham Correctional Institution to the hours of 8:00 a.m. to 1:00 p.m. on Thursdays and Fridays, excluding holidays.

By mutual agreement between the Department of Corrections and a local jail or detention center, the department may establish an alternate admissions schedule for receiving inmates at the Reception and Evaluation Center.

At least one day prior to the date for transfer of the inmate to the department, the county shall provide the sentencing order, and copies of all available medical history and screening records, booking reports, and other documents required to assist the department in its intake processing. Counties that have not completed additional medical screenings at the time of transfer shall not be required to do so. Counties shall not be allowed to have an inmate admitted to the department until after the sentencing order and medical history and screening records in their possession are transferred to the department.

In the event there are inadequate beds within the Reception and Evaluation Center, the Department of Corrections may create a "jail" within the Kirkland Correctional Institution using one or more of the available 192-bed housing units to accept newly sentenced state inmates who are awaiting R & E processing. The department may operate such "jail," to the extent feasible, in accordance with standards applicable to the local jails.

The department shall use the funds appropriated in this act for "Quota Elimination" to accomplish this initiative and to open a 96-bed unit at the MacDougall Correctional Institution and the 192-bed housing units at Kirkland Correctional Institution. The funds may not be transferred to any other program or used for any other purpose.

65.20. (CORR: Public/Private Partnerships for Construction) Funds appropriated in Act 407 of 2006, item 23, shall be used to construct as many multi-purpose buildings at Department of Corrections institutions as possible. For such facilities at Lieber, McCormick, Leath, Perry, or Allendale Correctional Institution, at least $150,000 in matching funds and/or construction materials or services must be donated before construction of the facility may begin. At other Department of Corrections locations, the Director may require that donated funds and/or materials or services equal one-half of the cost of construction, including design and engineering costs.

65.21. (CORR: Inmate Barbering Program) Inmate barbers in the Inmate Barbering Program at the Department of Corrections, shall not be subject to the licensing requirement of Section 40-7-30.

65.22. (CORR: Executed Inmate Autopsy) For the current fiscal year, the autopsy requirements of Section 17-7-10 are suspended when an inmate is executed by the Department of Corrections pursuant to a valid order of the Supreme Court of South Carolina.

65.23. (CORR: Recoupment of Expenses Associated with Inmate Cremation) If the Department of Corrections incurs expenses for cremating and disposing of an unclaimed deceased inmate, the department may recoup all associated costs of cremation, including transportation, through the deceased inmate's E.H. Cooper account, providing funds are available.

65.24. (CORR: Credited Jail Time; DNA Sample Collection) Inmates committed to the Department of Corrections for sentences greater than ninety days, but who have credit for jail time in excess of their sentence to incarceration are not required to be transported to the Reception and Evaluation Center of the Department of Corrections. Cities and counties housing inmates who have credit for jail time in excess of their sentence may, through written agreement with the Department of Corrections, transfer required commitment records to the department electronically or by other means. The Department of Corrections must establish reasonable documentation requirements to facilitate the implementation of this cost savings measure. Employees of the Department of Probation, Parole and Pardon Services assigned to the court or employees of the Department of Corrections, as applicable, shall obtain DNA samples from the offenders who are required to submit DNA samples. This provision does not exempt the above referenced inmates from the $250 DNA fee as required by Section 23-3-670. The $250 fee shall be collected in the same manner as other fines and fees and submitted to the State Treasurer for remittance to SLED.

65.25. (CORR: Cell Phone Interdiction) An inmate under the jurisdiction of the Department of Corrections is not permitted to possess a telecommunications device unless authorized by the Director. Therefore, the Director of the Department of Corrections is granted the right to add a surcharge to all inmate pay phone calls to offset the cost of equipment and operations of cell phone interdiction measures. The surcharge will be added to the cost per call, collected by chosen telephone vendor and paid to the department on a monthly basis. The department is authorized to retain the funds to pay, either directly or through the State lease program, for equipment required to enact cell phone interdiction or retrieval or for critical security needs. When the equipment has been paid in full, the surcharge amount will be reviewed and adjusted to cover the cost of ongoing operational expenses of the interdiction equipment. Any unexpended balance may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose or for critical security needs.

65.26. (CORR: Correctional Institution Maintenance and Construction) For maintenance and construction activities funded in the current fiscal year, the Department of Corrections may utilize inmate labor to perform any portion of the work on its own grounds and facilities. The provisions of Section 40-11-360(A)(9) shall apply to any such project, including new construction.

65.27. (CORR: Meals in Emergency Operations) The Department of Corrections may provide meals to public employees who are not permitted to leave their stations and are required to work during actual emergencies, emergency simulation exercises, or when the Governor declares a state of emergency.

65.28. (CORR: Prohibition on Funding Certain Surgery) (A) The Department of Corrections is prohibited from using state funds or state resources to provide a prisoner in the state prison system sexual reassignment surgery; however, if a person is taking hormonal therapy at the time the person is committed to the Department of Corrections, the department shall continue to provide this therapy to the person as long as medically necessary for the health of the person.

(B) As used in this provision:

(1) "Hormonal therapy" means the use of hormones to stimulate the development or alteration of a person's sexual characteristics in order to alter the person's physical appearance so that the person appears more like the opposite gender.

(2) "Sexual reassignment surgery" means a surgical procedure to alter a person's physical appearance so that the person appears more like the opposite gender.

65.29. (CORR: Video Bond Conferencing) In the current fiscal year, and from the funds appropriated to the Department of Corrections, the video conferencing bond system shall be used for all bond hearings for inmates incarcerated at facilities with video conferencing capabilities that are compatible with county video conferencing equipment, network, firewalls, etc. and charged with criminal offenses that require a bond hearing. The Department of Corrections shall not be responsible for recording any of these proceedings or for providing the counties with any equipment.

65.30. (CORR: Safety & Security) The Department of Corrections shall be authorized to carry forward into the current fiscal year the funds reimbursed to the agency pursuant to Section 3 of Act 154 of 2020. The amount shall not be included or part of any other authorized carry forward amount. Funds carried forward pursuant to this provision, in addition to funds appropriated under the nonrecurring provision for security and maintenance funds to the Department of Corrections, shall be deposited into a separate and distinct fund known as the "Department of Corrections Security and Maintenance Reserve Fund." The department may expend these funds to meet the maintenance and security needs of the agency for critical repairs, deferred maintenance, renovations, security upgrades, and equipment which are directly related to the safety and security of the public, officers, employees, and inmates. Prior

to the expenditure of these funds, the department shall develop a comprehensive security and maintenance plan which shall itemize the permanent improvement projects and equipment purchases needed to maintain the safety and security of the state's prison system. This plan shall be presented by September 30th of the current fiscal year to the Governor and the Joint Bond Review Committee for its favorable review and comment. Subsequent to the committee's review, the department shall be authorized to initiate the permanent improvement projects and equipment purchases included in the plan upon submitting the necessary documentation to the Executive Budget Office without further review by the committee. Any deviations from the plan shall be subject to further review and comment by the committee. The department shall provide a report to the Governor and Joint Bond Review Committee on its implementation of the comprehensive security and maintenance plan and its expenditures from the fund by September 30 of each fiscal year.

SECTION 66 - N080 - DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES

66.1. (DPPP: Sale of Equipment) All revenue generated by the Department of Probation, Parole and Pardon Services from the sale of various equipment in excess of $575, less the cost of disposition incurred by the Department of Administration, may be retained and carried forward into the current fiscal year and expended for the purpose of purchasing like items.

66.2. (DPPP: Interstate Compact Application Fee) The department may charge offenders an application fee set by the department, not to exceed the department's actual costs, to offenders applying for transfers out of or into the state under the Interstate Compact Act. The application fee shall be retained by the department to offset the cost of the Interstate Compact Act. All unexpended funds at year-end may be retained and carried forward by the department to be expended for the same purpose.

66.3. (DPPP: Sex Offender Monitoring Carry Forward) The Department of Probation, Parole and Pardon Services is authorized to carry forward any unexpended funds in the Sex Offender Monitoring program. These funds must be used for the sex offender monitoring program. For the purpose of calculating the amount of funds which may be carried forward by the department, Sex Offender Monitoring program funds carried forward by this provision shall be excluded from the calculation of the carry forward authorized by provision elsewhere in this act.

66.4. (DPPP: Offender Drug Testing Fee) The department may charge offenders a fee set by the department, not to exceed $50, for the purpose of drug testing. If it is determined that the offender is indigent, this fee must be waived. The fee shall be retained by the department to offset the cost of drug testing. All unexpended funds at year-end may be retained and carried forward by the department to be expended for the same purpose.

66.5. (DPPP: Public Service Employment Set-Up Fee) In addition to any other fee, the department may charge an adult offender placed under the jurisdiction of the department, who is ordered to public service employment by the court, a twenty-five dollar Public Service Employment set-up fee. The fee must be retained by the department and applied to the department's supervision process.

66.6. (DPPP: Reentry Transition Services) For Fiscal Year ~~2025-26~~*2026-27*, the Department of Probation, Parole and Pardon Services shall allocate up to $500,000 of any fund balances, if available, for reentry transition services.

SECTION 67 - N120 - DEPARTMENT OF JUVENILE JUSTICE

67.1. (DJJ: Meal Ticket Revenue) The revenue generated from sale of meal tickets by the Department of Juvenile Justice shall be retained and carried forward into the current fiscal year by the agency and expended for the operation of the agency's cafeterias and food service programs.

67.2. (DJJ: Interstate Compact Revenue) The revenue returned to the Interstate Compact Program shall be retained and carried forward into the current fiscal year by the agency and expended for the operation of the program.

67.3. (DJJ: Children's Projects Revenue) Funds generated from the projects undertaken by children under the supervision of the Department of Juvenile Justice may be retained by the department and utilized for the benefit of those children. Such funds may be carried forward into the following fiscal year.

67.4. (DJJ: Instructional Salaries) The certified instructional personnel of the Department of Juvenile Justice shall receive a percentage increase in their annual salary for the current fiscal year equal to the percentage allocated to the instructional personnel throughout the State.

67.5. (DJJ: Reimbursements for Expenditures) The Department of Juvenile Justice may retain for general operating purposes any reimbursement of funds for expenses incurred in a prior fiscal year.

67.6. (DJJ: Juvenile Arbitration/Community Advocacy Program) *(A)* The amount appropriated and authorized in this section for the Juvenile Arbitration Program shall be retained and expended by the Department of Juvenile Justice for the purpose of providing juvenile arbitration services through the sixteen Judicial Circuit Solicitors' offices in the state and used to fund necessary administrative and personnel costs for the programs.

(B) The Department of Juvenile Justice shall contract with Solicitors to administer the Juvenile Arbitration Program and disburse up to ~~$60,000~~ *$120,000* per Judicial Circuit based on services rendered. The amount payable to Solicitors may vary based on consistent adherence to established statewide program guidelines to assess program performance.

(C) The $350,000 appropriated for the Community Advocacy Program ~~in the first Judicial Circuit~~ *shall be equally distributed among the judicial circuits*, *and* will be used to fund ~~necessary administrative and personnel costs for this~~ status offender diversion ~~program~~ *programs*. The Department of Juvenile Justice shall monitor and provide support to this program.

(D) All unexpended funds may be retained and carried forward from the prior fiscal year to be used for the same purposes.

67.7. (DJJ: Sale of Real Property) After receiving approval from the Department of Administration or State Fiscal Accountability Authority, for the sale of property, the department is authorized to retain revenues associated with the sale of department-owned real property and may expend these funds on capital improvements reviewed by the Joint Bond Review Committee and approved by the State Fiscal Accountability Authority.

67.8. (DJJ: Sale of Timber) The Department of Juvenile Justice is hereby authorized to sell mature trees and other timber suitable for commercial purposes from lands owned by the department. Prior to such sales, the director shall consult with the State Forester to determine economic and environmental feasibility and to obtain approval for such sales. Funds derived from timber sales shall be retained and utilized for family support services after setting aside a reasonable amount, as determined by the State Forester, for reforestation of the lands from which the trees and timber are sold.

67.9. (DJJ: Drug Free Workplace) The critical mission of the Department of Juvenile Justice requires a safe and drug free work environment. In order to accomplish this, the department may conduct and pay for the cost of pre-employment drug testing and random employee drug testing. The department is authorized to expend funds in order to provide or procure these services.

67.10. (DJJ: Definition of Juveniles) The Department of Juvenile Justice is authorized to place juveniles in marine and wilderness programs or other community residence programs operated by nongovernmental entities. Juveniles receiving services in these community residence programs must either be referred to such a program by the Family Court as a condition of probation, released to such a program by the Board of Juvenile Parole, or voluntarily agree to be assigned and released to such a program by the Department of Juvenile Justice.

67.11. (DJJ: Adult Education - GED) Juveniles committed to the Department of Juvenile Justice who have been enrolled in, but not yet completed, a GED educational program while at the department, at the discretion of the local school district, upon release from the department shall be allowed to enroll in either the juvenile's local school district's regular education program, in their appropriate grade placement, or allowed to enroll in that district's or county's adult education program. If enrolled in an adult education program, the juvenile's eligibility for taking the GED shall be based upon the regulations promulgated by the Department of Education for youth who are confined in, or under the custody of, the Department of Juvenile Justice.

67.12. (DJJ: Local District Effort) Upon commitment or confinement to a Department of Juvenile Justice facility, the school district in which that child resides shall pay an amount equivalent to the statewide average of the local base student cost (thirty percent), multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to out-of-district students to the Department of Juvenile Justice for the time period in which the child is committed or confined to a department facility. EFA funding for school districts is provided for a one hundred eighty day school year. The billing provided by the department shall be calculated by dividing the local base student cost by two hundred twenty-five days to determine the daily rate. The department shall notify the school district in writing within forty-five calendar days that a student from the nonresident district is receiving education services pursuant to this provision. The notice shall also contain the student's name, date of birth, disabling condition if available, and dates of service.

The invoice shall be paid within sixty days of billing, provided the department has provided a copy of the invoice to both the superintendent and the finance office of the school district being invoiced. Should the school district fail to pay the invoice within sixty days, the department can seek relief from the Department of Education. The Department of Education shall withhold EFA funding equal to the billing from the district refusing to pay and submit the funding (equal to the invoice) to the department. If adequate funding is not received, the department shall have the flexibility to use funds from other programmatic areas to maintain an appropriate level of service.

67.13. (DJJ: Raise the Age) The department must use carry forward funds to implement Act 268 of 2016 by contracting in the current fiscal year with local child-serving non-profit organizations and Judicial Circuit Solicitor's offices for community-based diversion and intervention services. The department shall give preference to multi-agency and organizational collaborations that include stakeholders from the Family Court, Department of Education, Public Defenders' Offices, the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health, the Department of Social Services, and community based non-profits that utilize best practices.

67.14. (DJJ: Broad River Road Complex) Funds remaining of the $4,000,000 appropriated in Act 102 of 2023, Item 118.19(51)(f) to the Department of Juvenile Justice for Project Management shall be redirected to be used for the Broad River Road Complex renovations.

67.15. (DJJ: Operations of Facilities) Of the funds appropriated in Part IA, Section 67.II.C. Facilities Management, Other Operating Expenses, the Department of Juvenile Justice may contract for the operations of facilities. The department shall review and approve training programs required by service providers contracted to operate facilities.

67.16. (DJJ: Capital Expenditure Charge) Local governments*, except for municipalities with populations of three thousand or less,* utilizing the juvenile detention services provided by the Department of Juvenile Justice shall pay a capital expenditure charge of $125 per day per child not to exceed 25 days to the department for new admissions after July 1, 2025, to cover capital expenditures and investments in the facilities that house such juveniles. *Municipalities with populations of three thousand or less utilizing the juvenile detention services provided by the Department of Juvenile Justice shall pay a capital expenditure charge of $50 per day per child not to exceed 25 days to the department for new admissions after July 1, 2026, to cover capital expenditures and investments in the facilities that house such juveniles.* This capital expenditure charge is in addition to the per diem charge of $50 that offsets operating expenses. If full funding is not received from the local governments, then the remainder of the funds due shall be transferred to the department from the local government fund on behalf of such local governments. The transfer to the department of behalf of the local government shall be deemed to have been distributed to the local government.

SECTION 70 - L360 - HUMAN AFFAIRS COMMISSION

70.1. (HAC: Human Affairs Forum Carry Forward) All revenue derived from donations and registration fees received for attendance at Human Affairs Forums shall be retained and carried forward and expended for the purpose of general operations of the Human Affairs Commission.

70.2. (HAC: Training Revenue) All revenue derived from fees received from training and technical assistance provided by the Human Affairs Commission to entities other than state agencies shall be retained, carried forward, and expended for the purpose of general operations of the Human Affairs Commission.

70.3. (HAC: Revenue from Copying Fees) All revenue derived from providing requested copies of commission files, final opinions, orders, and determinations shall be retained, carried forward, and expended for the purpose of general operations of the Human Affairs Commission.

SECTION 71 - L460 - COMMISSION FOR COMMUNITY ADVANCEMENT AND ENGAGEMENT

71.1. (CAE: Private Contributions and Sponsorship) Monies derived from private sources for agency research, forums, training, and institutes may be retained and expended by the commission for the said purpose. Any remaining balance may be carried forward and expended for the same purpose.

71.2. (CAE: Carry Forward Registration Fees) Revenue derived from registration fees received from training and institutes may be retained and carried forward for the purpose of conducting future training and institutes.

71.3. (CAE: Carry Forward Grant Awards) Revenues pooled from public and private sources for the purpose of awarding grants to address problems in the minority community may be retained and carried forward by the commission.

71.4. (CAE: Carry Forward Bingo Revenues) Bingo revenues received by the commission in the prior fiscal year pursuant to Section 12-21-4200(3) of the 1976 Code which are not expended during that fiscal year may be carried forward to be expended in the current fiscal year.

71.5. (CAE: Retention of Photocopy Fees) Revenue derived from photocopy fees and other fees related to Freedom of Information Act requests from the general public may be retained and carried forward by the Commission.

71.6. RESERVED

71.7. (CAE: Carry Forward of Small and Minority Business Contracting and Certification Budget) The Commission for Community Advancement and Engagement may carry forward any unexpended general fund balance or other funds from the prior fiscal year and expend those funds in the current fiscal year for expenditures related to the transfer of the Division of Small and Minority Business Contracting and Certification to it from the Department of Administration.

SECTION 72 - R040 - PUBLIC SERVICE COMMISSION

72.1. (PSC: Santee Cooper Funds Held by Public Service Commission) The balance of the funds transferred to the Public Service Commission by the Department of Administration, for the purpose of reforming Santee Cooper, shall remain available to the Public Service Commission for its continued reformation of Santee Cooper. The Public Service Commission is authorized to employ, through contract or otherwise, third-party consultants and experts in carrying out its duties for purposes of reforming Santee Cooper. The Public Service Commission is exempt from complying with the State Procurement Code in the selection and hiring of third-party consultants or experts authorized by this provision.

72.2. (PSC: South Carolina Integration Study) The Public Service Commission is authorized to initiate an independent study to evaluate the integration of renewable energy and emerging energy technology into the electric grid for the public interest pursuant to Section 58-37-60 of the 1976 Code. Prior to expending funds related to consultant engagement, the Public Service Commission will provide the Public Utilities Review Committee with justification for approval of expenditure. The results of the independent study shall be reported to Governor and the General Assembly.

72.3. (PSC: Santee Cooper Billing) The Public Service Commission is authorized, subject to the Public Utilities Review Committee's approval of the commission's annual budget, to bill Santee Cooper for costs associated with its oversight of Santee Cooper performed pursuant to Act 90 of 2021 and any other relevant legislation, statute, or provision; provided such costs do not exceed the amounts authorized for the oversight of Santee Cooper in this act. Santee Cooper may reduce their remittance of revenues to the State by the amount paid to the commission for oversight costs under this provision. This reduction shall be made in Santee Cooper's second semi-annual remittance to the State.

72.4. (PSC: Avoided Cost Experts) The Public Service Commission is authorized to use and expend funds appropriated in Act 84 of 2023, Proviso 118.19(52) for the South Carolina Integration Study, for expenses incurred for third-party avoided cost consultants and experts employed through contract or otherwise and retained pursuant to Section 58-41-20(I). The appropriation is redirected for the Public Service Commission to utilize these funds to pay for the third-party avoided cost consultants and experts

employed through contract or otherwise. *The commission is authorized to carry forward unexpended funds allocated for avoided cost experts into the current fiscal year to be used for the same purpose.*

SECTION 73 - R060 - OFFICE OF REGULATORY STAFF

73.1. (ORS: Transportation Fee Refund) The Transportation Department of the Office of Regulatory Staff is hereby authorized to make refunds of fees which were erroneously collected.

73.2. (ORS: Assessment Certification) Office of Regulatory Staff shall certify to the Department of Revenue the amounts to be assessed to cover appropriations in this section as follows: (1) the amount applicable to the assessment on public utility, telephone utility, radio common carrier and electric utility companies as provided for by Section 58-4-60, Code of Laws of 1976; (2) the amount to be assessed against gas utility companies as provided for in Section 58-5-940, Code of Laws of 1976; (3) the amount to be assessed against electric light and power companies as provided for in Sections 58-4-60 and 58-27-50, Code of Laws of 1976; and (4) the amount to be covered by revenue from motor transport fees as provided for by Section 58-23-630, and other fees as set forth in Section 58-4-60, Code of Laws of 1976. The amount to be assessed against railroad companies shall consist of all expenses related to the operations of the Railway subprogram of the Agency's Transportation Division, to include the related distribution of salary increments and employer contributions not reflected in the related subprogram of this act as set forth in Section 58-4-60, Code of Laws of 1976.

73.3. (ORS: Assessment Adjustments) If the Office of Regulatory Staff determines that a person or entity subject to Title 58 of the 1976 Code has been assessed an amount greater than that authorized by Sections 58-4-60, 58-3-100 and 58-3-540, the Office of Regulatory Staff shall, at its discretion:

(a) refund the person or entity the amount of over collection using funds from the current fiscal year;
(b) refund the person or entity the amount of over collection using any unexpended funds from the prior fiscal year;
(c) credit the amount the person or entity will be assessed in the next fiscal year for the amount of over collection; or
(d) any combination of these.

The Office of Regulatory Staff, when determining the amount to be assessed in the next fiscal year, may take into consideration any underpayment or overpayment by a person or entity during a given year. Any unexpended funds from revenue generated pursuant to this section may be retained and carried forward and expended for the same purposes.

73.4. (ORS: SSEB Annual Dues) The annual dues of the Southern States Energy Board shall be paid from the Radioactive Waste Operating Fund.

73.5. (ORS: Santee Cooper Billing) The Office of Regulatory Staff is authorized, subject to the Public Utilities Review Committee's approval of the Office of Regulatory Staff's annual budget, to bill Santee Cooper for costs associated with its oversight of Santee Cooper performed pursuant to Act 90 of 2021 and any other relevant legislation, statute, or provision, provided such costs do not exceed the amounts authorized for the oversight of Santee Cooper in this act. Santee Cooper may reduce their remittance of revenues to the State by the amount paid to the Office of Regulatory Staff for oversight costs under this provision. This reduction shall be made in Santee Cooper's second semiannual remittance to the State.

73.6. (ORS: Rural Telephone Companies) From funds appropriated for Public Safety Infrastructure Management, the Office of Regulatory Staff may provide funds to South Carolina rural telephone companies and their affiliates for actual costs incurred and associated with 911 infrastructure and connections as part of the State's transition to next generation 911 services pursuant to the State's contract with NextGen Communications, Inc.

73.7. (ORS: Energy Office) (A) The Office of Regulatory Staff Energy Office, or its subrecipient, may use assistance from state and federal agencies or from private organizations, nonprofits, and the industry to accomplish the purposes of efficiently leveraging resources to successfully administer any programs established by the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA). Unexpended funds from the prior fiscal year shall be carried forward and expended in the current fiscal year by the Energy Office for the same purposes in compliance with federal funding requirements.

(B) In order to comply with federal deadlines for funds commitment and completion, the Executive Director of the Office of Regulatory Staff shall, in accordance with Section 11-35-1570, procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority (SFAA) shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. SFAA shall assign such personnel as necessary to assist the Office of Regulatory Staff and the Energy Office in carrying out its duties under this provision,

(C) The Office of Regulatory Staff and the Energy Office may procure professional grant management services for oversight and compliance of funds received through the IIJA and IRA, among others, on behalf of the Energy Office. The Energy Office is authorized to fulfill this requirement from federal funds and from existing fund resources as appropriate.

73.8. (ORS: SC Broadband Office and SC Digital Opportunity) (A) From funds appropriated for this purpose, there is established the SC Broadband Office within the Office of Regulatory Staff to serve as the central broadband planning body for the State and to coordinate with federal, state, regional, local, and private entities for the continued development of access to broadband in the State.

(B) The SC Broadband Office shall create a collaborative stakeholder process to identify challenges to expediting broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or other governmental actions are appropriate to promote broadband access throughout the State.

(C) Funds appropriated to the SC Broadband Office for broadband infrastructure shall be used to continue to fund the Broadband Infrastructure Program, broadband-related workforce development, and any other federally-approved, non-deployment programs so as to maximize available federal funding under the American Rescue Plan Act (ARPA) and Infrastructure Investment and Jobs Act (IIJA) for the benefit of the State. Grant funds provided by the SC Broadband Office under ARPA and the IIJA will be treated as contributions of capital of the recipients for South Carolina tax purposes. Expansion of broadband infrastructure shall emphasize services to rural communities and communities with a lack of access to broadband. The SC Broadband Office shall prioritize infrastructure expansion that will make high-speed broadband available to homes, businesses, schools, health care facilities, and other community anchor institutions in underserved areas across South Carolina.

(D) The SC Broadband Office shall serve as a central resource to collect and publish information regarding federal and state programs to fund broadband expansion and maximize resources.

(E) From funds appropriated for this purpose, there is established a SC Digital Opportunity department within the Office of Regulatory Staff to serve as the digital equity planning body for the State and to coordinate with federal, state, regional, local, and private entities to address the digital divide. In the case any personally identifiable information or health related information is collected or shared by state agencies with this department, such information shall have confidential treatment.

(F) This procurement shall be done pursuant to the provisions of Section 11-35-1570. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority (SFAA) shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. SFAA shall assign such personnel as necessary to assist the Office of Regulatory Staff and the SC Broadband Office in carrying out its duties under this act.

(G) The Office of Regulatory Staff may procure professional grant management services for oversight and compliance of funds received through the IIJA, among others, on behalf of the South Carolina Broadband and Digital Opportunity Offices. ORS is authorized to fulfill this requirement using federal funds as allowed for administration and from existing fund resources as appropriate.

(H) The SC Broadband Office and the SC Digital Opportunity Department may use assistance from state and federal agencies or from private organizations, nonprofits, and industry to accomplish the purposes of this provision. Unexpended funds at the end of the prior fiscal year may be carried forward and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.

73.9. (ORS: SC Broadband Map and Internet Service Provider Data) (A)(1) From funds appropriated, the SC Broadband Office shall contact the appropriate entities to provide information necessary to compile the county-by-county broadband mapping plan showing the location and capability of broadband facilities throughout the State. To meet federal mandates, the SC Broadband Office may be required to collect confidential financial data to confirm and verify compliance with the various grant programs. In order to facilitate the provision of information necessary to these tasks, financial data, including any planned construction timelines and related data provided by a broadband service provider or other entity providing information, shall be maintained by the SC Broadband Office and any other agency as confidential, proprietary, and a trade secret as defined in Section 30-4-40, and subject to exemption from disclosure under state law. Data may be made publicly available in an aggregated, nonprovider specific format or in the form of a map, where information that could be used to determine provider-specific information about the network of the broadband service provider or other providing entity is not disclosed.

(2) Except as otherwise provided in this provision, such broadband provider-specific information shall not be released to any person other than to the broadband service provider or other entity providing information, employees of the SC Broadband Office, agents designated to assist in developing the South Carolina broadband map, entities contracting with the SC Broadband Office, and other state or federal agencies administering funds for broadband deployment without express permission of the submitting broadband service provider or other entity providing information. Such information shall be used solely for the purposes stated under this provision. The SC Broadband Office shall ensure that any such agents, entities, or agencies with whom the information is shared are aware of the confidential nature and restricted purposes for which the information may be used and that any such agents or entities

that are not state agencies execute an appropriate nondisclosure agreement protecting the information from public disclosure before receiving the information.

(3) Notwithstanding the above, if required by federal law, ORS may report broadband service provider costs for external reporting.

(B) Entities providing broadband service or middle-mile infrastructure in South Carolina shall, on a bi-annual basis, provide to the South Carolina Broadband Office deployment data in a format specified by the office to provide the most accurate and granular representation of currently available broadband infrastructure. These same entities, when they serve residential or business customers, shall also provide the type of technology deployed together with the sustainable download and upload speeds available at each serviceable location. Entities failing to provide such data on an annual basis may be disqualified from state funding opportunities for the current fiscal year. At least annually, the office shall compile this information, analyze, and update statewide broadband deployment information.

73.10. *(ORS: Energy Assessment Plan) The Office of Regulatory Staff is exempt from the State Procurement Code in the selection and hiring of an expert to conduct the South Carolina energy assessment and action plan described in Section 58-4-150.*

SECTION 74 - R080 - WORKERS' COMPENSATION COMMISSION

74.1. (WCC: Educational Seminar Revenue) All revenue earned from educational seminars shall be retained by the agency to be used for the printing of educational materials and other expenses related to conducting the seminar.

74.2. (WCC: Retention of Filing Fees) The Workers' Compensation Commission is authorized to retain and expend all revenues received as a result of a $50.00 filing fee for each requested hearing, settlement, or motion. If it is determined that the individual is indigent, this filing fee must be waived.

74.3. (WCC: Workers' Compensation Hearings) Every county shall provide a space to conduct hearings for the Workers' Compensation Commission upon request of the Chairman of the Workers' Compensation Commission. This space shall be in a secure existing facility and include all utilities.

SECTION 75 - R120 - STATE ACCIDENT FUND

75.1. (SAF: Educational Seminar Revenue) The State Accident Fund is authorized to set and collect fees for educational seminars. All revenue earned from educational seminars shall be retained by the agency and used for supplies, materials, and other expenses relating to the seminars.

75.2. (SAF: Adjuster License Fees) The State Accident Fund is authorized to use other appropriated funds to pay the costs of adjuster license fee dues owed to the Department of Insurance for any licensed adjusters employed as working adjusters with the State Accident Fund, where such license is an agency requirement for their position.

SECTION 78 - R200 - DEPARTMENT OF INSURANCE

78.1. (INS: Examiners Travel/Subsistence Reimbursement) Notwithstanding the limitations in this act as to amounts payable or reimbursable for lodging, meals, and travel, the Department of Insurance is authorized to reimburse department examiners in accordance with guidelines established by the National Association of Insurance Commissioners only when the State is reimbursed by an insurance company for the travel and subsistence expenses of Insurance Department examiners pursuant to Section 38-13-10.

78.2. (INS: Reimbursement Carry Forward) Reimbursements received for Data Processing Services, Revenue, Miscellaneous Revenue and Sale of Listings and Labels shall be retained for use by the department. These funds may be carried forward in the current fiscal year.

78.3. (INS: Fees for Licenses) The Department of Insurance shall be authorized to charge a twenty-five dollar initial producer license fee; a twenty-five dollar biennial producer license renewal fee; and a two hundred-fifty dollar penalty fee for late appointment renewals. The director shall specify the time and manner of payment of these fees. These fees shall be retained by the department for the administration of Title 38.

SECTION 79 - R230 - BOARD OF FINANCIAL INSTITUTIONS

79.1. (FI: Supervisory Fees) The Board of Financial Institutions shall fix supervisory fees of banks, savings and loan associations and credit unions on a scale which, together with fees collected by the Consumer Finance Division will fully cover the total funds expended under this section.

79.2 (FI: Database Funding) The Consumer Finance Division of the Board of Financial Institutions shall use carried forward dollars to fund the deferred presentment transaction database and shall promulgate regulations regarding the fee to fund the system, and, if necessary, the cost of any fee increase must be divided equally between the lender and the borrower.

SECTION 80 - R280 – DEPARTMENT OF CONSUMER AFFAIRS

80.1. (CA: Consumer Protection Code Violations Revenue) Funds, paid to the department in resolution of cases involving violations of the South Carolina Consumer Protection Code and other statutes enforced by the department be retained and expended within the agency's budget to help offset the costs of investigating, prosecuting, and the administrative costs associated with these violations, may be carried forward and expended for the same purposes in the current fiscal year.

80.2. (CA: Expert Witness/Assistance Carry Forward) Unexpended appropriated funds for the Consumer Advocacy expert witness/assistance program (under Section 37-6-603) may be carried forward into the current fiscal year and expended for the same purpose.

80.3. (CA: Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention) The Department of Consumer Affairs may retain all filing fees collected under Chapters 2, 3 and 6, Title 37. These fees shall be used to offset the cost of administering and enforcing Title 37 and may be applied to the cost of operations. Unexpended balances may be carried forward for the prior fiscal year into the current fiscal year and be utilized for the same purposes.

80.4. (CA: Retention of Fees) For the current fiscal year, the department may retain all fees collected pursuant to Sections 39-61-80, 39-61-120, 40-39-120, and 44-79-80. The funds retained shall be utilized to implement the requirements of the programs mandated by those sections of the code.

SECTION 81 - R360 - DEPARTMENT OF LABOR, LICENSING AND REGULATION

81.1. (LLR: Fire Marshal - Authorization to Charge Fees for Training) The Fire Academy may charge participants a fee to cover the cost of education, training programs, and operations. The revenue generated may be applied to the cost of operations, and any unexpended balance may be carried forward to the current fiscal year and utilized for the same purposes.

81.2. (LLR: Real Estate - Special Account) Revenue in the Real Estate Appraisal Registry account shall not be subject to fiscal year limitations and shall carry forward each fiscal year for the designated purpose.

81.3. (LLR: POLA - Ten Percent, Other Funds) The Professional and Occupational Offices in Program II.F. Professional and Occupational Licensing must remit annually an amount equal to ten percent of the expenditures to the general fund. The Contractor's Licensing Board must remit all revenues above their expenditures to the general fund. The revenue remitted by the Contractor's Licensing Board to the general fund includes the ten percent. Professional and Occupational Offices with an overall negative ending cash balance for the current and prior completed fiscal years will be exempt from these requirements.

81.4. (LLR: Fire Marshal Fallen Firefighters Memorial) The Department of Labor, Licensing and Regulation - Division of the State Fire Marshal is authorized to accept gifts or grants of services, properties, or monies from individuals or public and private organizations to honor South Carolina firefighters who have died in the line of duty. All excess monies collected to erect a memorial are to be placed in a fund for upkeep and maintenance. Any later contributions are to be used for upkeep and maintenance.

81.5. (LLR: Firefighter Mobilization Project) The department is directed to utilize $165,000 of the funds derived under Section 2 of Act 1377 of 1968, as amended by Act 60 of 2001, from the tax of thirty-five one-hundredths percent imposed annually on the gross premium receipts less premiums returned on canceled policy contracts and less dividends and returns of unabsorbed premium deposits of all fire insurance companies doing business in the State to fund the Firefighter Mobilization Project.

81.6. (LLR: Match for Federal Funds) State appropriations to the Department of Labor, Licensing and Regulation that are required to provide match for federal grant programs in the prior fiscal year may be carried forward into the current fiscal year and expended for the same purpose as originally appropriated.

81.7. (LLR: Flexibility) In order to provide maximum flexibility in absorbing the general fund reductions to the OSHA and OSHA Voluntary Programs, the Department of Labor, Licensing and Regulation shall be authorized to spend agency earmarked and restricted accounts to maintain these critical programs previously funded with general fund appropriations. Any increase in spending authorization for these purposes must receive the prior approval of the Executive Budget Office.

81.8. (LLR: Immigration Bill Funding Report) Prior to any funds carried forward from the prior fiscal year in Subfund 3135 being transferred to fund any other purpose, $250,000 must be retained by the Department of Labor, Licensing and Regulation to fund the department's responsibilities under the South Carolina Illegal Immigration Reform Act. The department shall compile an accountability report outlining expenditures of the Immigration Bill funding to be issued to the President of the Senate, the Chairman of the Senate Finance Committee, the Chairman of the Senate Finance Natural Resources and Economic Development Subcommittee,

the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, and the Chairman of the House Ways and Means Transportation and Regulatory Subcommittee. Said report must be issued on the first Tuesday of February in the current fiscal year.

81.9. (LLR: Authorized Reimbursement) The Director of the Department of Labor, Licensing and Regulation cannot authorize reimbursement under Section 40-1-50(A) of the 1976 Code to members of any board listed in Section 40-1-40(B) for meetings held at any location other than the offices of the department unless there has been a determination that the department is unable to provide space for the meeting in a state-owned or leased facility in Richland or Lexington County.

81.10. (LLR: Illegal Immigration Hotline Assistance) Upon the request of the Commission for Community Advancement and Engagement, the Department of Labor, Licensing and Regulation shall provide assistance to establish and maintain a twenty-four hour toll free telephone number and electronic website to receive, record, collect, and report allegations of violations of federal immigration laws or related provisions of South Carolina law by any non-United States citizen or immigrant, and allegations of violations of any federal immigration laws or related provisions in South Carolina law against any non-United States citizen or immigrant.

Such violations shall include, but are not limited to, E-Verify or other federal work authorization program violations, violations of Chapter 83, Title 40 of the 1976 Code relating to immigration assistance services, or any regulations enacted governing the operation of immigration assistance services, false or fraudulent statements made or documents filed in relation to an immigration matter, as defined by Section 40-83-20, violation of human trafficking laws, as defined in Section 16-3-930, landlord tenant law violations, or violations of any law pertaining to the provision or receipt of public assistance benefits or public services.

81.11. (LLR: Board of Pharmacy) The Board of Pharmacy must accept affidavits of practical experience from interns whose practical experience internships occurred in this State. The affidavit must provide that the supervising pharmacist and the site of experience is licensed and in good standing with the board and that the internship falls within the criteria for internships set by the board. The affidavit must be accompanied by a ten dollar fee to cover administrative costs associated with compliance with this proviso.

81.12. (LLR: Office of State Fire Marshal - Clothing) The Department of Labor, Licensing and Regulation is authorized to purchase and issue clothing to the non-administrative staff of the Office of the State Fire Marshal that are field personnel working in a regulatory aspect and/or certified to be a resident state fire marshal.

81.13. (LLR: First Responder PTSD Treatment) Of the funds appropriated to the Department of Labor, Licensing and Regulation - State Fire Marshal's Office for first responder PTSD treatment, the department shall distribute funds to the South Carolina Firefighter Assistance Support Team (FAST) to reimburse firefighters and emergency medical technicians who incur mental injury as a result of a critical incident during the scope of employment for actual out-of-pocket expenses not covered through workers compensation claims and/or other insurance. These funds may also be utilized to provide services through the South Carolina Firefighter Assistance Support Team. The department shall promulgate any administrative regulations necessary to carry out these provisions.

81.14. (LLR: Compensatory Payment) In the event a State of Emergency is declared by the Governor or in the event of a situation requiring the use of mutual assistance under Section 25-1-450, exempt employees of the Department of Labor, Licensing and

Regulation's Office of State Fire Marshal and Fire Academy may be paid for actual hours worked, in lieu of accruing compensatory time, at the discretion of the agency director, and providing funds are available.

81.15. (LLR: Indirect Cost Waiver OSHA) The Department of Labor, Licensing and Regulation shall retain indirect cost recoveries relating to federal OSHA grants in this act. Recoveries retained by the agency will be used for operations of the agency. All other federal grants within the agency will remit indirect cost recoveries pursuant to Section 2-65-70.

81.16. (LLR: Meals in Emergency Operations) The cost of meals, or the advanced purchase of food products to be stored and prepared for meals, may be provided to state employees and volunteers who are not permitted to leave assigned duty stations during actual emergencies and emergency simulation exercises.

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

82.1. (DMV: Federal, Other Flow Through Funds) In order to complete projects begun in a prior fiscal year, the Department of Motor Vehicles is authorized to expend federal and earmarked funds in the current fiscal year for expenditures incurred in the prior fiscal year.

82.2. (DMV: Cost Recovery Fee/Sale of Photos or Digitized Images) The Department of Motor Vehicles may collect processing fees and fees to recover the costs of the production, purchase, handling and mailing of documents, publications, records and data sets. The department may collect and retain fees to defray the cost associated with fulfilling a Freedom of Information Act (FOIA) request. The Department of Motor Vehicles may not sell, provide or otherwise furnish to private parties, copies of photographs, whether digitized or not, taken for the purpose of a driver's license or personal identification card. Photographs and digitized images from a driver's license or personal identification card are not considered public records. With the exception of the cost associated with fulfilling a FOIA request, revenue generated by each fee collected up to the fee amounts charged pursuant to this provision on February 1, 2001, must be placed into the State Highway Fund as established by Section 57-11-20 and be distributed as provided in Section 11-43-167. The balance of the revenue from each fee collected must be retained by the Department of Motor Vehicles.

82.3. (DMV: DPPA Compliance Audit) The Department of Motor Vehicles may charge fees to defray the costs associated with auditing and enforcing compliance of all Federal or State statutes and regulations pertaining to personal information for customers receiving information disseminated by the department as allowed by law. This provision does not pertain to state agencies.

82.4. (DMV: Underutilized Offices) The Director of the Department of Motor Vehicles is authorized to develop and implement a plan to reduce the hours of operation in underutilized DMV field offices; however the legislative delegation of the county in which the affected field office is located must be notified prior to implementation of the plan. In addition, the director shall review field offices which have a high volume of traffic to determine whether it would be beneficial to expand the hours of operation.

82.5. (DMV: Activities Allowed on Special Restricted Driver's License) In the current fiscal year, employing funds authorized or appropriated to the Department of Motor Vehicles pursuant to Section 82, Part IA of this act, the department must include employment, school, church-related or sponsored activities, and parentally approved sports activities in the categories for which it may waive or modify restrictions in the special restricted driver's license for certain minors. The licensee must provide the department a statement of the purpose of the waiver or modification of restrictions executed by the parents or legal guardian of the

licensee and documents executed by church representatives and/or representatives of the sports entity for which the waiver is being requested.

82.6. (DMV: Fund Balance Carry Forward) The Department of Motor Vehicles may carry forward any unexpended general fund balance or other funds from the prior fiscal year and expend those funds in the current fiscal year for expenditures as needed.

82.7. (DMV: Electronic Verification Processing Fees) In the current fiscal year, the Department of Motor Vehicles is exempt from paying fees to the Department of Public Health associated with the use of the Electronic Verification of Vital Events (EVVE) system to verify or certify birth certificates during the driver's license or identification card issuance process.

82.8. (DMV: Identification Card Fees) In the current fiscal year, the Department of Motor Vehicles may waive the fee associated with issuing an identification card if the card issuance is through an established partnership with a state or federal agency.

82.9. (DMV: Provide Data to DOT) The Department of Motor Vehicles shall provide access, in compliance with all state and federal privacy protection statutes, to the following data and reports without charge to the Department of Transportation: (1) all collision data and collision reports; (2) registration information used for toll enforcement; and (3) driver records of employees or prospective employees.

82.10. (DMV: Commercial Driver's License Skills Test Fee) In the current fiscal year, the Department of Motor Vehicles may charge twenty-five dollars for all commercial driver's license (CDL) applicants who schedule a skills test with the agency. Applicants who schedule a CDL skills test with the department, but cancel at least two business days before the appointment, shall be refunded this fee from the department. Monies from first-time skills test attempts where the applicant does not appear for the skills test shall be retained by the department and used for advancement of the CDL and commercial motor vehicle programs of the State. All other monies for CDL skills test shall be distributed in accordance with Section 56-1-2080(A)(1) of the 1976 Code. In instances where the applicant appears for the scheduled appointment and passes the skills test, the department shall credit this fee towards the applicant's CDL and CDL application. In instances where the applicant appears for the scheduled appointment but does not pass the skills test on the first attempt, the department shall credit this fee towards the applicant's subsequent skills test attempts in accordance with Section 56-1-2080(A)(1).

82.11. (DMV: Fees for Qualified Service Members) In the current fiscal year, the Department of Motor Vehicles must waive the application, learner's permit, and driver's license fee, and, when applicable, the knowledge test fee for any applicant who qualifies for commercial learner's permits or commercial driver's licenses under the provisions of 49 CFR Section 383.77.

82.12. (DMV: Authorized to Charge a Witness Fee) In the current fiscal year, the Department of Motor Vehicles is authorized to charge a witness fee of $100 an hour, up to $1,000 a day, for each employee testifying in matters which do not involve the department as a party. This fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial appearances and depositing into a designated revenue account. The department is authorized to receive, expend, retain, and carry forward these funds.

82.13. (DMV: Emergency Powers of the SCDMV) In the current fiscal year, in the event of a State of Emergency declared by the Governor or during extenuating circumstances outside of the Department of Motor Vehicle's control, the agency may:

(1) temporarily extend expiration dates for any products issued by the department; provided that extensions are only granted for citizens with items due for expiration during the State of Emergency;

(2) temporarily waive delinquent fees and penalties of any type; provided that waivers are only granted for citizens with items that fall under the provisions of item (1);

(3) provide meals to employees who are working in support of the State of Emergency; or

(4) implement any waivers issued by the Federal Motor Carrier Safety Administration, International Fuel Tax Agreement, International Registration Plan, or other federal entities and programs issued during the State of Emergency as deemed necessary by the Executive Director or his or her designee.

82.14. RESERVED

82.15. (DMV: E-Titling) (A) Of the funds appropriated in Part IA, Section 82, Department of Motor Vehicles, for Administration–Classified Positions, the department must complete the procurement process as established in the South Carolina Procurement Code to award a contract for and establish a timeline to implement an electronic/digital titling program. The electronic/digital title program must provide electronic vehicle title processing services to include the transfer of vehicle ownership and the placement and release of liens for business customers including automotive dealers, lenders, and auctioneers.

(B) The department shall select and contract with a third-party vendor to create the program with a clear timeline of implementation established and approved by the applicable stakeholders by June 30,2026. The department must provide the timeline of implementation to the Committees of Senate Finance, Senate Transportation, House Ways and Means, and House Education and Public Works by June 30, 2026.

82.16. *(DMV: Electronic Titling) Up to $1,000,000 shall be appropriated to the Department of Motor Vehicles for the purpose of hiring contract computer programmers for the creation of an Electronic Titling Program to provide electronic vehicle title processing services to include the transfer of vehicle ownership and the placement and release of liens for automotive dealers, lenders, and auctioneers, and comparable electronic titling services for vehicle owners and other customers. The department shall select and contract with a third-party vendor to create and implement the program and the department is allowed to utilize programming resources if offered by the Electronic Titling vendor. Electronic titling services for automotive dealers, lenders, and auctioneers must be operational no later than March 31, 2027.*

SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND WORKFORCE

83.1. (DEW: Business Intelligence Division Program Contracts) All earmarked funds collected for the Business Intelligence Division Program Contracts through the Department of Employment and Workforce may be retained by the agency to be used for the exclusive purpose of operating these programs. All funds not expended in the prior fiscal year may be carried forward for use in the current fiscal year.

83.2. (DEW: Federal and Earmarked Prior Year Payments) The Department of Employment and Workforce shall be allowed to pay federal and earmarked prior year obligations with current year funds.

83.3. (DEW: Transparency of Funding Appropriation) In order to promote accountability and transparency, the Department of Employment and Workforce must provide and release to the public via the agency's website, a report of all aggregate amounts of taxes, fees and payments that were charged, collected and paid by that state agency in the prior fiscal year. For the purpose of efficiency and conservation of resources, this report shall be incorporated into the Trust Fund Report due by October first as required

by Section 41-33-45 of the 1976 Code. In addition to the requirements of Section 41-33-45, the Trust Fund Report shall include, but not be limited to: (1) SUTA taxes collected per Tier; (2) unemployment benefit claims paid; (3) how many unemployment claims were made in error; (4) loan repayments made to the federal government; and (5) the amount of funds left in the agency's account at the end of the fiscal year. The report must be posted online by October first of the current fiscal year. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by October first. Funds appropriated to and/or authorized for use by the department shall be used to accomplish this directive.

83.4. (DEW: Negotiation of Interest) For the current fiscal year and upon final repayment of all Title XII advances from the Federal Unemployment Account received by the state beginning in December of 2008, any interest assessment funds received by the Department of Employment and Workforce Interest Assessment Fund pursuant to Section 41-33-810 of the 1976 Code shall be transferred to the Unemployment Compensation Fund.

83.5. (DEW: REED Act Spending Authority) The Department of Employment and Workforce is authorized to expend up to $2,375,072 of funds made available to the State under Section 903 of the United States Social Security Act, as amended. The funds must be used under the direction of the Department of Employment and Workforce, for the purpose of funding Unemployment Insurance, Workforce Innovation and Opportunity Act, and Employment Services Programs. No part of the funds herein authorized may be obligated after a two-year period beginning on July 1, ~~2025~~ *2026*. The amount obligated pursuant to this provision shall not at any time exceed the amount by which (a) the aggregate of amounts transferred to the accounts of the State pursuant to Section 903 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for administration and paid out for benefits and as required by law to be charged against the amounts transferred to the account of this State.

83.6. (DEW: Employment Training Outcomes Data Sharing) The Workforce Innovation and Opportunity Act (WIOA) (P.L. 113-128), requires integration of training and employment data for the purposes of improving assessment of employment outcomes for the various training providers eligible to receive funding appropriated or authorized by this act.

(A) The department must enter into a data-sharing agreement with eligible training providers (ETPs) prior to the ETP entering student data into the Palmetto Academic Training Hub (PATh). ETPs will submit data related to the types of training programs offered, individual student coursework, including personal identifying information (PII) to match training, employment data and performance outcomes, program completion and time to complete, and program costs, as outlined in federal guidance.

(B) State agencies needing data from the Department of Employment and Workforce must meet an exception permitting disclosure, pursuant to 20 C.F.R. Part 603. Prior to providing data to a state agency, the department must enter into a data sharing agreement with the requesting agency, as described in 20 C.F.R. Part 603. Requesting state agencies must identify a need in the administration of the official duties for department data, as required by 20 C.F.R. Part 603. The department shall charge state agencies, excluding the Department of Commerce, for costs, as described in federal and state law, for the data sharing requests.

The Department of Commerce shall not be charged for costs associated with this provision.

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

84.1. (DOT: Expenditure Authority Limitation) The Department of Transportation is hereby authorized to expend all cash balances, unexpended general funds, and unexpended proceeds from bond sales or loans accruing to the department brought forward

from the previous year. The department is also authorized to expend for activities and projects to be reimbursed in part or whole from federal funds from the United States Department of Transportation or other agencies that were obligated, but not expended in a prior fiscal year; and all income for funding for contracted activities and projects funded by another entity not expended in a previous fiscal year. The Department of Transportation shall provide the Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Committee, and the Executive Budget Office a listing of cash balances; unexpended general funds; unexpended proceeds from bond sales or loans accruing to the department; activities and projects funded from previously obligated federal funds not expended in the previous fiscal year; income from contracted activities and projects not expended in the prior fiscal year; and federal funds or other sources approved during the current fiscal year. The Executive Budget Office shall establish expenditure authorization adjustments, pursuant to the South Carolina Federal and Other Funds Oversight Act, upon review of the listing provided by the department.

84.2. (DOT: Special Fund Authorization) The Department of Transportation with the approval of the State Treasurer, is hereby authorized to set up with the State Treasurer such special funds out of the Department of Transportation funds as may be deemed advisable for proper accounting purposes.

84.3. (DOT: Secure Bonds & Insurance) The Department of Transportation is hereby authorized to secure bonds and insurance covering such activities of the department as may be deemed proper and advisable, due consideration being given to the security offered and the service of claims.

84.4. (DOT: Benefits) Employees of the Department of Transportation shall receive equal compensation increases, health insurance benefits and employee bonuses provided in this act for employees of the State generally. The amount will be funded from Department of Transportation funding sources.

84.5. (DOT: Document Fees) The Department of Transportation is hereby authorized to establish an appropriate schedule of fees to be charged for copies of records, lists, bidder's proposals, plans, maps, etc. based upon approximate actual costs and handling costs of producing such copies, lists, bidder's proposals, plans, maps, etc.

84.6. (DOT: Meals in Emergency Operations) In the event a State of Emergency is declared by the Governor or in the event of a situation requiring the use of the Secretary of Transportation's authorities under Section 57-5-1620 of the 1976 Code, the Department of Transportation may provide meals to employees who are not permitted to leave assigned duty stations to include deployment and emergency simulation exercises.

84.7. (DOT: Rest Area Water Rates) For the current fiscal year, rest areas of the Department of Transportation shall be charged in-district water rates by providers of water and sewer services, unless the rate currently charged by the provider is less than in-district rates.

84.8. (DOT: Project Priority List) From the funds appropriated to the department, the Department of Transportation Commission project priority lists, as required under Act 114 of 2007, shall be published in a conspicuous place on the department's website in a manner easily accessible to the public. The priority lists shall be accompanied by the associated engineering directives explaining the ranking process and methodology for applying the commission approved criteria.

84.9. (DOT: General Fund Balance Carry Forward) The Department of Transportation may carry forward any unexpended general fund balance from the prior fiscal year and expend those funds in the current fiscal year.

84.10. (DOT: Reimbursement for Vehicle Damage) Of the funds appropriated to the Department of Transportation, the department must develop direct internet access from the department's home page to any document or claim form that may be used by the public to seek reimbursement for vehicle damages caused by poor road conditions. The department must post a link to the documents or claim forms on the department's home page in a prominent, easily viewed location.

84.11. (DOT: Emergency Meetings) The Department of Transportation Commission is authorized to use funds under this act in order to convene a meeting in cases of emergency as determined by the Secretary of Transportation when a natural disaster or other dire situation requires immediate action. Notice shall be given to the press and the public as soon as a decision is made to convene an emergency meeting. Only emergency matters may be considered in such a meeting. The meeting shall be open to the public, and may be conducted over a conference call if necessary.

84.12. (DOT: CTC Donor Bonus) The Department of Transportation is authorized, in order to meet the requirements of Act 40 of 2017, to transfer a portion of the proceeds of the motor fuel user fee received from Section 12-28-310(D) to satisfy the donor bonus for County Transportation Committees in Section 12-28-2740(H).

84.13. (DOT: Compensatory Payment) In the event a State of Emergency is declared by the Governor or in the event of a situation requiring the use of the Secretary of Transportation's authorities under Section 57-5-1620, exempt employees of the Department of Transportation may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the Secretary of Transportation, and providing funds are available.

84.14. (DOT: Non-Federal Aid Highway Fund) Funds deposited in the Non-Federal Aid Highway Fund established in Act 176 of 2005 may be used for repairs, maintenance, and improvements to the existing transportation system.

84.15. (DOT: Programmed Project Viewer Dashboard) (A) The department is directed to research information technology improvements needed to enhance the quality of information offered on the Programmed Project Viewer dashboard. The research on improvements shall include consideration of the following:

(1) an updated project list that includes the project's status, location by county, city, and road system, description, contract type (maintenance, repair, design, construction, emergency, etc.), and the type of work being completed (bridge, culvert, guard rail, maintenance repair, roadwork and paving, sidewalk, signals/signs, etc.);

(2) forecasted cost of the project;

(3) actual amount of funds spent on the project to date compared to the forecasted cost;

(4) projected completion date;

(5) a list of projects that are on-time and on-budget; and

(6) a summary that provides the amount of money that has been spent to improve, maintain, and construct roads and the highway system.

(B) The department shall provide a quarterly report on the status of the research and improvements made to the dashboard to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means.

(C) The department is directed to implement the improvements to the dashboard as soon as possible in order to provide accessibility and accurate project details to the general public.

84.16. (DOT: Indirect Cost Waiver Federally Funded Projects) The Department of Transportation shall retain indirect cost recoveries relating to federally funded projects. Indirect cost recoveries shall be retained by the department in accordance with

Section 2-65-70(B) and shall be deposited in the State Highway Fund and used by the agency for repairs, maintenance, and improvements to the existing transportation system.

84.17. (DOT: Waiver Valuations) For federal funds appropriated to the department, cost estimates of twenty thousand dollars or less for uncomplicated acquisitions of real property, defined as those involving unimproved strips of land with no damages, no changes in highest and best use, or no significant costs to cure, are considered waiver valuations as defined by the Federal Highway Administration. Licensed or certified appraisers, licensed pursuant to S.C. Code Title 40, Chapter 60, preparing or reviewing a waiver valuation are precluded from complying with Standards Rules 1, 2, 3, and 4 of the "Uniform Standards of Professional Appraisal Practice," as promulgated by the Appraisals Standards Board of the Appraisal Foundation. The department shall submit a detailed report on the waiver valuations to the Senate Transportation Committee and the House Education and Public Works Committee by June 30, ~~2026~~ *2027*.

84.18. *(DOT: Road Buyback Program) From the funds appropriated to the Department of Transportation for the Road Buyback Program, the department shall be directed to identify and compile a list of roads on the state highway system that may be eligible for transfer in accordance with Section 57-5-80. The department shall evaluate roads that may no longer serve a statewide purpose and determine whether such roads are more properly maintained by a county, municipality, or other appropriate political subdivision. In making this determination, the department shall consider functional classification, traffic volume, connectivity, and consistency with the statewide transportation plan. In accordance with Section 57-5-80, roads deemed eligible for transfer shall be those which, in the opinion of the department, are no longer needed to serve the purpose of the state highway system. The department may negotiate with the governing bodies of the appropriate political subdivisions for the transfer of maintenance responsibilities for such roads. Road Buyback Program funds shall be used to assist with costs related to the transfer of roads from the state highway system including, but not limited to, resurfacing, design improvements, documentation, and transition-related expenses agreed upon by the department and political subdivision. The department shall submit the list of identified roads, along with criteria used for selection and any recommendations regarding the transfer process, to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor by February 28, 2027.*

84.19. *(DOT: Transportation Economic Development Fund) In order to provide financial assistance to political subdivisions for construction, design, improvement, or right-of-way acquisition of roads that provide access to industrial areas and facilitate the development or expansion of industry within the State, there is established within the Department of Transportation the Transportation Economic Development Fund. The fund shall consist of monies appropriated by the General Assembly and any other funds made available for this purpose. Grants from the fund may be awarded only to state agencies, counties, municipalities, and other political subdivisions of the State and must be approved by the department after receiving recommendations from the Coordinating Council for Economic Development. The department and the Department of Commerce shall jointly develop criteria for awarding grants from the fund, and the Coordinating Council for Economic Development shall provide recommendations prior to implementation. In developing the criteria, the departments shall consider: (1) the economic benefits of the proposed road improvements; (2) the amount of matching funds provided by outside sources; and (3) the number of jobs created or retained by the proposed investment. Any unexpended at the end of the prior fiscal year may be carried forward and expended in the current fiscal year by the department for the same purposes. No funds shall be awarded for any projects promulgated under Act 3 of 2023.*

SECTION 85 - U150 - INFRASTRUCTURE BANK BOARD

85.1. (IBB: Board Meeting Coverage) Of the funds authorized for the State Transportation Infrastructure Bank Board, the bank must provide live-streamed coverage of all board meetings to ensure transparency and access for the public. The board meetings shall be recorded and archived and made available on the South Carolina Transportation Infrastructure Bank's website.

SECTION 86 - U200 - COUNTY TRANSPORTATION FUNDS

86.1. (CTC: Increased Funding) The requirement of Section 13 of Act 40 of 2017 for increased funding to the County Transportation Committees shall come from the proceeds of Section 12-28-310(D), and shall be used exclusively for repairs, maintenance, and improvements to the state highway system.

86.2. (CTC: Expenditure Authority Limitation) County Transportation Funds are authorized to expend all cash balances brought forward from the previous fiscal year. A listing of cash balances shall be provided to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office. The Executive Budget Office shall establish expenditure authorization adjustments, pursuant to the South Carolina Federal and Other Funds Oversight Act, upon review of the listing provided.

SECTION 87 - U300 - DIVISION OF AERONAUTICS

87.1. (AERO: Reimbursement for Services Carry Forward) The Division of Aeronautics may retain and expend reimbursements derived from charges to other government agencies for service and supplies for operating purposes and that a reserve not to exceed $300,000 may be carried forward to the current fiscal year for the replacement of time limit aircraft components.

87.2. (AERO: Office Space Rental) Revenue received from rental of Division of Aeronautics office space may be retained and expended to cover the cost of building operations.

87.3. (AERO: Funding Sequence) All General Aviation Airports will receive funding prior to the six air carrier airports (i.e. Columbia, Charleston, Florence, Hilton Head Island, Greenville-Spartanburg, and Myrtle Beach International) as these qualify for special funding under the DOT/FAA appropriations based on enplanements in South Carolina.

87.4. (AERO: Hangar/Parking Facilities) The Division of Aeronautics will provide hangar/parking facilities for government owned and/or operated aircraft on a first come basis. Funds shall be retained by the division for the purpose of hangar and parking facility maintenance. The Hangar Fee Schedule shall be determined by the division and shall not exceed local average market rates.

Personnel from the agencies owning and/or operating aircraft will be responsible for ground movement of their aircraft.

87.5. (AERO: Aviation Grants) The funds appropriated for Aviation Grants, in this bill or any bill supplemental thereto, shall be credited to the State Aviation Fund within the Division of Aeronautics for the following purposes:

(1) to allow the maximization of grant funds available through the Federal Aviation Administration for capital improvement projects;

(2) for maintenance projects of general aviation airports; and

(3) for aviation education related programs including, but not limited to, educating young people about careers in the aviation industry and/or the promotion of aviation in general.

Sponsors of publicly owned airports for public use are eligible to receive grants pursuant to this provision, but the airport must have a current development plan that meets the planning requirements of the National Plan of Integrated Airports Systems.

The Aeronautics Commission shall promulgate regulations establishing the grants program that, at a minimum, address: (1) priorities among improvements qualifying for grants; (2) an airport selection process to ensure an equitable distribution of funds among eligible airports; and (3) the criteria for distribution of funds among eligible airports.

Enabling airport sponsors to meet basic Federal Aviation Administration safety guidelines for obstruction clearance must be a major factor in the priority guidelines established by the Aeronautics Commission pursuant to this provision. The Commission also shall have discretion consistent with Section 55-5-170 of the 1976 Code to establish a program to grant Aviation Fund dollars for these purposes at the ratio of eighty percent from the fund to twenty percent from the local airport sponsor, or any ratio with a smaller relative contribution from the fund.

A report on the expenditure of these funds shall be submitted to the Senate Finance Committee and the House Ways and Means Committee.

Unspent funds from the prior fiscal year may be carried forward to the current fiscal year and spent for like purposes.

87.6. (AERO: Asset Procurement Flexibility) The Division of Aeronautics is authorized, upon approval by the Aeronautics Commission, to acquire aircraft and assets for state service through purchase projects including, but not limited to, the Department of Defense Surplus Equipment Programs and the Federal Asset Transfer Program as long as the assets can be used to meet the typical mission requirements of the Division's operations. Aeronautics may participate in the Federal Asset Transfer program to secure aircraft for use in official state business by utilizing appropriated general funds, not to exceed $50,000, and after the South Carolina Aeronautics Commission has provided the approval.

87.7 RESERVED

SECTION 88 - Y140 - STATE PORTS AUTHORITY

88.1. (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, ~~2025~~*2026*, pay to the State Transportation Infrastructure Bank one million dollars before June 30, ~~2026~~*2027*, to continue the Charleston Cooper River Bridge Project.

88.2. (SPA: Harbor Deepening Reserve Fund) The State Ports Authority shall maintain the Harbor Deepening Reserve Fund. This fund shall be separate and distinct from the General Fund, and interest accrued by the fund must remain in the fund. This fund must be used exclusively by the South Carolina Ports Authority for the activities associated with deepening the state's harbors. Prior to expending any amount from the fund, the State Ports Authority must present a comprehensive plan for the use of the fund for harbor deepening to the Joint Bond Review Committee for review and comment. These funds shall be carried forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.

88.3. (SPA: Jasper Ocean Terminal) There is created within the State Ports Authority the Jasper Ocean Terminal Port Facility Permitting and Infrastructure Fund. The State Ports Authority shall maintain the Jasper Ocean Terminal Port Facility Permitting and Infrastructure Fund and the $3,125,000 in state funds previously appropriated to the State Ports Authority for use in connection with the proposed Jasper Ocean Terminal Port shall be deposited into this account. This fund shall be separate and distinct from the General Fund and interest accrued by the fund must remain in the fund. This fund must be used exclusively by the State Ports Authority for permitting and capital infrastructure expenditures supporting the development of the Jasper Ocean Terminal Port facility including, but not limited to, any and all permits and matters associated therewith that are required by the United States Army Corps of Engineers in order to develop the Jasper Ocean Terminal Port, roads, utilities, dredge disposal areas, and acquisition of property and property rights (such as easements, rights-of-way, and licenses) and any other matter reasonably related to the authorization and development of the Jasper Ocean Terminal Port. In regard to the permits and other activities associated with the Corps of Engineers, the State Ports Authority must ensure that the legal posture of the permitting is at all times such that the Jasper Ocean Terminal Port is qualified to be considered an alternative by the Corps of Engineers in connection with its consideration of any other permits for ports-related activity in the Savannah River including, without limitation, any attempt to permit the development of port-related facilities on Hutchinson Island. These funds must be expended by the State Ports Authority for the stated purpose within the current fiscal year. The State Ports Authority is directed to take action against the Georgia Ports Authority in accordance with the Joint Venture Agreement between the parties dated December 2015, in the event the Georgia Ports Authority fails to expend funds in furtherance of that joint venture that are equal to the funds expended by the State Ports Authority, such action to include, without limitation, invocation of the mediation provisions of the Joint Venture Agreement. In the event of an assignment by the State Ports Authority of its interest in the Jasper Ocean Terminal Project to Jasper County that is consented to by the Georgia Ports Authority, the funds appropriated pursuant to this provision shall be transferred by the State Ports Authority to the Department of Administration, for subsequent disbursement by the department for the purposes set forth herein, upon applications for such made by Jasper County, and Jasper County shall assume all of the State Ports Authority's obligations hereunder.

88.4. (SPA: Road Closures Related to Navy Base Intermodal Facility) The State Ports Authority is authorized to close any street or road on or in the vicinity of the former Charleston Navy Base to the extent necessary to implement the Navy Base Intermodal Facility. Such closure shall not deny access to any property owners abutting the closed section of the street or road, or in the event access is denied, alternate access shall be provided.

88.5. (SPA: Distribution Facility) The Navy Base Intermodal Facility owned by the State Ports Authority shall be considered a distribution facility for the purpose of sales tax exemptions associated with the purchase of equipment and construction materials.

88.6. (SPA: Term Limits) The requirements of Section 54-3-30 of the 1976 Code pertaining to the term limits shall be suspended for the current fiscal year.

88.7. *(SPA: Funds for Site in Jasper County) Of the funds previously appropriated to the South Carolina State Ports Authority (SCSPA) in the Jasper Ocean Terminal Facility Permitting and Infrastructure Fund, SCSPA is directed to distribute up to $1,800,000 to the Southern Carolina Regional Development Alliance (SCRDA) in installments and subject to the approvals described below. These funds are for SCRDA's service as intermediary and provider on behalf of a coalition of its interested member counties with economic interests in the development of land in Jasper County adjacent to and in the vicinity of the Savannah River, and the funds shall be used to procure legal, financial, engineering, and other professional services necessary to: (1) analyze, and to the extent*

appropriate, engage in negotiations with the SCSPA, the Georgia Ports Authority (GPA), the Georgia Department of Transportation (GDOT), and the United States Army Corps of Engineers (Corps); and (2) facilitate and enable the construction of commercial and/or industrial facilities on one or more of the seven Dredged Material Containment Areas (DMCAs) designated in the Corps' Savannah Harbor Dredged Material Management Plan (DMMP), all of which are currently encumbered by a perpetual spoil easement held by the Corps and used for disposal of materials dredged from the Savannah River. Before receiving any funds from SCSPA, SCRDA shall submit a written request to the Department of Commerce for review and written approval of the proposed distribution. Such approval shall not be unreasonably withheld. SCRDA shall provide copies of both the written request and the Department of Commerce's written approval to SCSPA prior to any distribution of funds.

SECTION 91 - A990 - LEGISLATIVE DEPARTMENT

91.1. (LEG: Legislative Employee Designations) The positions included in this section designated (P) shall denote a permanent employee and the salary is an annual rate. The positions designated (T) shall denote a temporary employee and the salary is for a period of six months to be paid at that rate only while the General Assembly is in session. The positions designated as (Interim) shall denote a temporary employee and the salary is for a period of six months to be paid at that rate while the General Assembly is not in session. The positions designated (PTT) shall denote part-time temporary employees on a twelve-months basis. The positions designated (PPT) shall denote permanent part-time employees retained for full-time work for a period of months or the duration of the legislative session.

91.2. (LEG: Legislative Employee BPI/Merit) Legislative employees designated (P) or (PPT) shall receive base pay and average merit pay in the same manner as such pay is granted to classified state employees, but for purposes of this paragraph, the term "legislative employees" does not include employees of the House of Representatives. From the funds appropriated for Employee Pay Increases, the Speaker of the House and the President of the Senate shall determine the amount necessary for compensation of the employees of the House and Senate.

91.3. (LEG: Interim Expenses Allowance) The Chairman of the Standing House and Senate Committees shall each be allowed the sum of six hundred and fifty dollars for expenses during the interim, between sessions of the General Assembly, to be paid from the House or Senate approved accounts, with each body paying the expense allowance of the chairman in its membership. The Speaker of the House is authorized to approve not more than six hundred and fifty dollars for expenses during the interim for Chairmen of the Standing Committees of the House.

91.4. (LEG: Subsistence/Travel Regulations) (A) Members of the General Assembly shall receive subsistence for each legislative day that the respective body is in session and in any other instance in which a member is allowed subsistence expense. No member of the General Assembly except those present are eligible for subsistence on that day. Legislative day is defined as those days commencing on the regular annual convening day of the General Assembly and continuing through the day of adjournment sine die, excluding Friday, Saturday, Sunday, and Monday.

(B) Standing Committees of the Senate and House of Representatives are authorized to continue work during the interim; however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced approval by the President of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the

members of the General Assembly shall not be paid the per diem authorized in this provision. When certified by the Speaker of the House, President of the Senate, or Standing Committee Chairman, the members serving on such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for allowances specified in this proviso shall be paid to the members of the Senate or House of Representatives from the Approved Accounts of the respective body except as otherwise may be provided.

(C) Joint Study Committees created pursuant to Acts and Resolutions of the General Assembly are authorized to continue work during the interim to secure such information and complete such investigations as may be assigned to the respective committees; however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced approval by the President of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the House and Senate members of the Joint Study Committee shall not be paid the per diem authorized in this provision. When certified by the appropriate authority, the members appointed to such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The allowances specified in this proviso shall be paid from funds appropriated to the respective committees for such purposes, or from Approved Accounts of the respective body of the General Assembly if no funds have been appropriated to such a committee for these purposes.

(D) Members of the Senate and the House of Representatives when traveling on official State business shall be allowed a subsistence and transportation expenses as provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees upon approval of the appropriate chairman. When traveling on official business of the Senate or the House of Representatives not directly associated with a committee of the General Assembly, members shall be paid the same allowance upon approval of the President of the Senate or the Speaker of the House of Representatives. In either instance, the members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for the allowances specified in this proviso shall be paid from the Approved Accounts of the Senate or the House of Representatives or from the appropriate account of the agency, board, commission, task force or committee upon which the member serves.

(E) Members of the House of Representatives shall not be reimbursed for per diem, subsistence, or travel in connection with any function held outside of the regular session of the General Assembly unless prior approval has been received from the Speaker of the House.

(F) Notwithstanding any other provision of law, subsistence and mileage reimbursement for members of the General Assembly shall be the level authorized by the Internal Revenue Service for the Columbia area. Provided, in calculating the subsistence reimbursement for members of the General Assembly the reimbursement rate for the lodging component shall be the average daily rate for hotels in the Columbia Downtown area as defined by the Columbia Metro Convention and Visitor's Bureau for the preceding fiscal year.

91.5. (LEG: Senate Voucher Approval) All payroll vouchers, disbursement vouchers, and interdepartmental transfers of the Senate shall only require the approval of the Clerk of the Senate.

91.6. (LEG: Supplies Approval) All supplies for the Senate shall be purchased only upon the authority of the Clerk of the Senate and all supplies for the House of Representatives shall be purchased only upon the authority of the Clerk of the House.

91.7. (LEG: House Pages) Up to one hundred forty-four Pages may be appointed pursuant to House policies and procedures and they shall be available for any necessary service to the House of Representatives.

91.8. (LEG: Senate Research Personnel Compensation) Senate Research personnel other than Directors of Research and the committee research staff shall be paid from funds appropriated for Senate Research at the direction of the Clerk of the Senate.

91.9. (LEG: Contract for Services) The Standing Committees of the Senate may, upon approval of the President of the Senate, contract with state agencies and other entities for such projects, programs, and services as may be necessary to the work of the respective committees. Any such projects, programs, or services shall be paid from funds appropriated for contractual services.

91.10. (LEG: Jt. Leg. Committee Operational Authorization) Only the Joint Legislative Committees for which funding is provided herein are authorized to continue operating during the current fiscal year under the same laws, resolutions, rules or regulations which provided for their operations during the prior fiscal year.

91.11. (LEG: Legislative Carry Forward) In addition to the funds appropriated in this section, the funds appropriated under Part IA, Sections 91A, 91B, 91C, 91D, and 91E for the prior fiscal year which are not expended during that fiscal year may be carried forward to be expended for the same purposes in the current fiscal year.

91.12. (LEG: Senate Expenditures/O&M Committee) Notwithstanding any limitation or other provisions of law to the contrary, funds expended by the Senate for salary adjustments, professional fees and dues, and necessary expenses, supplies, and equipment for Senate employees, must be paid from funds appropriated to the Senate Operations and Management Committee and funds available in approved accounts of the Senate, and shall be authorized and allocated in such manner as determined by the Senate Operations and Management Committee. From the funds annually allocated to each Senator and Representative for postage and telephone, $250 may be used to purchase American and State flags.

91.13. (LEG: In-District Compensation) All members of the General Assembly shall receive an in-district compensation of ~~$2,500~~ *$1,000* per month.

91.14. (LEG: Additional House Support Personnel) The House Operations and Management Committee shall determine procedures and policies for the administration and operation of the Legislative Aide program and the House Operations and Management Committee shall manage the program. Appropriations to the House of Representatives in Part IA shall fund the program.

91.15. (LEG: House Postage) The Speaker of the House is authorized to approve no more than $1,200 per member per fiscal year for postage.

91.16. (LEG: Legislative Dual Employment) Each committee and joint legislative committee provide a list to the members of the General Assembly of all employees who hold dual positions of state employment.

91.17. (LEG: Code of Law Reimbursement) The Legislative Council may require reimbursement from public sector recipients except for the General Assembly of its cost of acquiring codes of law, supplements, or replacement volumes distributed to them.

91.18. (LEG: Statewide Acts Availability) From the funds appropriated in Part IA, Section 91D of this act, for the current fiscal year the clerks of the House of Representatives and the Senate are to make all statewide Acts available to the public electronically.

The provisions of this section are in lieu of the House and Senate Clerks' duties related to the printing and mailing of acts as set forth in Sections 2-13-190, 2-13-210, and 11-25-640 through 11-25-680 of the 1976 Code.

91.19. (LEG: LAC Matching Federal Funds) The Legislative Audit Council is authorized to use funds appropriated in this act as state matching funds for federal funds available for audits and reviews. The council is also authorized to charge state agencies for federal funds, if available, for the costs associated with audits and reviews. Agencies shall remit the federal funds to the Legislative Audit Council as reimbursement for the costs of audits and reviews.

91.20. (LEG: DMV Audit Review) For the current fiscal year, the provisions of Section 56-1-5(F) are suspended. Any savings generated by not conducting the review shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

91.21. (LEG: Electronic Correspondence) For the current fiscal year, the House of Representatives may not expend any funds for the printing or mailing of bills, summaries, committee agendas, etc. to committee members. The House of Representatives shall send all relevant information concerning committee meetings to committee members via electronic means.

91.22. (LEG: Technology Panel) Of the funds appropriated in the Department of Education's program VIII.D. for Technology the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state's efforts to facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and utilization of technological and online resources to support student development and achievement, the development and utilization of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational technology related activities engaged in by the partnership. Further, the report must detail information on the expenditure of the K-12 Technology funds by each district as well as a list of the districts requesting flexibility in the use of those funds. The report shall be submitted no later than June first of the current fiscal year.

91.23. (LEG: Legislative Department Applicability) For purposes of this act and any other provision of law that would have any effect on the expenditure of state revenue through the applicability of the particular provision or through compliance with a mandate or requirement of the provision, the terms "state agency" or "agency" do not include any component of the Legislative Department unless the provision of law specifically includes these entities and the inclusion only applies for purposes of the particular provision.

91.24. (LEG: Requested Information) The departments, bureaus, officers, commissions, institutions, and other agencies or undertakings of the State, upon request, shall immediately furnish to President of the Senate or the Speaker of the House of Representatives in such form as he may require, any information requested in relation to their respective affairs or activities.

91.25. (LEG: Lawsuit Intervention by Legislature) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives have an unconditional right to intervene on behalf of their respective bodies in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges:

(a) the constitutionality of a state statute;

(b) the validity of legislation; or

(c) any action of the Legislature.

In a federal court action that challenges the constitutionality of a state statute, the validity of legislation, or any action of the Legislature, the Legislature may seek to intervene, to file an amicus brief, or to present argument in accordance with federal rules of procedure.

Intervention by the Legislature pursuant to this provision does not limit the duty of the Attorney General to appear and prosecute legal actions or defend state agencies, officers or employees as otherwise provided.

In any action in which the Legislature intervenes or participates, the Senate and the House of Representatives shall function independently from each other in the representation of their respective clients.

The Attorney General shall notify the President of the Senate and the Speaker of the House of Representatives of a claim that challenges the constitutionality of a state statute, the validity of legislation, or any action of the Legislature.

91.26. (LEG: Education Lawsuit Fund) Funds remaining in the Education Lawsuit Fund may be reallocated by the Senate to pay any other litigation related expenses.

91.27. RESERVED

SECTION 92 - D210 - OFFICE OF GOVERNOR

92.1. (GOV: Governor's Office Budget) All other provisions of law notwithstanding, the Executive Control of State section and Mansion and Grounds section shall be treated as a single budget section for the purpose of transfers and budget reconciliation.

92.2. (GOV: Mansion and Grounds Budget) The Governor's Office of Mansion and Grounds shall not exceed ten percent of its quarterly allocation of funds so as to provide for agency operations on a uniform basis throughout the fiscal year.

92.3. (GOV: Mansion and Grounds Maintenance and Complex Facilities) Revenue collected from rental of Mansion Complex facilities and grounds must be retained and expended by the Governor's Office, Mansion and Grounds to support its operations. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and be utilized for the same purposes.

92.4. (GOV: Use of Funds Report) In order to ensure transparency and accountability, the Governor's Office of Executive Control of State shall report quarterly to the Senate Finance Committee and House Ways and Means Committee on financial transactions that have taken place between Executive Control of State and Mansion and Grounds. These transactions shall include, but are not limited to, any transfer of funds or payments or reimbursements for services rendered. For each transfer, payment, or reimbursement the report must specify the amount, the reason for, or circumstance that necessitated the transaction, and the source of funds used. In the event federal or other funds were utilized, the source from which the revenue was generated must also be included. The report must be submitted as soon after the end of each quarter as practicable.

SECTION 92D - D300 - OFFICE OF RESILIENCE

92D.1. (SCOR: Catastrophic Weather Event) (A) Any improvements made to real property or personal property used as a residence, such as a mobile home or manufactured housing unit, damaged during the catastrophic weather event in October 2015, Hurricane Matthew of 2016, Hurricane Florence of 2018, or Hurricane Helene of 2024, after the event and before June 30, ~~2026~~*2027*, is not considered an improvement and may not be reassessed at a higher rate as a result of the assistance provided. This provision

only applies if, as a result of the catastrophic weather event, the improvements made to the property were funded by the United States Department of Housing and Urban Development Block Grant - Disaster Recovery Program implemented by the Office of Resilience, or its predecessor, the Disaster Recovery Office, ~~or~~ the Office of Resilience's Rapid Rebuild Program*, or any other program* funded by the Disaster Relief and Resilience Reserve Fund. This provision also applies if, at the discretion of the county and using qualifications determined by the county, the improvements were made with the assistance of a volunteer organization active in disaster, or a similar volunteer organization.

(B) During the current fiscal year, the property tax value of an eligible property shall remain the same unless an assessable transfer of interest occurs. No refund is allowed on account of values adjusted as provided in this provision.

(C) The property tax value may be reassessed at a higher rate in the event of a real property improvement, resulting from a weather event listed above, wherein a new house is built to replace a damaged mobile home or manufactured housing unit previously taxed as personal property; however, any increase to the real property tax value, as a result of the reassessment, may not exceed the value of the most recent personal property tax assessment for the demolished mobile home or manufactured housing unit. The reassessed value shall remain the same for the current fiscal year unless an assessable transfer of interest occurs.

92D.2. (SCOR: Leave Balances) Any temporary grant employees (TGEs) transferred from the former South Carolina Disaster Recovery Office to the Office of Resilience, or who are TGEs with SCOR who become full time equivalent (FTE) employees with SCOR, shall retain any leave accrued prior to the transfer.

92D.3. (SCOR: Carry Forward) The Office of Resilience shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year and expend the funds for the same purposes.

92D.4. (SCOR: Hurricane Helene Habitat for Humanity Collaboration) (A) Of the funds appropriated to the South Carolina Office of Resilience (SCOR) for Fiscal Year 2025–26, $2,000,000 shall be allocated for the Hurricane Helene Home Repair Program in partnership with Habitat for Humanity South Carolina. This program shall expand the Common Housing Operating Picture (CHOP) to repair owner-occupied residential homes for low- to moderate-income households located in FEMA Individual Assistance (IA)–designated counties.

(B) Grant funds shall be awarded to Habitat for Humanity South Carolina and distributed by county based on criteria established by SCOR, including demonstrated need, program capacity, local unmet needs, and alignment with the South Carolina Hurricane Helene Housing Strategy.

(C) SCOR shall develop program guidelines, including subaward procedures, reporting requirements, and accountability measures. Habitat for Humanity South Carolina shall coordinate with SCOR to manage program obligations and oversee local Habitat affiliates responsible for conducting repairs.

(D) Homeowner eligibility shall be determined by SCOR via CHOP, unless otherwise authorized by SCOR. Grant funds may be used for home repairs. A minimum of 55 homes damaged by Hurricane Helene shall be repaired across no fewer than 10 FEMA IA–designated counties. Habitat for Humanity South Carolina shall submit quarterly outcome and budget reports to SCOR.

(E) By June 30 of the fiscal year, SCOR shall submit a report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees detailing grant allocations, participating affiliates, homes repaired, and the program's impact on post-disaster housing recovery. Unexpended funds shall be carried forward and used for the same purpose in the following fiscal year.

92D.5. *(SCOR: Captain Sam's Spit) Any funds appropriated or authorized in this act for the acquisition of property or settlement of litigation related to Captain Sam's Spit shall expire at the end of the fiscal year and may not be carried forward or reauthorized without the approval of the General Assembly through subsequent legislation.*

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

93.1. (DOA: Developmental Disabilities Council) Of the funds appropriated to the Department of Administration, Office of Executive Policy and Programs, $50,000 must be used as state match for the Developmental Disabilities Council federal grant. These funds shall be excluded from the Department of Administration's base budget calculation of any across-the-board agency base reductions mandated by the Executive Budget Office or General Assembly.

93.2. (DOA: Capital Complex & Mansion) Funds appropriated to the Department of Administration - for Capital Complex & Mansion must be set aside in a separate account for the operation and maintenance of the Capital Complex & Mansion. The department shall report annually to the State House Committee on the amount expended from this fund for the operation and maintenance of the State House.

93.3. (DOA: Compensation - Reporting of Supplemental Salaries) No supplement shall be paid to an agency's employee unless the agency head or designated official of the employing agency, or in the case of supplements paid to college and university presidents, their board of trustees, has approved the conditions and amount of salary supplement. Any compensation, excluding travel reimbursement, from an affiliated public charity, foundation, clinical faculty practice plan, or other public source or any supplement from a private source to the salary appropriated for a state employee and fixed by the State must be reported by the employing agency to the Department of Administration. The report must include the employee's base salary, amount of the supplement, source of the supplement, and any condition of the supplement. The employing agency must report this information on or before August thirty-first of each year and must include the total amount and source of the salary supplement received by the employee during the preceding fiscal year (July first through June thirtieth). The Department of Administration shall formulate policies the reporting provisions of this proviso. Copies of the reports shall be made available to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, upon request.

93.4. (DOA: Compensation Increase - Appropriated Funds Ratio) Appropriated funds may be used for compensation increases for classified and unclassified employees and agency heads only in the same ratio that the employee's base salary is paid from appropriated sources.

93.5. (DOA: Local Provider Health Insurance) The local health care providers of the Department of Behavioral Health and Developmental Disabilities, Office of Intellectual and Developmental Disabilities shall be awarded funding increases as prescribed for state agencies to cover the employer's share for the cost of providing health and dental insurance to their employees.

93.6. (DOA: Military Service) Notwithstanding the provisions of Section 8-11-610 of the 1976 Code, a permanent full-time state employee who serves on active duty as a result of an emergency or conflict declared by the President of the United States, and performs such duty, may use up to forty-five days of accumulated annual leave and may use up to ninety days of accumulated sick leave in a calendar year as if it were annual leave.

93.7. (DOA: First Responder Interoperability) ~~The Department of Administration is directed to administer and coordinate First Responder Interoperability operations for the statewide Palmetto 800 radio system to better coordinate public safety disaster responses and communications. First Responder Interoperability administration and coordination shall be funded as provided in this act. The cost proportional funds shall be utilized for radio user fees of state agencies and public safety first responders (Fire, EMS and Law Enforcement) that participate in the statewide Palmetto 800 radio system (Palmetto 800 participants). The Department of Administration, in consultation with the State Law Enforcement Division, the Department of Public Safety, and the State Emergency Management Division, and a representative of the South Carolina Sheriff's Association, shall set a baseline number of radios used by each Palmetto 800 participant based on the technical aspects of the Palmetto 800 radio system and the jurisdictional requirements of the participant. If a Palmetto 800 participant reduces the baseline number of radios in use, the amount of funds allocated for the participant's radio user fees shall be reduced in a proportional amount. The funds shall also be utilized to provide private county and city radio systems with grant funds to be used for purchases of equipment that support interoperability with the statewide Palmetto 800 radio system and its users. Grant funds shall be allocated to private county and city radio systems based on the criteria used for Palmetto 800 Participants and in amounts proportional to the amounts allocated to support the per-site radio user fees of Palmetto 800 participants. A matching share is required by a Palmetto 800 participant or by a private county or city radio system in order to qualify for receipt of funds pursuant to this proviso. Each fiscal year the Department of Administration shall establish the level of match required based upon funding provided by this act. These entities shall be required to furnish such documentation as may be required by the department to verify that the matching funds requirement is met. Upon funding state agency and public safety first responder user fees and private county and city equipment purchases, any remaining funds may be used to enhance and expand the statewide Palmetto 800 radio system. All funds shall be held in a separate account established by the department for the purposes set forth herein. Any unexpended portion of these funds may be carried forward and used for the same purpose. In the calculation of any across-the-board budget reduction mandated by the Executive Budget Office or General Assembly, the amount appropriated to the Department of Administration for First Responder Interoperability must be excluded from the department's base budget.~~

~~The Department of Administration shall provide a report on the status of the integration of the statewide Palmetto 800 radio system which shall include, but not be limited to, a list of entities who are not integrated into the system as of the end of the immediately preceding fiscal year and the reason why they are not integrated. The report shall be submitted by October first, of the current fiscal year to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.~~

93.8. (DOA: Sale of Surplus Real Property) (A) Up to fifty percent of the proceeds, net of selling expenses, from the sale of surplus real properties shall be retained by the Department of Administration and used for the deferred maintenance of state-owned buildings. The remaining fifty percent of the net proceeds shall be returned to the agency that the property is owned by, under the control of, or assigned to and shall be used by that agency for nonrecurring purposes. This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Columbia State Farmers Market; the Department of Agriculture's Columbia Metrology Lab building and property; the Charleston Naval Complex Redevelopment Authority; the Department of Commerce's Division of Public Railways; the Midlands Technical College Enterprise Campus Authority; the Trident Technical College Enterprise Campus Authority; the Commissioners residence at the Department of Corrections and the Educational Television Commission's Key Road property.

(B) The Educational Television Commission shall be authorized to retain the net proceeds from the sale of its property on Key Road, and such proceeds may be used for the renovation of the ETV Telecommunications Center and other maintenance and operating expenses. If it is determined that sufficient net proceeds are not to be derived from the sale of its property on Key Road to cover the cost of all renovations of the Telecommunications Center, the property on Key Road shall not be sold. Any proposed sale hereunder shall, prior to said sale, be submitted to the Department of Administration for approval as being in compliance with the requirements of this subsection.

(C) The Department of Corrections shall be authorized to retain the net proceeds from the sale of the residence provided for the Commissioner of the Department of Corrections and use such proceeds for deferred maintenance needs at the Department of Corrections.

(D) The Forestry Commission shall be authorized to retain the net proceeds from the sale of surplus land for use in firefighting operations and replacement of firefighting equipment or acquisition of such lands, in the judgment of the commission, that are desirable for State forests.

(E) The Department of Natural Resources shall be authorized to retain the net proceeds from the sale of existing offices originally purchased with a federal grant or with restricted revenue from hunting and fishing license sales for the improvement, consolidation, and/or establishment of regional offices and related facilities.

(F) The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of Natural Resources, and the Forestry Commission shall annually submit a report, within sixty days after the close of the fiscal year, to the Senate Finance Committee and the House Ways and Means Committee on the status of the sale of the identified property and a detailed accounting on the expenditure of funds resulting from such sale.

(G) This provision is comprehensive and supersedes any conflicting provisions concerning disposition of state-owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

(H) Any unused portion of these funds may be carried forward into succeeding fiscal years and used for the same purposes.

93.9. (DOA: Cyber Security) All state agencies must adopt and implement cyber security policies, guidelines and standards developed by the Department of Administration. The department may conduct audits on state agencies except public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies as necessary to monitor compliance with established cyber security policies, guidelines and standards. Upon request, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies shall submit sufficient evidence that their cyber security policies, guidelines and standards meet or exceed those adopted and implemented by the department. In addition, while agencies retain the primary responsibility and accountability for ensuring responses to breach incidents comply with federal and state laws, the department shall be informed of all agency cyber security breaches, and is authorized to oversee incident responses in a manner determined by the department to be the most prudent. Upon request of the Department of Administration for information or data, all agencies must fully cooperate with and furnish the department with all documents, reports, assessments, and any other data and documentary information needed by the department to perform its mission and to exercise its functions, powers, and duties. The Judicial and Legislative Branches are specifically exempt from the requirements set forth herein.

93.10. (DOA: Holidays) When a legal holiday specified in Section 53-5-10 of the 1976 Code falls on Sunday, the following Monday and when a holiday specified in that section falls on Saturday, the preceding Friday next preceding is deemed a public

holiday for all of the purposes. If either the following Monday or the preceding Friday is also a legal holiday, then the State Human Resources Director will designate the day upon which the legal holiday will be observed by state employees. To insure that no more than the legal holidays specified in Section 53-5-10 are observed in the calendar year, a New Year's Day that falls on Saturday must be observed on the following Monday. All bills of exchange, checks, and promissory notes which would otherwise be presentable for acceptance or payment on a Monday or Friday observed as a holiday pursuant to this section are deemed presentable for acceptance or payment on the secular or business day succeeding the holiday.

93.11. (DOA: Nuclear Advisory Council) ~~The Office of Regulatory Staff shall reimburse the Department of Administration for travel expenses associated with the Governor's Nuclear Advisory Council from the SC Energy Office's radioactive waste funds.~~

93.12. (DOA: QECB Allocation) ~~From the funds appropriated to the department, the director of the Department of Administration shall develop and implement a plan to utilize the state's remaining Qualified Energy Conservation Bond allocation to fund energy conservation projects on state-owned buildings and other eligible capital expenditures that benefit state agencies.~~

93.13. (DOA: Federal/Other Fund Authorization Adjustments) The Executive Budget Office (EBO) is authorized to approve agency requests for federal and other fund authorization adjustments. Requests will be approved and reported by the Executive Budget Office pursuant to Chapter 65, Title 2, the "South Carolina Federal and Other Funds Oversight Act". For the current fiscal year, EBO shall provide a quarterly report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of all interim authorization of funds adjustments granted to state agencies or institutions of higher education during the current fiscal year. Any interim authorization adjustments requested by any state agency or institution of higher education may only be granted by EBO if meeting every applicable criterion delineated in the South Carolina Federal and Other Funds Oversight Act. EBO shall further provide a report to the Chairman of the Senate Finance Committee and the Chairman of the Ways and Means Committee by February 1st of the current fiscal year identifying, by agency, the amount of unused federal and other funds authorization for the most recently completed fiscal year.

93.14. (DOA: SCEIS Carry Forward Authorization) Notwithstanding any provision of state law, for Fiscal Year ~~2025-26~~ *2026-27*, unexpended funds appropriated for the SC Enterprise Information System may be carried forward from the prior fiscal year and used for the same purpose.

93.15. (DOA: Health Agencies Complex) Funds appropriated to the Department of Administration for the Health Agencies Complex must be set aside in a separate account for the operation and maintenance of the facilities leased pursuant to proviso 118.22 of Act 84 of 2023. Any unexpended portion of these funds may be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

93.16. (DOA: Colleton County) ~~The funds remaining of the $1,387,932 appropriated in Act 239 of 2022, Section 118.19(B)(72)(hh) to the Department of Administration for the Colleton County industrial shell building and road engineering shall be redirected by Colleton County for the purchase of additional land at the Colleton Mega Site.~~

93.17. (DOA: Carry Forward Forensic Accounting Review Audit) The Department of Administration is authorized to carry forward any remaining funds appropriated pursuant to Proviso 117.186 of Act 226 of 2024 and to expend them in the current fiscal year to fund activities related to oversight of the implementation of the recommendations in the AlixPartners report, including the hiring of an independent compliance consultant pursuant to S.253 (R.1) of 2025.

93.18. (DOA: Centralized Software Pilot) From the funds appropriated, the Department of Administration shall implement a pilot program in the sixteen technical colleges to utilize a single, third-party centralized software system that operates above existing accounting or enterprise resource planning (ERP) software without requiring major workflow changes, automatically standardizes naming conventions across all colleges to enable direct comparisons of key financial measures, employs AI-driven analytics to detect anomalies, outliers, or compliance flags while providing plain-language summaries of trends and findings, supports multi-campus, multi-fiscal-year data with secure role-based access, and grants the department top-level oversight to view aggregated data in real time, compare performance across colleges, and identify compliance concerns or best practices that could enhance statewide financial oversight. The State Board for Technical and Comprehensive Education and the sixteen technical schools must assist the department as directed with the coordination and technical facilitation of data collection, the implementation of the software, and any additional assistance as requested. The department shall provide an assessment report on the pilot's impact, cost savings, and improved financial transparency to the Chairmen of Senate Finance and the House Ways and Means Committees no later than June 30, 2026.

93.19. (DOA: Health Agencies Analysis) From funds appropriated, the Department of Administration shall conduct an analysis of the Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services, Office of Intellectual and Developmental Disabilities, and Office of Mental Health, or their successor agencies, that includes, but is not limited to, the current organizational structures, management and supervision of full-time employees, duplication of administrative efforts, suitability for shared services, and opportunities for collaboration between the offices. Each office must provide their full cooperation, and make available any staff, books, records, statements, and other information needed by the Department of Administration to complete the analysis. The department is authorized to effectuate structural reorganization, including any reduction in force needed based upon the findings in their analysis. The department shall provide a detailed report on structural reorganization and the Executive Budget Office shall report the number of FTEs deleted by agency, program, and funding source to the Senate Finance Committee and the House Ways and Means Committee no later than June 30, 2026.

93.20. (DOA: Battelle Alliance Reporting) The Department of Administration, Executive Budget Office shall report quarterly to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, and the Chairman of the Aiken County Legislative Delegation as to the expenditures, outcomes, progress, and any other information deemed relevant by the office as it relates to funds appropriated in this act, or any other act, for the Battelle Alliance. The Commission on Higher Education and any entity that has received or will receive funding for this purpose shall supply the office with all information requested to satisfy these reporting requirements.

93.21. *(DOA: Aiken County Railroad) (A) The funds remaining of the $900,000 appropriated in Act 239 of 2022, Section 118.19(B)(72)(v) to the Department of Administration for the Aiken Railroad Facilities Renovation and Completion may be redirected for the following purposes:*

(1) For the recovery, restoration, and display of early railroad artifacts discovered underground in Hitchcock Woods.

(2) For the construction of a building on Hitchcock Woods Foundation property, and curation of artifacts to be housed there, subject to an agreed upon Memorandum of Understanding between the Friends of Aiken County Railroad Depot and the Hitchcock Woods Foundation.

(3) To provide for a pullman porter exhibit at Aiken's Center for African American History, Art and Culture.

(4) To construct educational kiosks explaining the history of Aiken's wooden bridges over the historic Railroad Cut.

(B) Aiken County shall provide an updated expenditure plan to the Executive Budget Office and the legislative delegation prior to redirecting these funds.

SECTION 94 - D250 - OFFICE OF INSPECTOR GENERAL

94.1. (OIG: Coordination with State Auditor) The State Inspector General will prepare an annual report to the Chairmen of the House Ways and Means Committee and the Senate Finance Committee and the Governor detailing all written referrals of fraud, waste, and abuse from the State Auditor and all corresponding actions taken by the State Inspector General.

94.2. (OIG: Carry Forward) The funds appropriated to the Office of Inspector General may be carried forward from the prior fiscal year and expended in the current fiscal year to secure legal services, forensic auditing, staff training, and other services to ensure the office can conduct investigations as needed.

SECTION 96 - E080 - OFFICE OF SECRETARY OF STATE

96.1. (SS: UCC Filing Fees) Revenues from the fees raised pursuant to Section 36-9-525(a), not to exceed ~~$180,000~~ *$250,000*, may be retained by the Secretary of State for purposes of UCC administration.

96.2. (SS: Charitable Funds Act Disclosure Violations) The Secretary of State shall refer to the Attorney General for investigation under Section 33-56-145 of the Solicitation of Charitable Funds Act any person who is alleged to have violated the mandatory disclosure requirements of Section 33-56-90 of the Act, and who has been fined $10,000 or more for those violations.

96.3. (SS: Charitable Funds Act Misrepresentation Violations) The Secretary of State shall refer to the Attorney General for investigation under Section 33-56-145 of the Solicitation of Charitable Funds Act any person who is alleged to have violated the misrepresentation provisions of Section 33-56-120 of the Act, and who has been fined $10,000 or more for those violations.

96.4. (SS: Cable and Video Service Certificates) For the current fiscal year, the Secretary of State shall not automatically deny the application or amended application for a cable or video service certificate pursuant to Section 58-12-310 if a community does not timely indicate its unconditional consent to the state-issued certificate of franchise authority within sixty-five days of receipt of a request from the Secretary of State pursuant to Section 58-12-310(C). Any application granted shall be subject to the foregoing provisions of Section 58-12-310(D).

96.5. (SS: Charitable Funds Administration) In addition to the first $200,000 in administrative fines currently retained to administer the enforcement of the Solicitation of the Charitable Funds Act, the Secretary of State may retain up to an additional $150,000 of fine revenue collected for the same purpose.

SECTION 97 - E120 - OFFICE OF COMPTROLLER GENERAL

97.1. (CG: Signature Authorization) The Comptroller General is hereby authorized to designate certain employees to approve, in his stead, disbursement documents authorizing payment, and the State Treasurer is hereby authorized to accept such approved

disbursement documents when notified by the Comptroller General. This provision shall in no way relieve the Comptroller General of responsibility.

97.2. (CG: GAAP Implementation & Refinement) It is the intent of the General Assembly that the State of South Carolina issue financial statements in conformance with Generally Accepted Accounting Principles (GAAP). To this end, the Comptroller General is directed, as the State Accounting Officer, to maintain an Enterprise Information System for State Government (SCEIS) that will result in proper authorization and control of agency expenditures, including payroll transactions, and in the preparation and issuance of the official financial reports for the State of South Carolina. Under the oversight of the General Assembly, the Comptroller General is given full power and authority to issue accounting policy directives to state agencies in order to comply with GAAP. The Comptroller General is also given full authority to conduct surveys, acquire consulting services, and implement new procedures required to implement fully changes required by GAAP.

97.3. (CG: Payroll Deduction Processing Fee) There shall be a fee for processing payroll deductions, not to exceed twenty-five cents, for insurance plans, credit unions, deferred compensation plans, benefit providers, and professional associations per deduction per pay day. This fee shall not be applied to charitable deductions. Vendors and other third parties receiving payroll deductions shall bear the entire cost of this fee, at no cost to state employees. The revenues generated from these fees and those provided for child support deductions in accordance with Section 63-17-1460(C), South Carolina Code of Laws, 1976, as amended, may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and utilized for the same purposes.

97.4. (CG: Unemployment Compensation Fund Administration) $200,000 of the fund balance of the Unemployment Compensation Fund shall be paid out annually to the Office of Comptroller General to be used by that agency to recover the costs of administering the fund.

The Unemployment Compensation Fund is provided for in Section 41-31-820, South Carolina Code of Laws, 1976, as amended. Any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and used for the same purposes.

97.5. (CG: Purchasing Card Rebate Program) The Office of Comptroller General is authorized to retain the first $100,000 of rebate associated with the Purchasing Card Program and $200,000 of agency incentive rebates.

The funds retained may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year into the current fiscal year and be utilized for the same purposes.

97.6. (CG: Carry Forward Authority) The Office of Comptroller General is authorized to carry forward all funds from the prior fiscal year and expend in the current fiscal year to fund agency operations and to secure accounting, auditing, and legal services.

SECTION 98 - E160 - OFFICE OF STATE TREASURER

98.1. (TREAS: National Forest Fund - Local Govt. Compliance) In order to conform to federal requirements local governments receiving distributions of National Forest Fund revenues are required to report annually to the State Treasurer indicating compliance with authorized purposes.

98.2. (TREAS: STARS Approval) Decisions relating to the Statewide Accounting and Reporting System (STARS) and the South Carolina Enterprise Information System (SCEIS) which involve the State Treasurer's Banking Operations and other functions of the State Treasurer's Office shall require the approval of the State Treasurer.

98.3. (TREAS: Investments) The State Treasurer may pool funds from accounts for investment purposes and may invest all monies in the same types of investments as set forth in Section 11-9-660.

98.4. (TREAS: Management Fees) The State Treasurer is authorized to charge a fee for the operating and management costs associated with the Local Government Investment Pool, the Deferred Compensation Program, the Tuition Prepayment Program, and the College Investment Program and is further authorized to retain and expend the fees to provide these services. The fees assessed may not exceed the cost of the provision of such services.

98.5. (TREAS: Investment Management Fees) Unless otherwise prohibited by law, the State Treasurer may charge a fee for the operating and management costs associated with the investment management and support operations of various state funds and programs, and further, may retain and expend the fees to provide these services. The fees assessed may not exceed the actual cost of the provision of these services or the earnings on these investments.

98.6. (TREAS: Debt Management Cost Allocation) Unless otherwise prohibited by law, the State Treasurer may charge actual costs associated with the administration and management of the indebtedness of the State, its agencies and institutions, and further, may retain and expend any amounts so allocated to provide these services. Costs associated with the original issuance of bonds and other indebtedness must be assessed on an hourly basis, must be taken from the costs of issuance of any bond issue or other indebtedness, and must not exceed the actual cost of providing these services. Ongoing costs of administration and maintenance must be assessed against expenses of debt service, and must not exceed the actual costs of providing these services.

98.7. (TREAS: Withheld Accommodations Tax Revenues) Before noncompliant expenditures and penalties withheld pursuant to Sections 6-4-35(B)(1)(a) and (b) are reallocated, the Tourism Expenditure Review Committee must certify to the Office of State Treasurer that the time period for an appeal of the committee's action to the Administrative Law Court has expired or that the action of the committee has been upheld or overturned by the Administrative Law Court. Noncompliant expenditures and penalties withheld must be reallocated annually after August first. Allocations withheld must be reallocated proportionately based on the most recent completed fiscal year's total statewide collections of the accommodations tax revenue according to the Office of State Treasurer records. Each annual reallocation of withheld funds to non-offending counties and municipalities must be calculated separately then combined if necessary. Each reallocation to a county or municipality calculated less than a dollar must be transferred to the General Fund of the State.

98.8. (TREAS: Tuition Prepayment Program) The South Carolina Tuition Prepayment Program shall not accept any new enrollment in the current fiscal year. The annual increase in tuition for the purposes of the Tuition Prepayment Program, for an institution cannot exceed seven percent per year from the 2006-07 level. To the extent that actual tuition for an institution exceeds an annual growth of seven percent per year since Fiscal Year 2006-07, colleges and universities must grant a waiver of the difference to the designated beneficiary and shall not pass along this difference to any student.

98.9. (TREAS: Penalties for Non-reporting) (A) If a municipality fails to submit the audited *or compiled* financial statements required under Section 14-1-208 to the State Treasurer within thirteen months of the end of their fiscal year, the State Treasurer must withhold all state payments to that municipality until the required audited *or compiled* financial statement is received.

(B) If the State Treasurer receives an audit report from either a county or municipality that contains a significant finding related to court fine reports or remittances to the Office of State Treasurer, the requirements of Proviso 117.48 shall be followed if an amount due is specified, otherwise the State Treasurer shall withhold twenty-five percent of all state payments to the county or municipality until the estimated deficiency has been satisfied.

(C) If a county or municipality is more than ninety days delinquent in remitting a monthly court fines report, the State Treasurer shall withhold twenty-five percent of state funding for that county or municipality until all monthly reports are current.

(D) After ninety days, any funds held by the Office of State Treasurer will be made available to the State Auditor to conduct an audit of the entity for the purpose of determining an amount due to the Office of State Treasurer, if any.

98.10. (TREAS: Signature Authorization) The State Treasurer is hereby authorized to designate certain employees to sign payments for the current fiscal year in accordance with Section 11-5-140 of the 1976 Code to meet the ordinary expenses of the State. This provision shall in no way relieve the State Treasurer of responsibility.

98.11. (TREAS: Unclaimed Property) The State Treasurer may not expend funds to retain a third party, private sector auditor, or auditing firms to fulfill his duties pursuant to the South Carolina Uniform Unclaimed Property Act on a contingency basis or any basis other than an hourly basis, with the exception that the State Treasurer may join other state(s) in multi-state contingent fee auditors' examinations, not to include companies whose parent company is headquartered or incorporated in South Carolina, when there is a reason to believe that those companies being audited are holding funds belonging to South Carolina citizens. The Office of State Treasurer shall retain $200,000 from the Unclaimed Property Program for the sole purpose of employing internal compliance auditors to enforce the Unclaimed Property Act.

98.12. (TREAS: Municipality Accommodations Tax Withholdings) If the State Treasurer is withholding accommodations tax revenue distributions to a municipality due to an expenditure the Tourism Expenditure Review Committee determined to be in noncompliance, then the municipality may refund an amount equivalent to the amount determined to be in noncompliance to the municipality's accommodations tax fund from the municipality's general fund. If the municipality certifies to the Tourism Expenditure Review Committee that the amount has been refunded, the State Treasurer shall refund the withheld funds to the municipality's general fund. The expenditure of funds refunded to the municipality's accommodations tax fund and any subsequent expenditures are subject to review by the Tourism Expenditure Review Committee. Prior to notification to the State Treasurer of noncompliance by a municipality, the Tourism Expenditure Review Committee must notify the municipality if an expenditure is found to be in noncompliance. If the committee informs the municipality of an expenditure determined to be in noncompliance and the municipality does not refund the noncompliant amount, the committee shall certify the noncompliance to the State Treasurer. If the committee determines an expenditure of any refunded amount to be in noncompliance, the municipality may not refund an equivalent amount in order to avoid future withholdings.

98.13. (TREAS: Investment Earnings and Interest) In accordance with the requirements of Section 11-13-125 of the 1976 Code, the State Treasurer shall remit earnings and interest from investments of general deposit funds into the General Fund of the State. Nothing in this provision shall be construed to limit the State Treasurer from incurring and paying fees, expenses, losses, statutory commitments, salaries, and other costs associated with the routine investment of funds pursuant to Section 11-9-660 of the 1976 Code.

98.14. (TREAS: Fund Balances & Closing Packages) For the current fiscal year, the Office of the State Treasurer shall provide the Office of the Comptroller General all cash and investment fund balances by aggregation of funds by unique disclosure entity for the purposes of cash reconciliation and annual comprehensive financial report compilation. Further, the Office of the State Treasurer shall fully comply with information requested in the form of closing packages from the Office of the Comptroller General for the same purposes.

SECTION 99 – E190 – RETIREMENT SYSTEM INVESTMENT COMMISSION

99.1. (RSIC: Fiduciary Audit) For Fiscal Year ~~2025-26~~ *2026-27*, Section 9-16-380, relating to the solicitation and the bid for a fiduciary audit, is suspended.

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

100.1 (ADJ: Use of Agency Property and Revenue Collections) The Adjutant General is authorized to rent, lease, or sub-lease any area under his ownership or control including facilities, unimproved real-estate, and parking areas. The Adjutant General is authorized to collect funds received from any sources including, but not limited to, county and city appropriations, short or long-term lease or rental payments, revenues from vending machines, military justice fines or other monetary penalties, federal reimbursements under cooperative agreements, and gifts to the agency. These revenues shall be retained and expended as authorized by the Adjutant General.

100.2. (ADJ: Rental Fee for Election Purposes) The maximum fee that an armory may charge for the use of its premises for election purposes shall be the cost of providing custodial services, utilities, and maintenance.

100.3. (ADJ: Event Parking Contracts) Notwithstanding other provisions of this act, the Adjutant General may execute agreements addressing event-parking related services, sub-leases or licenses, or other appropriate subject in order to generate revenue from parking areas under his ownership or control near the University of South Carolina's Williams-Brice Stadium. The Adjutant General's authority to enter such agreements applies to the headquarters building parking facilities currently owned by the Department of Administration, whether or not those are subject of a current lease to the Adjutant General. The agreements may relate to parking for specific events, a series of events (USC home football games), or for all events. The Adjutant General may enter agreements with a state chartered and federally recognized tax exempt 501(c)(4) agency employees' association which may then sub-lease or sub-license individual parking spaces for use during an event, or a series of events (USC home football games). The agreements must require the employees association to obtain either event coverage, general liability coverage against wrongful death or injury, or similar coverage that is suitable to the Adjutant General. All agreements must obligate the employees association to hold harmless, indemnify, and defend the Office of the Adjutant General, the Department of Administration, the State of South Carolina, and their respective officers and employees from any liability resulting from parking patrons or their guests activities or presence during these events. The agreements must specify that the Office of the Adjutant General shall receive no less than thirty-three percent of the gross profits from sub-leasing, licensing, or other grants of use for parking. The agreements must also allow the State to audit the employees association's funds.

100.4. (ADJ: Meals in Emergency Operations Centers) The cost of meals, or the advanced purchase of food products to be stored and prepared for meals, may be provided to state employees who are required to work at the State Emergency Operations Centers during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

100.5. (ADJ: Billeting Operations) All revenues collected by the Billeting operations at the R.L. McCrady Training Center shall be retained and expended in its budgeted operations. Expenditures from these funds shall be determined by the Billeting Committee for Billeting operations. Funds remaining in the Billeting Operation account may retained, carried forward, and expended for the same purpose in the current fiscal year.

100.6. (ADJ: EMD Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the Emergency Management Division may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the Agency Director, and providing funds are available.

100.7. (ADJ: Civil Air Patrol) The funds appropriated in this section for the Civil Air Patrol shall be expended by the Civil Air Patrol so as to discharge the state's obligations in conjunction with the Civil Air Patrol as outlined in the SARDA Plan, the South Carolina Operational Radiological Emergency Response Plan, and to assist county and local authorities and other state agencies as permitted by the regulations governing the Civil Air Patrol. All expenditures for equipment and services shall be in accordance with state fiscal policies.

100.8. (ADJ: Emergency Commodities) The Emergency Management Division shall be allowed to rotate and replace water, Meals Ready to Eat (MREs), and other essential emergency commodities housed in the state's Logistic Center through the provision of said commodities to neighboring states, counties, municipalities and other state agencies, and shall be allowed to accept compensation for said commodities not to exceed replacement costs. Revenues from this exchange shall be utilized solely for the replacement of state emergency commodities.

100.9. (ADJ: Behavioral Health Care Facilitator/Coordinator) The funds appropriated and or authorized to the Office of the Adjutant General may be utilized to hire a Behavioral Health Care Facilitator/Coordinator who shall act as a liaison to provide mental health care coordination for mental health services to all members of the South Carolina National Guard. The responsibilities of the position shall include, but are not limited to, focusing on individuals without health insurance or without adequate health insurance; facilitating Memorandum of Understanding with mental health facilities across the state to provide assistance to National Guard Service Members; assisting in coordinating Yellow Ribbon and Beyond and other post deployment and mental health events; coordinating treatment for Service Members for conditions that may or may not result in their being medically non deployable; and participating in staff meetings to discuss care of Service Members. The individual hired must be knowledgeable of state and federal privacy laws, including the HIPAA privacy regulations. In addition, it is preferred that the individual have a previous background in Social Work. A national security background check must be performed on the individual prior to a job offer being tendered.

100.10. (ADJ: National or State Guard State Active Duty) In the event of the activation of the South Carolina National Guard or State Guard to State Active Duty in response to a declared emergency or in response to an imminent or anticipated emergency, including support provided under Section 25-9-420 of the 1976 Code, the Emergency Management Assistance Compact, the State Treasurer and the Comptroller General are hereby authorized and directed to pay from the general fund of the State such funds as necessary, not to exceed $1,500,000, to cover the actual costs incurred. Any funds reimbursed to the state shall be deposited in the state general fund, up to the amount of funds advanced to the Office of Adjutant General for these activities.

100.11. (ADJ: National Guard Association and Foundation Support) From the funds authorized or appropriated for State Military Department operations, the Adjutant General may authorize National Guard personnel to support and assist the National Guard Association of South Carolina and the South Carolina National Guard Foundation in their missions to promote the health, safety, education, and welfare of South Carolina National Guard personnel and their families.

100.12. (ADJ: State Guard Training and Activation) The Office of the Adjutant General shall compensate State Guard personnel at a rate of $150 per day during State Guard training. State Guard members will not be covered by the South Carolina Retirement System. State Guard mandated training is not to exceed 12 training periods per year for each member. In the event of activation of the State Guard to State Active Duty by the Governor or the Adjutant General, the Office of the Adjutant General shall compensate activated State Guard personnel at a rate of $150 per day.

100.13. (ADJ: Disasters Expenditure Status Report) The Emergency Management Division of the Office of the Adjutant General shall prepare a quarterly report on the status of the expenditure of the funds appropriated in the current fiscal year or in a previous fiscal year for FEMA Match for all open federally declared disasters. The quarterly report must include, but is not limited to, expenditure by category of work by state/local and by county and shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee beginning September 30, 2018.

100.14. (ADJ: Armory Revitalizations Carry Forward) The funds appropriated for Armory Revitalizations may be carried forward from the prior fiscal year and expended for the same purpose in the current fiscal year.

100.15. (ADJ: Use of Capital Funds-McEntire) For the current fiscal year, the Adjutant General may exercise the condemnation authority provided by Chapter 9, Title 55 of the 1976 Code to acquire property or air rights over private property near McEntire Joint National Guard Base and utilize funding for the "McEntire Joint National Guard Base - Land" received in Act 91 of 2019 for this and related purposes.

100.16. (ADJ: Use of Capital Funds-Joint Base Charleston) For the current fiscal year, the Adjutant General may accept a license on behalf of the State for the real estate to be utilized in construction of a National Guard facility at Joint Base Charleston and use the funds received for "Armory Construction and Revitalizations" in Act 91 of 2019 for the state's share for construction and related costs.

100.17. (ADJ: PPE Stockpile) The Emergency Management Division shall be permitted to rotate and replace the State's personal protection equipment stockpile, housed pursuant to a state contract. This may include the rotation of like-kind stock owned by participating entities, both public and private, in order to minimize the cost of maintaining a personal protective equipment stockpile for the State and to ensure the useful life of the State's personal protective equipment stockpile. In the event excess or expired PPE cannot be sold and meets the definition of SC Code of Regulations 19-445.2150(H), SCEMD may donate the material for nonmedical use to nonprofit organizations that are tax-exempt under Section 501(c)(3) of the Internal Revenue Code and that are properly registered as charitable organizations with the South Carolina Secretary of State.

100.18. (ADJ: Dining Operations) All revenues collected by the Dining Facility operations at the R.L. McCrady Training Center shall be retained and expended in its budget operations. Funds remaining in the Dining Facility accounts may be retained, carried forward, and expended for the same purpose in the current fiscal year.

100.19. (ADJ: Facility Insurance Coverage) For the current fiscal year, the Adjutant General is authorized to work with the South Carolina State Fiscal Accountability Authority, Insurance Reserve Fund (IRF) to ensure state-owned or state-leased properties

are properly insured. Consideration must be given to facilities which are eligible for federal and state cost-sharing agreements, which use federal funding to cover, either in whole or in part, costs of renovation, repair, or replacement in determining insurance coverage. The Adjutant General may utilize funds available from the federal government to pay for renovation, repair, or replacement following damage to the agency's state-owned or state-leased National Guard facilities. The Adjutant General also may utilize any federal funding which may be available for the procurement of building coverage insurance. This provision does not obligate the Insurance Reserve Fund to provide reimbursement or payments relating to any uninsured properties.

100.20. (ADJ: South Carolina Military History Foundation Support) From the funds authorized or appropriated for State Military Department operations, the Adjutant General may authorize Agency personnel to support and assist the South Carolina Military History Foundation, a state chartered and federally recognized tax exempt 501(c)(3) association, in its missions to support the South Carolina Military Museum and to promote the education of the citizens and visitors of the State of South Carolina.

100.21. (ADJ: SC Military History Foundation Cooperation) The Office of the Adjutant General and the South Carolina Military Museum Board may enter into agreements with the South Carolina Military History Foundation, a tax exempt 501(c)(3) nonprofit entity organized under the laws of this State, to utilize Agency resources to generate revenue from activities at the South Carolina Military Museum or elsewhere including, but not limited to, program fees, professional services, donations, food service, exhibits, and exhibit components. The agreements must specify that the Foundation may not charge program fees to students of any South Carolina public or private elementary school, middle school, high school, home school, alternative home school, or an association for home schools who are touring the museum or accessing the Museum's programs as part of a school function. The agreements must also specify that these revenues will be segregated from the other income or revenues of the Foundation and that those revenues will be used solely to support the Museum.

100.22. (ADJ: STORM Act Grant Authorization) Upon award of a federal "Safeguarding Tomorrow through Ongoing Risk Mitigation Act" capitalization grant, the South Carolina Emergency Management Division (SCEMD) is authorized to accept the grant and to establish and manage the South Carolina Safeguarding Tomorrow Revolving Loan Fund in accordance with the provisions of the Federal Act and applicable state laws, regulations, and policies.

100.23. (ADJ: State Matching Funds Carry Forward) The funds appropriated for Armory Operations: Other Operating Expenses may be carried forward from the prior fiscal year and expended for the same purpose in the current fiscal year.

100.24. (ADJ: SC Public Assistance Program) The South Carolina Emergency Management Division (SCEMD) is authorized to establish the South Carolina Public Assistance (PA) Program to support disaster recovery for localized hazard events that cause severe damage but do not meet thresholds/criteria for a federal disaster declaration. ~~State agencies and non-profit organizations will not be eligible to receive reimbursement under this program.~~ SCEMD will utilize the PA Program funds to reimburse eligible entities for unbudgeted response and infrastructure repair costs. SCEMD will follow the guidelines and process utilized for the administration of the Federal Public Assistance program. Cost reimbursement will be 75% of eligible costs. *SCEMD may use up to 5% of the appropriated funds to manage the PA Program.* SCEMD will provide quarterly reports to the Legislature on the status of the PA Program funds including disbursements. SCEMD will coordinate with the Office of Resilience on an ongoing basis to ensure recovery assistance funds are implemented to avoid duplication and maximize positive impacts for South Carolina communities.

100.25. *(ADJ: Emergency Reimbursement Eligibility) The South Carolina Emergency Management Division (SCEMD) is authorized to reimburse eligible costs for state governmental agencies, local governments, non-profit electric cooperatives, and Santee Cooper, as needed, for disaster recovery.*

SECTION 101 - E260 - DEPARTMENT OF VETERANS' AFFAIRS

101.1. (VET: M.J. "Dolly" Cooper Veterans Cemetery Carry Forward) The Department of Veterans' Affairs may carry forward unexpended funds appropriated and/or authorized for the M.J. "Dolly" Cooper Veterans Cemetery from the prior fiscal year and shall use such funds for the same purpose. In addition, any unexpended funds in the Department of Veterans' Affairs, including Special Line Items, may be carried forward from the prior fiscal year into the current fiscal year. Funds carried forward in excess of the amount needed for the operation of the Cemetery may be used for other expenses of the Department of Veterans' Affairs.

101.2. (VET: Budget Reduction Exemption) Funds appropriated for the Department of Veterans' Affairs shall be excluded from any across-the-board agency base reductions mandated by the Executive Budget Office or General Assembly.

101.3. (VET: Military Enhancement Fund Allocation) Funds appropriated to the department for the Military Enhancement Fund may be allocated to items including, but not limited to, land acquisition, recreational purposes, educational purposes, and facilities for military personnel. Eligible recipients are counties and municipalities with federal military installations.

101.4. (VET: Veterans' Home Fund) The Department of Veterans' Affairs is authorized to establish an interest-bearing fund in the State Treasury for funds appropriated or authorized for the operation of State Veterans Homes. The fund shall be used for operations, deferred maintenance, capital projects, ordinary repair, and maintenance of the State Veterans Homes and may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

101.5. (VET: Resident Fee Account) The Department of Veterans' Affairs is hereby authorized to retain and expend its Resident Fee Account funds. In addition to funds collected for the maintenance and medical care for patients, Medicare funds collected by the department from residents' Medicare benefits and funds collected by the department from its veteran facilities shall be considered as resident fees. The department is authorized to expend these funds for departmental operations, capital improvements, and debt service under the provisions of Act 1276 of 1970, and for the cost of patients' Medicare Part B premiums.

SECTION 102 - E280 - ELECTION COMMISSION

102.1. (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for "County Boards of Voter Registration and Elections Board Members," shall be disbursed annually to the County Treasurer at the rate of $2,500 for each member, not to exceed $22,500 per county. The County Treasurer shall use these funds only for the compensation of County Boards of Voter Registration and Elections Board Members. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for compensation of County Boards of Voter Registration and Elections Board Members shall be excluded from the

agency's base budget. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections.

102.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of $75.00 for the day of work and $60.00 for training and paperwork. Managers shall not be paid for more than two days for any election and clerks for not more than three days for any election. The commission may adjust the per diem of $75.00 for the managers and clerks of the statewide election to a higher level only to the extent that the appropriation for the statewide election is sufficient to bear the added cost of increasing the per diem and the cost of the statewide election. Up to three additional managers per county may be appointed to assist county boards of voter registration and elections with the absentee/fail safe voting process prior to, on Election Day, and immediately following statewide elections. Managers assisting the county boards of voter registration and elections in the absentee/fail safe process may receive a per diem of $75.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used.

102.3. (ELECT: Board of State Canvassers Compensation) $100.00 additional compensation per day may be paid to each member of the Board of State Canvassers up to a total of fifteen days that may be required for hearings held by the members of the Board of State Canvassers.

102.4. (ELECT: Sale of Lists Revenue Carry Forward) Any revenue generated from the sale of election lists may be retained and expended by the South Carolina Election Commission to reimburse the Department of Administration, for the printing of such lists and to pay expenses of postage and shipment of these lists to electors who purchase them. After such reimbursement has been made an amount, not to exceed $400,000, shall be used for nonrecurring expenses in conjunction with extraordinary special election and legal costs and costs for upgrading the Statewide Voter Registration System. Any balance in the Sale of Lists Account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year.

102.5. (ELECT: Budget Reduction Exemption) Funds appropriated for recurring and nonrecurring general and primary election expenses are exempted from mandated across the board reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for recurring and nonrecurring primary and general election expenses shall be excluded from the agency's base budget.

102.6. (ELECT: Primary and General Election Carry Forward) Filing fees received from candidates filing to run in statewide or special primary elections may be retained and expended by the State Election Commission to pay for the conduct of primary elections. Any balance in the filing fee accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, any balance in the Primary and General Election Accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, the aforementioned funds may also be utilized to conduct the Presidential Preference Primary elections.

102.7. (ELECT: Training & Certification Program) (A) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to $35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South

Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

(B) The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board member completes the training and certification program, but fails to complete at least one training course per year. The board member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board.

(C) If a stipend is being withheld on the effective date of this act for the failure of a member to attend a required training course, then the stipend must be paid if the member signed up for a course that was later cancelled.

102.8. (ELECT: Penalty for Late Submission of Reimbursable Expenses) In the event that a county submits reimbursable election expenses to the Commission for payment more than thirty days after the election is held, the Commission may deduct a penalty of ten percent of the late-submitted amount. The county is responsible for payment of this amount. If the Commission finds good reason for such late submission, the penalty may be waived. The Election Commission shall be authorized to expend funds appropriated/authorized in the current fiscal year to pay election expenses incurred by a county in the prior fiscal year. If a county submits a request for reimbursement of election expenses through any means other than the Voter Registration and Election Management System (VREMS), the Commission may deduct a penalty of ten percent of the amount submitted.

102.9. (ELECT: HAVA Carry Forward) The Election Commission shall be authorized to carry forward unexpended Help America Vote Act funds into the current fiscal year and to use these funds for the same purpose.

102.10. (ELECT: HAVA Match Funds) Funds appropriated through the General Fund for the purpose of providing a match for federal funds received through the Help America Vote Act (HAVA) shall be moved to a restricted account in order that the funds may accrue interest as per Section 254 (b) (1) of the Help America Vote Act. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections. These funds may also be used to reimburse local governmental entities for expenses incurred in the prior fiscal year associated with special primaries, runoffs, and general elections.

102.11. (ELECT: Use of Election Funds) Funds appropriated to the Election Commission for the purpose of conducting elections shall not be used for any other purpose unless specifically authorized in this act. However, up to $200,000 may be transferred to other operating accounts from General Election accounts upon approval from the Executive Budget Office, which shall then notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of such transfer of funds.

102.12. (ELECT: Match for Additional HAVA Funds) In the event that additional Help America Vote Act federal funds become available, the commission shall be authorized to utilize funds appropriated for primary and general elections and for voting system refurbishment to provide a match for the federal funds.

SECTION 103 - E500 – REVENUE AND FISCAL AFFAIRS OFFICE

103.1. (RFAO: Geodetic Mapping Program) Funds appropriated or authorized to the Revenue and Fiscal Affairs Office for Mapping shall be used to clarify county boundary determinations as directed by Section 27-2-105 of the 1976 Code and resolution of the boundary between the states of South Carolina and North Carolina.

An affected party disagreeing with a county boundary certified by the Revenue and Fiscal Affairs Office may appeal the certification to the South Carolina Administrative Law Court, which is vested with jurisdiction to hear and decide the case subject to the provisions of Section 1-23-380 of the 1976 Code, except that the case must be heard "de novo." Additionally, for purposes of determining the timelines of an appeal, notice is deemed to have been provided on the date of the written notice to affected parties. An affected party has sixty calendar days from the date of a written notice sent to the affected party to file an appeal with the Administrative Law Court.

103.2. (RFAO: Election File Merge) In order to assist the County Registration and Election Commissions to ensure that registered voters are assigned to proper election districts, the Revenue and Fiscal Affairs Office, in conjunction with the South Carolina Election Commission, shall merge the voter registration file with the office's Geocoded Address List and the district boundaries of the Congress, South Carolina Senate, South Carolina House of Representatives, county councils, and such other districts as the office possesses official district boundary records in electronic format. The merged systems will allow the Revenue and Fiscal Affairs Office to provide the respective county officials with a list of potential voters who are possibly assigned to the wrong election district. File merger is required only for those districts in which elections are scheduled. Counties and municipalities shall release GIS to the Revenue and Fiscal Affairs Office upon the office's written request. Written request must be sent to the chief administrative officer of the county or municipality and advise the county or municipality that failure to comply within thirty days of request may result in the withholding of ten percent of the county's or municipality's state aid. The Executive Director of the Revenue and Fiscal Affairs Office may grant additional time for good cause and must waive release if the county or municipality does not possess GIS data. For counties and municipalities that possess GIS data but do not release it, the Executive Director of the Revenue and Fiscal Affairs Office shall notify the State Treasurer of the failure to comply with this provision after the required notice. Notification shall result in the withholding of ten percent of subsequent payments of state aid to the entity until the GIS data is provided. Municipal and county data acquired by the Revenue and Fiscal Affairs Office in the course of performing its responsibilities may be used for other functions of the office as well as shared with other state agencies. For this provision GIS data includes, but is not limited to, road centerlines; orthophotography; parcel boundaries; address points; political boundaries; and administrative boundaries.

103.3. (RFAO: SC Health & Human Services Data Warehouse) (A) There is hereby established within the Revenue and Fiscal Affairs Office, the South Carolina Health and Human Services Data Warehouse. The purpose of the Warehouse is to ensure that the operation of health and human services agencies may be enhanced by coordination and integration of client information. Client data is defined as person-level data that is created, received, and/or maintained by state agencies and other entities required to report client information to the Revenue and Fiscal Affairs Office under this provision. To integrate client information, client data from health and human services state agencies will be linked to improve client outcome measures, enabling state agencies to analyze coordination and continuity of care issues. The addition of these data will enhance existing agency systems by providing client data from other state agency programs to assist in the provision of client services. Certain client information shall be delivered to the Revenue and

Fiscal Affairs Office in order to assist in the development and maintenance of this Warehouse. The following agencies shall report client information:

- Departments of:
  - (1) Health and Human Services;
  - (2) Public Health;
  - (3) Behavioral Health and Developmental Disabilities;
  - (4) Social Services;
  - (5) Vocational Rehabilitation;
  - (6) Education;
  - (7) Juvenile Justice;
  - (8) Corrections;
  - (9) Probation, Parole and Pardon Services;
- Department of Children's Advocacy:
  - (1) Children's Foster Care Review Board;
  - (2) Continuum of Care;
- Department on Aging;
- South Carolina School for the Deaf and the Blind;
- Commission for the Blind; and
- Other entities as deemed necessary by the Revenue and Fiscal Affairs Office.

(B) These agencies and departments shall collect and provide client data in formats and schedules to be specified by the Revenue and Fiscal Affairs Office (Office). The Office shall establish a Memorandum of Agreement with each agency, department, or division. These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of client information, the conditions for the release of data that may identify agencies, departments, divisions, programs and services, or clients, any restrictions on the release of data so as to be compliant with state and federal statutes and regulations on confidentiality of data, conditions under which the data may be used for research purposes, and any security measures to be taken to insure the confidentiality of client information.

(C) To ensure accountability and the coordinated, efficient delivery of health and human services, the Office shall implement, in consultation with state health and human services agencies and other entities as deemed necessary by the Office, an integrated data system that includes client data from all participating agencies.

(D) In order to provide for inclusion of other entities into the South Carolina Health and Human Services Data Warehouse and other research and analytic-oriented applications that will assist the state in the efficient and effective provision of services, the Office shall have the authority to enter into agreements or transactions with any federal, state or municipal agency or other public institution or with any private individual, partnership, firm, corporation, association or other entity to provide statistical, research and information dissemination services including, but not limited to, program and outcomes evaluation, program monitoring/surveillance, projects to determine the feasibility of data collection and/or analyses, information dissemination and research. The confidentiality of data collected under these initiatives shall comply with applicable state and federal laws governing the privacy of data. The Office

shall have the power to promulgate regulations, policies, and procedures, in consultation with the participating agencies, for the development, protection and operation of the Data Warehouse, other research and analytic-oriented applications, and their underlying processes.

(E) The Office shall develop internet-accessible secure analytic query tools (such as analytic cubes) using integrated client data from the Warehouse. All agencies shall cooperate with the Office in the development of these analytic tools. It is the intent of this provision that the analytic tools developed under this provision shall be made available to members of the South Carolina General Assembly and their research staff members, state agencies, and researchers. To that end, the Office shall, in consultation with the participating agencies, promulgate regulations addressing access to and use and release of information generated through use of the query tools.

(F) All state agencies participating in the Warehouse shall utilize it and its associated software applications in the day-to-day operation of their programs and for coordination, collaboration, program evaluation and outcomes analysis. The Department of Public Health shall be exempt from usage of the integrated client management system and the analytic query tools in the day-to-day operation of their Client Automated Record and Encounter System or other electronic health record system and their South Carolina Community Assessment Network, but shall provide the Warehouse with client data from the system and network.

(G) No state agency shall duplicate any of the responsibilities of this provision.

(H) For purposes of this provision, all state laws, regulations, or any rule of any state agency, department, board, or commission having the effect or force of law that prohibits or is inconsistent with this provision is hereby declared inapplicable to this provision.

103.4. (RFAO: E911 PSAPs) The Revenue and Fiscal Affairs Office, utilizing the funds appropriated and or authorized herein for the E911 program, must ensure that any new plans or proposed amendments to existing plans maintain comprehensive coverage for the full Public Safety Answering Points area as well as improve cost effectiveness. No new plans or amendments may be considered by Revenue and Fiscal Affairs that do not include the written agreement of all jurisdictions affected by the new plan or proposed change as well as provide cost savings on the state and local level. Local Public Safety Answering Points are encouraged to cooperate to find ways to continue to improve cost effectiveness and efficiencies for all affected entities.

103.5. (RFAO: Revenue for Goods and Services) The respective sections of the Revenue and Fiscal Affairs Office are authorized to provide and receive from other governmental entities, including other divisions, state and local agencies and departments, and the private sector, goods and services, as will in its opinion promote efficient and economical operations. The sections may charge and pay the entities for the goods and services, the revenue from which shall be deposited in the state treasury in a special account and expended only for the costs of providing the goods and services, and such funds may be retained and be expended for the same purposes.

103.6. (RFAO: Revenue Forecast) For the current fiscal year, Section 11-9-1130(A) shall be suspended.

SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY

104.1. (SFAA: Public Procurement Unit) For purposes of participation in the Minnesota Multi State Contracting Alliance for Pharmacy (MMCAP), a private, nonprofit corporation that provides only free medical care may be allowed to participate as a local public procurement unit in the MMCAP cooperative purchase. The participation of nonprofit corporations in the program is

contingent upon approval of the Minnesota Multi-State Contracting Alliance for Pharmacy. Participating nonprofit corporations must comply with all applicable federal laws or regulations for participation in the MMCAP cooperative purchase. The state shall not be liable for any action or inaction of such a nonprofit corporation.

104.2. (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for the current fiscal year, is also authorized to offer insurance coverage to an aging entity and its employees serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve Fund and the State of South Carolina shall not be liable to any person or entity, including an insured, for any insufficiencies of coverage provided hereunder.

104.3. (SFAA: IRF Report) The State Fiscal Accountability Authority shall prepare a report on prior fiscal year utilization of the Insurance Reserve Fund to include for each transaction the amount, the recipient of the funds, the date of the transfer or payment, and the action or reason that necessitated the transfer. The report shall be submitted to the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee by October fifteenth of the current fiscal year.

104.4. (SFAA: Second Injury Fund Closure Plan) The State Fiscal Accountability Authority is authorized and empowered to take all necessary actions to administer the closure plan for the Second Injury Fund, as adopted pursuant to Section 42-7-320(A) of the 1976 Code, as amended, and to use the separate and distinct trust and administrative accounts established for this purpose.

104.5. (SFAA: IT Planning Transfer) The State Fiscal Accountability Authority shall transfer $400,000 from revenue generated from contract administration fees on information technology contracts to the Department of Administration to support the state's information technology planning program.

104.6. (SFAA: Attorneys) For the current fiscal year, during the transition of the Insurance Reserve Fund from the Budget and Control Board to the State Fiscal Accountability Authority, the Insurance Reserve Fund shall continue to approve the attorneys-at-law retained to defend those it insures. In addition, the authority of the former Budget and Control Board under Section 1-7-170(A) is devolved upon the State Fiscal Accountability Authority.

104.7. (SFAA: Compensation - Agency Head Salary) In the event of an agency head or technical college president vacancy, the governing board of the agency or the Governor, or the appointing authority of a technical college president, must have the prior favorable recommendation of the Agency Head Salary Commission to set, discuss, offer, or pay a salary for the agency head or technical college president at a rate that exceeds the minimum of the range established by the Agency Head Salary Commission. No agency head or technical college president shall be paid a salary higher than that recommended by the commission. Boards and commissions, or the Governor if he is the appointing authority, of newly created agencies or technical colleges shall not offer or pay a salary to a prospective agency head until a salary range has been established and the salary approved by the Agency Head Salary Commission. The funding of the salaries of any agency head or technical college president should come from resources within the agency. The State Fiscal Accountability Authority shall contract every four years for a study of agency head, technical college president, and constitutional officer compensation, as required under Sections 8-11-160 and 8-11-165. The cost of the study must be shared by the participating agencies, technical colleges, and constitutional offices. The staff of the State Fiscal Accountability Authority shall serve as the support staff to the Agency Head Salary Commission. Limited only by the maximum of the respective salary range, the General Assembly authorizes the respective appointing authority for an agency head or technical college president

to provide salary increases for an agency head or technical college president not to exceed that recommended by the Agency Head Salary Commission. No agency head or technical college president shall be paid less than the minimum of the pay range nor receive an increase that would have the effect of raising the salary above the maximum of the pay range.

104.8. (SFAA: Continuation of Authority) The respective divisions of the State Fiscal Accountability Authority are authorized to provide to and receive from other governmental entities, including other divisions and state and local agencies and departments, goods and services, as will in its opinion promote efficient and economical operations. The divisions may charge and pay the entities for the goods and services, the revenue from which shall be deposited in the state treasury in a special account and expended only for the costs of providing the goods and services, and such funds may be retained and expended for the same purposes.

104.9. (SFAA: Revenue Bonding Authority Study) The Executive Director of the State Fiscal Accountability Authority shall undertake a one-time study of revenue bonding authority by quasi-state agencies. The study must result in a report that: (a) identifies every source of authority for such entities to undertake revenue bonds; and (b) summarizes all outstanding revenue bonds. The report shall be submitted to the Joint Bond Review Committee, the State Fiscal Accountability Authority, and any relevant legislative committee. Quasi-state agencies shall provide any assistance requested by the authority's executive director.

104.10. (SFAA: P-Card Oversight) Using funds appropriated, no later than October 1, ~~2025~~ *2026*, the State Fiscal Accountability Authority, Division of Procurement Services (Division) shall publish and maintain a South Carolina Purchasing Card Policy and Procedures Manual (Manual) to establish sound practices for the use of purchasing cards (P-Cards) and for management oversight of such use to reduce the State's risk of P-Card misuse and fraud. The Division shall develop and provide training and testing on the requirements of the Manual and begin offering such training no later than October 15, ~~2025~~ *2026*. The director of each governmental body as defined in Section 11-35-310 employing P-card holders shall ensure the governmental body develops an agency-specific P-card use manual no later than April 1, ~~2026~~ *2027*. The director of each governmental body employing P-card holders shall ensure that every P-card holder and those with responsibility for implementation and oversight of its P-card program have completed the Division P-card training and successfully passed the Division P-card testing no later than April 15, ~~2026~~ *2027*. The director of each governmental body employing P-card holders shall ensure that no supervisory or oversight of a P-card role shall be assigned nor new P-cards issued before such employees shall complete Division P-card training and successfully pass Division P-card testing. The director of each governmental body employing P-card holders shall ensure the governmental body develops, implements, and provides the Division with documentation of an internal P-card annual training program for employees with supervisory or oversight of P-card programs and for all P-card holders. The director of each governmental body employing P-card holders shall obtain an annual compliance ~~audit~~ *review* of the governmental body's P-card program ~~conducted by an independent third-party entity qualified to conduct such an audit~~ *in accordance with guidance published by the Division* and shall provide ~~audit~~ *a* report *of the* results and corrective action plans, if any, to the Division no later than ~~October 1, 2025~~ *December 1, 2026*. The Division shall compile *a summary of* all such audit report results into a single report and provide the report to the State Fiscal Accountability Authority (Authority) ~~at its first~~ *no later than its second* regularly scheduled meeting of each calendar year. In each audit of the procurement system of a governmental body pursuant to Section 11-35-1230, the Division shall also audit the governmental body's P-card program to determine whether internal controls of the governmental body's P-Card program are adequate to ensure compliance, in all material respects, with the Manual, applicable laws and regulations, and internal policies. The Division shall include its findings and recommendations in the audit report submitted to the Authority. The Authority shall impose administrative penalties for repeat or

egregious violations of the Manual, including but not limited to, reduction or suspension of the governmental body's P-Card program, reduction in procurement certification granted pursuant to Section 11-35-1210, removal of authority to conduct sole source procurements, or directing that all or a portion of any P-Card rebates due the governmental body be deposited in the General Fund. The Authority is authorized to request in-person reports from governmental body leadership on corrective actions being taken to rectify such repeat or egregious violations of the Manual and may exempt any governmental body from any requirement of this proviso.

SECTION 105 - F270 - SFAA, OFFICE OF STATE AUDITOR

105.1. (SFAA-AUD: Annual Audit of Federal Programs) Each state agency receiving federal funds subject to the audit requirements of the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (C.F.R) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) shall remit to the State Auditor an amount representing an equitable portion of the expense of conducting the audit of the State's federal financial assistance.

Each state agency's equitable portion of the expense will be determined by a schedule developed by the State Auditor. Such remittance will be based upon invoices provided by the State Auditor. The State Auditor shall retain and expend the funds received and shall carry forward any unexpended funds from the prior fiscal year into the current fiscal year for the same purpose.

105.2. (SFAA-AUD: Medical Assistance Audit Carry Forward) The State Auditor's Office shall retain and expend the funds received from the Department of Health and Human Services for the Medical Assistance Audit Program pursuant to Proviso 33.3 of this act and shall carry forward any unexpended funds from the prior fiscal year into the current fiscal year for the same purpose.

105.3. (SFAA-AUD: Coordination with Inspector General) In the event the State Auditor's Office identifies instances of fraud, waste, and abuse during any state agency audit, the State Auditor shall refer such instances to the State Inspector General for examination. The State Auditor shall prepare and submit an annual report to the Chairmen of the House Ways and Means Committee and the Senate Finance Committee and the Governor detailing all written referrals of fraud, waste, and abuse submitted to the State Inspector General.

105.4. (SFAA-AUD: Annual Audit of Court Fees and Fines Reports) The State Auditor shall conduct a minimum of fifteen audits annually of county treasurers, municipal treasurers, county clerks of court, magistrates and/or municipal courts as required by Section 14-1-210 of the 1976 Code and allowed by Section 14-1-240; however, the State Auditor shall not be required to spend more than the annual amount of $350,000, received from the State Treasurer to conduct the said audits pursuant to Section 14-1-210 of the 1976 Code. The State Auditor may contract with one or more CPA/accounting firms to conduct the required audits. The State Auditor shall consult with the State Treasurer to determine the jurisdictions to be audited in the current fiscal year. Jurisdictions may be selected randomly or based on an instance in the current or previous fiscal year of failing to report, incorrectly reporting or under remitting amounts owed. The funds transferred to the State Auditor by the State Treasurer shall not be used for any purpose other than to conduct the described audits and report whether or not the assessments, surcharges, fees, fines, forfeitures, escheatments, or other monetary penalties imposed and/or mandated are properly collected and remitted to the State. Any unexpended balance on June thirtieth of the prior fiscal year shall be carried forward and must be expended for the same purpose during the current fiscal

year. The State Auditor shall annually report by October first, its findings of the jurisdictions audited to the Senate Finance Committee and the House Ways and Means Committee.

105.5. (SFAA-AUD: Special Study of Long-Term Obligations) (A) The State Auditor shall identify certain long-term obligations by state institutions of higher learning, as defined by Section 59-107-10 of the 1976 Code, and report his findings to the General Assembly. The intent is to identify those obligations which are long-term debt or tantamount to long-term debt, or those which, if not honored, might result in a negative rating action on the institution's or the State's credit rating. Such obligations would not include either general obligation debt or bonded indebtedness issued directly by an institution.

(B) "Long-term obligation" means:

(1) an arrangement to acquire an interest in or a right to use, or have others use, any type of property if all or a portion of the money required to pay for the acquisition is secured through fare, toll, or user charges;

(2) an arrangement to acquire an interest in or a right to use, or have others use, any type of property if (a) the arrangement is financed, directly or indirectly, with indebtedness undertaken by another for that purpose; (b) the state institution knows or should know the acquisition is financed by indebtedness; and, (c) the state institution is obligated to make, or undertakes to have others make, recurring payments on, or that another will use to make payments on, the indebtedness; or

(3) any of the following arrangements: (a) lease-purchase agreement; (b) leaseback agreement; (c) installment purchase agreement; (d) lease with an option to purchase for other than the then-current fair market value; (e) lease with option to renew for nominal or no additional consideration; (f) an agreement involving collateral, such as a mortgage or security interest; (g) a public private partnership; (h) an agreement structured as either design-build-operate-maintain or design-build-finance-operate-maintain, as defined in Section 11-35-2910; (i) a finance lease, as defined in Section 36-2A-103(1)(g); (j) a transaction in the form of a lease that creates a security interest, as addressed in Section 36-1-203(b); or (k) a guaranteed energy, water, or wastewater savings contract, as authorized by Section 48-52-670(A).

(C) The report should include long-term obligations irrespective of the source of funds involved, if any, and whether or not the obligation is subject to the availability or appropriation of funds. The report should exclude the following: (1) general obligation debt authorized under Section 13, Article X of the Constitution of South Carolina, 1895, and debt issued by the state institution under Section 13, Article X of the Constitution of South Carolina, 1895, but not debt issued under Section 13 or 14 of Article X on its behalf or for its benefit; and (2) an institution's obligation to make payments when the total amount of money needed for the obligation is committed for that purpose, authorized for expenditure, and in hand.

(D) The report should be adequate to catalog the type, extent, and prevalence of long-term obligations by state institutions. Without limitation, the report should include the following information for each obligation identified, if applicable: (1) the interest or right acquired; (2) the initial, maximum, and then outstanding amount of indebtedness involved; (3) whether a credit rating was obtained for such indebtedness; (4) the amount and frequency of payments involved, and who makes the payments; (5) the total amount of payments remaining to be made; (6) the initial and remaining duration of the obligation; (7) the source of funds used to make payments; (8) the parties to the arrangement and any associated borrowing, including without limitation, the entity lending the funds or assets associated with the financed acquisition; and (9) any counterparty or intermediary involved.

(E) The State Auditor shall conduct the study and issue a final report no later than one hundred and twenty days after the beginning of the current fiscal year. State institutions must fully respond within forty-five days to any formal request for information from the

State Auditor. If, in the State Auditor's judgment, a state institution does not timely submit a complete and accurate report, he may obtain the service of independent professionals to audit the institution's records and charge the institution for the associated cost. Sections 11-7-30, 11-7-35, and 11-7-45 of the 1976 Code shall apply to this special study as though it were an audit.

105.6. (SFAA - AUD: Internal Audit Services) The State Auditor's Office is authorized to offer internal audit services to state agencies under a cost reimbursement, shared services model. Any state agency that does not have an internal audit function may opt to use the services to conduct such audit. The audit plan will be agreed upon between the State Auditor's Office and the state agency, and cost will be determined by nature, timing, and extent of the audit work.

105.7. (SFAA - AUD: Auditing Moratorium) For Fiscal Year ~~2025-26~~ *2026-27*, if a minimum of one year has passed, the State Auditor or a member of his staff may conduct an audit of a program, activity, or agency for which he had management responsibility or by which he was employed.

105.8. (SFAA - AUD: Carry Forward) For Fiscal Year ~~2025-26~~ *2026-27*, the Office of the State Auditor is authorized to carry forward all funds from the prior fiscal year to ensure that the office can perform operations and conduct audits as needed.

SECTION 106 - F300 – STATEWIDE EMPLOYEE BENEFITS

106.1. (SEB: SCRS & PORS Allocation) The funds appropriated in the current fiscal year for SCRS Employer Contributions and PORS Employer Contributions shall be allocated to state agencies and school districts by the Department of Administration, Executive Budget Office for SCRS and PORS rate increases.

SECTION 108 - F500 – PUBLIC EMPLOYEE BENEFIT AUTHORITY

108.1. (PEBA: Lottery, Infrastructure Bank, and Magistrates Health Insurance) South Carolina Lottery Commissioners and South Carolina Transportation Infrastructure Bank Board members and their eligible dependents are eligible to participate in the State Health and Dental Insurance Plan, upon paying the full premium costs as determined by the Public Employee Benefit Authority. If a county is participating in the State Health and Dental Insurance Plan, magistrates and their eligible dependents are eligible to participate in the State Health and Dental Insurance Plan, upon the magistrate paying the full premium costs as determined by the Public Employee Benefit Authority.

108.2. (PEBA: Adoption Assistance Program) The Employee Adoption Assistance Program is established to provide grants to eligible employees to assist them with the direct costs of adoption. The program shall be an employee benefit through the Public Employee Benefit Authority (PEBA) and shall be funded from the appropriation for the State Health Plan as provided in this act. Total funding for the Adoption Program shall not exceed the amount authorized by the General Assembly in the annual appropriations act. Employees are eligible for the Adoption Program if they participate in PEBA insurance benefits, have adopted a child during the prior fiscal year, apply for the grant during the annual application period, and meet any other Adoption Program criteria. The application period shall be July first through September thirtieth of the current fiscal year for an adoption in the prior fiscal year. The maximum grant amounts shall be $10,000 in the case of the adoption of a special needs child and $5,000 for all other child adoptions. Should the total amount needed to fund grants at the maximum level exceed the amount authorized, the amount of a grant

to an eligible employee shall be determined by dividing the authorized amount evenly among qualified program applicants, with the adoption of a special needs child qualifying for two times the benefit of a non-special needs child.

108.3. (PEBA: Health Plan Tobacco User Differential) For health plans adopted under the authority of Section 1-11-710 of the 1976 Code by the Public Employee Benefit Authority during the current fiscal year, the board is authorized to differentiate between tobacco or e-cigarette users and nonusers regarding rates charged to enrollees in its health plans by imposing a surcharge on enrollee rates based upon tobacco or e-cigarette use. The surcharge for tobacco or e-cigarette use may not exceed $40 per month per subscriber or $60 per month per subscriber and dependent(s).

108.4. (PEBA: TRICARE Supplement Policy) The Public Employee Benefit Authority (PEBA) shall offer a group TRICARE Supplement policy or policies to its TRICARE-eligible subscribers through its flexible benefits program to provide that subscribers may pay premiums for such policies on a pretax basis, in accordance with federal law and regulations. PEBA may charge TRICARE Supplement subscribers an amount not to exceed $2 per subscriber per month for any associated administrative costs.

108.5. (PEBA: State Health Plan) Of the funds authorized for the State Health Plan pursuant to Section 1-11-710(A)(2),an employer premium increase of ~~4.6~~ *zero* percent and a subscriber premium increase of zero percent will result for the standard State Health Plan for Plan Year ~~2026~~ *2027*. Notwithstanding the foregoing, pursuant to Section 1-11-710(A)(3), the Public Employee Benefit Authority may adjust the plan, benefits, or contributions of the State Health Plan during Plan Year ~~2026~~ *2027* to ensure the fiscal stability of the Plan.

108.6. (PEBA: Exempt National Guard Pension Fund) In the calculation of any across-the-board cut mandated by the Executive Budget Office or General Assembly, the amount of the appropriation for the National Guard Pension Fund shall be excluded.

108.7. (PEBA: Inactive SCRS Account Transfer) A current employee or teacher who is an active participant in the State Optional Retirement Program but who has an inactive account in the South Carolina Retirement Program due to previous service in that system, shall be allowed to transfer previous contributions to the employee's or teacher's active State Optional Retirement Program account.

108.8. (PEBA: Network Pharmacy Publications) All pharmacy publications or lists must include independent retail pharmacies. Abridged pharmacy lists are prohibited.

108.9. (PEBA: Former Spouses on the State Health Plan) For the Plan Year beginning in January of the current fiscal year, the State Health Plan shall cover a subscriber's former spouse, who is eligible to be covered pursuant to a court order, on the former spouse's own individual policy and at the full amount of the premium for the coverage elected, with such rates, billing, and other administrative policies to be determined by the Public Employee Benefit Authority. The former spouses may only elect such health, dental, and vision coverage as required by the court order. The former spouse's individual coverage may continue under the State Health Plan as long as authorized under the court order and the subscriber remains a participant in the State Health Plan. This proviso does not affect a subscriber's ability to cover a current spouse on an employee/retiree and spouse or full family policy when the subscriber's former spouse is covered on a separate policy.

108.10. (PEBA: Non-State Agency Furloughs) For the current fiscal year, a participating employer in the South Carolina Retirement System or Police Officers Retirement System that is not a state agency or institution of higher learning may make employee and employer contributions for a period of not more than ninety working days during a furlough program that was

implemented as a result of and took place during the COVID-19 Public Health Emergency and if the terms of the furlough program are consistent with the requirements for an approved mandatory furlough program established by a state agency or institution of higher learning under state law. The participating employer shall make such contributions in order to ensure that a furloughed employee's retirement benefits are not interrupted as a result of the furlough, and the period for which such contributions are made will not be considered a break in consecutive employment.

108.11. (PEBA: South Carolina Retiree Health Insurance Trust Fund) ~~The provisions of Section 1-11-705(I)(2) are suspended for Fiscal Year 2025-26, and, notwithstanding any other provision of law, during Fiscal Year 2025-26, funds that would otherwise have been transferred to the South Carolina Retiree Health Insurance Trust Fund from the operating account for the State's employee health insurance program pursuant to Section 1-11-705(I)(2) may remain in the operating account for the State's employee health insurance program.~~

108.12. (PEBA: Fiduciary Audit) For Fiscal Year ~~2025-26~~ *2026-27*, Section 9-4-40, relating to solicitation of the bid for the fiduciary audit, is suspended.

108.13. (PEBA: PORS and SCRS Return to Work) (A) For compensation earnings during the current fiscal year, the earnings limitation does not apply if a member of the Police Officer Retirement System has not been engaged to perform services for a participating employer in the system or any other system provided in Title 9 for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement. The exemption provided under this provision does not apply unless the member first certifies to the system that he satisfies the requirements for the exemption. If a member inaccurately certifies that he satisfies the requirements for the exemption provided in this provision, the member is responsible for reimbursing the system for any benefits wrongly paid to the member.

(B) For compensation earnings during the current fiscal year, the earnings limitation does not apply if a member of the South Carolina Retirement System has not been engaged to perform services for a participating employer in the system or any other system provided in Title 9 for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement. The exemption provided under this provision does not apply unless the member first certifies to the system that he satisfies the requirements for the exemption. If a member inaccurately certifies that he satisfies the requirements for the exemption provided in this provision, the member is responsible for reimbursing the system for any benefits wrongly paid to the member.

108.14. (PEBA: PORS Return to Work) If a member of the Police Officer Retirement System chooses to engage in the Return to Work program, their twelve month period spent not engaging in officer duties shall not cause a member to lose their license or be unable to perform the duties of a police officer. Officers participating in the Return to Work program shall be required to meet continuous training and education requirements of the South Carolina Law Enforcement Academy.

108.15. (PEBA: Employer Contribution Requirement) A retired member who has been restored to active employment by appointment of the Governor and whose compensation in that employment is subject to Section 8-11-160 shall be considered eligible for the provisions of Section 9-1-1590 if the member continues in such service for a period of at least thirty-six consecutive months at an annual compensation equal to or greater than seventy-five percent of his average final compensation at retirement.

108.16. *(PEBA: Pharmacist Clinical Care Pilot Program) For Fiscal Year 2026–2027, the South Carolina Public Employee Benefit Authority (PEBA) is authorized to establish and administer a pilot program within the State Health Plan to evaluate the impact of expanded pharmacist-provided clinical services on access to care, health outcomes, cost containment, and community pharmacy sustainability.*

(A) PEBA may permit licensed pharmacists participating in the State Health Plan network to provide specified clinical services for purposes of this pilot. For purposes of implementing the pilot program, the provisions of Sections 40-43-30(50) and 40-47-200, are suspended with respect to pharmacists and pharmacies participating in the pilot to the extent necessary to allow the services authorized under the program.

(B) PEBA shall consult with the deans of the accredited schools of pharmacy in this State to develop the scope of services and protocols for the pilot program. The scope may include, but is not limited to, pharmacist-provided services related to:

(1) comprehensive medication management for chronic conditions;

(2) initiation, modification, or discontinuation of medication therapy pursuant to the protocols;

(3) ordering and interpretation of laboratory tests; and

(4) ongoing disease-state monitoring and follow-up care.

(C) PEBA may limit participation to pharmacists and pharmacies meeting credentialing, training, and quality standards established by PEBA in consultation with the deans of the accredited schools of pharmacy in this State. PEBA is encouraged to include independent community pharmacies, particularly those serving rural or underserved areas, as pilot participants.

(D) Of the funding appropriated to PEBA, up to five hundred thousand dollars ($500,000) may be used to plan, develop, implement, administer, and evaluate the pilot program including, but not limited to, contracting, data collection, systems support, and reporting requirements.

(E) PEBA may establish reimbursement methodologies for services provided under the pilot, including alternative payment models or value-based arrangements, provided that total State Health Plan expenditures are not increased as a result of the pilot.

(F) PEBA shall evaluate the pilot program using measurable outcomes, which must include, at a minimum:

(1) access to care impacts, particularly in rural and underserved areas;

(2) patient satisfaction and clinical outcomes;

(3) health care utilization and cost benefit analysis;

(4) participation, financial impacts, and service capacity of independent community pharmacies participating in the pilot; and

(5) the feasibility of expanding the program.

(G) PEBA shall submit a report no later February 28, 2027, to the Governor and the Chairmen of the Senate Finance Committee and House Ways and Means Committee. The report must include findings, cost impacts, and recommendations regarding continuation, modification, or expansion of the pilot.

SECTION 109 - R440 - DEPARTMENT OF REVENUE

109.1. (DOR: Subpoenaed Employee Expense Reimbursement) If any employee of the Department of Revenue is subpoenaed to testify during litigation not involving the Department of Revenue, the party subpoenaing the employee(s) to testify shall reimburse

the State for expenses incurred by the employee(s) requested to testify. Expenses shall include but are not limited to the cost of materials and the average daily salary of the employee or employees.

109.2. (DOR: Court Order Funds Carry Forward) Funds awarded to the Department of Revenue by court order shall be retained in a special account and shall be carried forward from year to year and expended as needed to accomplish the purposes and conditions of said order if specified, and if not specified, as may be directed by the Director of the Department of Revenue.

109.3. (DOR: Rural Infrastructure Fund Transfer) Notwithstanding Section 12-10-85, the Department of Revenue is authorized to deposit revenues from the Rural Infrastructure Fund in excess of $12 million dollars to the Rural Infrastructure Fund under the Rural Infrastructure Authority. Any revenues in excess of $17 million shall be deposited in the Rural Infrastructure Fund under the Department of Commerce, Coordinating Council.

109.4. (DOR: SCBOS Funds) The Department of Revenue shall share equally the collection assistance fees imposed on overdue tax debt with the South Carolina Business One Stop program. The funds received by the department from this fee shall be used for continued administration of the revenue laws in a fair and impartial manner. Any unexpended funds generated by the fee shall be carried forward from the prior fiscal year into the current fiscal year and shall also be shared equally between the Department of Revenue and the South Carolina Business One Stop program.

109.5. (DOR: Across the Board Cut Exemption) Whenever the Executive Budget Office or General Assembly implements an across the board budget reduction, the funds appropriated to the Department of Revenue shall be exempt from any such mandated budget reduction.

109.6. (DOR: Candidate Tax Return Programs) (A) From the funds appropriated in this act, the department must develop a program to process inquiries from a candidate for an office of this State or its political subdivisions or any gubernatorial appointee concerning whether that candidate or appointee has filed annual state income tax returns that he was required to file during the past ten years, regardless of the source of income, has paid all income taxes due during that time period, and has satisfied all judgments, liens, or other penalties for failure to pay income taxes when due. The department may only respond to an inquiry if the inquiry is made by a candidate or appointee concerning that candidate's or appointee's own income tax returns.

(B) Unless a candidate or appointee requests otherwise, the department must post the results of all inquiries from candidates or appointees in a prominent place on its internet website. The information must be organized in the following manner: (1) the candidate's name as it will appear on the ballot or the appointee's name as it appears on his income tax returns; (2) identify the years that the candidate or appointee was required to file income tax returns and identify the years, if any, that the candidate or appointee was not required to file income tax returns; (3) state whether the candidate or appointee filed income tax returns in each year that the candidate or appointee was required to file income tax returns; (4) state whether the candidate or appointee paid income taxes due each year that the candidate or appointee was required to file income tax returns; and (5) state whether the candidate or appointee had a judgment, lien, or other penalty levied against him for failure to pay income taxes when due, the year of the levy, and whether that judgment, lien, or other penalty has been satisfied. The department may not post a candidate's complete income tax return when fulfilling its obligations under this proviso.

(C)(1) Participation in this program by a candidate or appointee is voluntary.

(2) A candidate's or appointee's inquiry constitutes a waiver of confidentiality with the department concerning the information posted.

109.7. (DOR: Fraudulent Tax Return Program) The Department of Revenue may establish a Fraudulent Tax Return Detection Program to prevent payment of fraudulent tax refunds. To implement the program the department may contract with information and technology entities to provide the necessary detection capabilities. The department shall pay for the program from the savings realized by implementation.

109.8. (DOR: Treasury Offset Program) The Department of Revenue is authorized to retain up to $140,000 of mailing and associated administrative costs incurred as a result of the State's participation in and the notice requirements of the Federal Treasury Offset Program. Retained expenses shall be from tax offset revenue received from the federal government. Remaining revenue shall be deposited in the General Fund.

109.9. (DOR: Public Safety Events) Of the accommodation tax returned to Horry County or the municipalities therein, excluding municipalities that have enacted a Tourism Development Fee, up to one third of the total allocation may be set aside and used for direct policing activities, fire safety, and emergency medical services during events held in May and December, or other dates if rescheduled due to emergency conditions within Horry County that significantly increase the burden of law enforcement and other first responders and require additional resources to ensure public safety during those events. By October thirty-first, the local government must inform the Department of Revenue the percentage of accommodation tax to withhold, not to exceed one third of the estimated yearly return, which will be dedicated to direct policing activities, fire safety, and emergency medical services. These funds shall be sent by the Department of Revenue to the local governing entity upon request of the local entity. A report on the expenditure of these funds, which must include the amount and purpose for which the funds were expended, shall be submitted by the county or municipalities to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee no later than ninety days after the end of the fiscal year in which these funds are expended.

109.10. (DOR: Tourist Safety) Of the accommodation tax returned to any municipality in Horry County that has a Tourism Development Fee, up to fifty percent of the allocation designated under Section 6-4-10(3) of the 1976 Code may be set aside and used for direct policing purposes related to tourism. Direct policing purposes include temporary personnel, equipment, and the installation and maintenance of infrastructure related thereto. These funds may not exceed sixty-five percent of the total new funds dedicated to the additional policing purposes implemented. Each municipality utilizing this provision shall include expenditures and revenue sources in its annual report to the Tourism Expenditure Review Committee and shall submit copies of the report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

109.11. (DOR: Notification of Protest) In the current fiscal year and from the funds appropriated, if a taxpayer, other than an individual, files a written protest pursuant to Section 12-60-2120 of the 1976 Code, the department shall notify any affected county and school district of the written protest.

109.12. (DOR: Electronic Filing) In the current fiscal year, in order to allow certain applications for licenses or permits to be filed electronically, the Department of Revenue may require a statement subject to penalties of perjury instead of a statement under oath.

109.13. (DOR: Referendum Notification) A county or municipal election commission must notify the Department of Revenue sixty days prior to a referendum on the imposition of a local sales tax or local option permit.

109.14. (DOR: Manufacturing Property Tax Reduction) In the current fiscal year, property owned by or leased to any utility, including solar farms, is not allowed the property tax reduction percentage for manufacturing property.

109.15. (DOR: Income Tax Withholding) For the current fiscal year and from funds available, the Department of Revenue shall clarify that any income tax withholding provision that requires withholding at the rate of seven percent means withholding at the maximum individual income tax rate.

109.16. **(**DOR: Farm Fuels) For the current fiscal year, chemicals and oils including, but not limited to, greases, lubricants, and coolants used in an exempt farm machine that are essential to the functioning of the exempt machine are exempt fuels used in farm machinery and farm tractors.

109.17. (DOR: Emergency Commodity Assistance Program) ~~For Fiscal Year 2025-26, federally-earned emergency commodity assistance program funds from the United States Department of Agriculture are exempt from state income taxes.~~ *For the current fiscal year, payments received from state or federal agricultural producer commodity assistance programs are exempt from state income tax.*

SECTION 110 - R520 - STATE ETHICS COMMISSION

110.1. RESERVED

110.2. (ETHICS: Commission Meeting) The Ethics Commission must meet at least one time each month and post notice of meeting at least twenty-four hours in advance on the agency website.

SECTION 111 - S600 - PROCUREMENT REVIEW PANEL

111.1. (PRP: Filing Fee) Requests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars ($250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the S.C. Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6), 11-35-4330, and/or 11-35-4410. The funds generated by the filing fee shall be retained by the panel and carried forward to be used for the operation of the panel. Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed Request for Filing Fee Waiver form at the same time the request for review is filed. The panel shall make the Request for Filing Fee Waiver forms available to the chief procurement officers to provide to parties along with notice of right to appeal to the panel. If the filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the filing fee. Requests for administrative review will not be accepted unless accompanied by the filing fee or a completed Request for Filing Fee Waiver form at the time of filing.

SECTION 112 - V040 - DEBT SERVICE

112.1. (DS: Excess Debt Service) Excess debt service funds available in Fiscal Year ~~2025-26~~ *2026-27* may be expended in the fiscal year to pay down general obligation bond debt for which the State (1) is paying the highest rate of interest; (2) will achieve

relief in constrained debt capacity; or (3) reduce the amount of debt issued. Prior to the use of these funds, the Office of the State Treasurer shall notify the Chairman and Vice Chairman of the Joint Bond Review Committee.

SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE TREASURER

113.1. (AS-TREAS: Veterans' Affairs-Aid to Counties) In the allocation of the appropriation in Part IA, Section 113, as adjusted for "Aid to County Veteran Offices," each county shall receive an effective annual amount equal to one hundred percent of the amount allocated to it for the prior fiscal year plus an amount equivalent to base pay increases for state employees, less any adjustments made for budget reductions. This allocation shall be distributed on a quarterly basis to the County Treasurer who will handle and distribute these monies for the sole benefit and use of the County Veterans' Affairs Offices.

113.2. (AS-TREAS: Quarterly Distributions) For the current fiscal year, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with the four distributions together totaling the Fiscal Year ~~2025-26~~ *2026-27* Part IA appropriation for the Local Government Fund.

113.3. (AS-TREAS: Salary Supplements) The amounts appropriated in Part IA, Section 113, for Aid Cnty-Clerks of Court, Aid Cnty-Probate Judges, Aid Cnty-Coroners, and Aid Cnty-Sheriffs shall be distributed by the State Treasurer to each county treasurer equally on a quarterly basis, and shall be used as a salary supplement for each clerk of court, probate judge, county coroner, and county sheriff. The amounts appropriated in Part IA, Section 113 for Aid Cnty-Register of Deeds, shall be equally distributed by the State Treasurer to the appropriate county treasurer on a quarterly basis, and shall be used as a salary supplement for registers of deeds.

The amount appropriated in Part IA, Section 113, for Aid Cnty-Auditors and Aid Cnty-Treasurers, shall be equally distributed to each county auditor and county treasurer as a salary supplement in addition to the salary and other benefits presently being provided by the county for these positions. It is the intent of the General Assembly that the amount appropriated by the county as salaries for these positions shall not be reduced as a result of the appropriation and that such appropriation shall not disqualify each county auditor and each county treasurer for salary increases that they might otherwise receive from county funds in the future. The salary supplement for each county auditor and county treasurer shall be paid in accordance with the schedule and method of payment established for state employees.

The amounts appropriated in Part IA, Section 113 for Clerks of Court, Probate Judges, Sheriffs, Register of Deeds, Coroners, Auditors, and Treasurers shall be exempt from any across the board cut mandated by the Executive Budget Office or General Assembly. However, the governing body of a county may reduce the expenditures in the operation of the offices of these officials without any required corresponding reduction in the county's state aid to subdivisions distribution. However, any reduction in these officials' budgets must be made in consultation with the affected official.

Of the amount appropriated in Part IA, Section 113 for Aid Cnty-Magistrates, a salary supplement of ten thousand dollars per full-time magistrate and two thousand five hundred dollars per part-time magistrate shall be provided. These amounts shall be distributed quarterly, and the amount appropriated by the county as salaries for these positions shall not be reduced as a result of the appropriation. The salary supplement shall not disqualify each magistrate for salary increases that they might otherwise receive from county funds in the future.

113.4. (AS-TREAS: Legislative Delegations) In the current fiscal year, a county government must fund its legislative delegation budget pursuant to Section 3, Act No. 283 of 1975. If a county council does not meet that funding level, the amount of the shortfall must be deducted from the responsible county's Aid to Subdivisions allocation and forwarded to the legislation delegation of the county. Additionally, the responsible county's remaining Aid to Subdivisions allotment must be reduced by twenty-five percent of the shortfall amount, which sum must be forwarded to the legislative delegation to be used for its administrative costs.

113.5. (AS-TREAS: Transparency - Political Subdivision Appropriation of Funds) (A) A political subdivision receiving aid from the Local Government Fund may not:

(1) appropriate money to any entity unless that appropriation appears as a separate and distinct line item in the political subdivision's budget or in an amendment to the political subdivision's budget;

(2) except in cases of emergency or unforeseen circumstances, donate funds to a nonprofit organization unless the amounts donated are appropriated on a separate and distinct line item in the political subdivision's budget or an amendment to the political subdivision's budget that includes the names of the entities to which the donations are being made. In the case of an emergency or unforeseen circumstances, a political subdivision may donate funds to a nonprofit organization if the amount and purpose of the proposed donation and the nature of the emergency or unforeseen circumstances necessitating the donation are announced in open session at a public meeting held by the governing body of the political subdivision and the funds are not delivered to the organization for five days following the announced intent to make the donation; or

(3) accept any funds from nongovernmental and inter-governmental organizations as defined in Agenda 21, adopted by the United Nations in 1992 at its Conference on Environment and Development, accredited and enlisted by the United Nations to assist in the implementation of its policies relative to Agenda 21 around the world without posting the following on the political subdivision's website for ten days:

(a) a full and detailed list of the funding program, including a designation that the funding program is associated with Agenda 21;

(b) the amount of funds involved;

(c) every mandate or requirement or action that will result from the grant or funding program's implementation;

(d) any and all projected costs to the political subdivision, business, or individual associated with the grant or funding program; and

(e) the stated goals and expected results of the grant or funding program.

(B) A political subdivision receiving aid from the Local Government Fund may not appropriate money to any entity without the requirement that the entity provides at the end of the fiscal year a detailed description of the purposes for which the money was used.

113.6. (AS-TREAS: Agricultural Use Exemption) A county shall have its portion of the Aid to Subdivisions, Local Government Fund withheld if the county imposes any additional requirements for an agricultural use exemption for a landowner's timberland beyond what is required by Section 12-43-230(a) and Section 12-43-232 of the 1976 Code.

113.7. (AS-TREAS: Excess Sales Tax Collections) In the current fiscal year, if a county has capital projects sales tax collections in excess of the amount necessary to complete all projects for which the tax was imposed and the tax has not yet expired, the county may pledge and use the excess collections to fund road improvements, intersection improvements, and pedestrian transportation. However, prior to the expiration of the tax, an eligible county must adopt an ordinance specifying the purposes for which the excess

funds will be used. A county may expend distributions received pursuant to the Aid to Subdivisions, State Treasurer section to meet the requirements of this provision.

113.8. (AS-TREAS: Rural County Stabilization Fund) There is created in Aid to Subdivisions-State Treasurer the Rural County Stabilization Fund. Any county that has population growth, as determined by the 2020 Census, of less than 5.35% since the 2010 census shall be eligible to receive monies from the fund as follows:

(1) a baseline of $300,000 to each eligible county;

(2) an additional $100,000 to eligible counties with a population between 50,000 and 99,999; and

(3) an additional $200,000 to eligible counties with a population of more than 100,000.\

After disbursal of funds, any monies remaining shall be distributed to each eligible county on a pro rata basis.

In the event the amount of funds in the Rural County Stabilization Fund is not sufficient to provide monies to counties according to the above formula, the amounts distributed to counties shall be reduced on a pro rata basis.

113.9. (AS-TREAS: E-Filing System) The governing body of any county that has at least three municipalities within the county, in whole or in part, with a population of fifty thousand or more shall utilize sufficient funds received from the local government fund to implement an electronic or e-filing system in the county's Register of Deeds Office to be utilized for the recording of documents and for payment of associated fees. The Register of Deeds shall assist with the implementation and shall monitor, utilize, and maintain the system.

113.10. (AS-TREAS: Disgorging of Funds) (A) In the current fiscal year, if a municipality receives funds from the Local Government Fund and, by ordinance, prohibits medical and mental health professionals from providing conversion therapy or reparative therapy to minors at any time during the current fiscal year, then the Treasurer must claw back all such funds of the municipality to the Local Government Fund. Conversion therapy or reparative therapy means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.

(B) Nothing in this proviso prohibits a medical or mental health professional from offering assistance to a minor struggling with gender identity so long as the assistance does not encourage gender transition.

113.11. *(AS-TREAS: Employment Contracts and Political Subdivisions) A political subdivision receiving aid from the Local Government Fund may not include a term in any contract of employment allowing for a settlement amount to be paid by the subdivision as part of the mutual dissolution of the contract that exceeds one year's salary or the remainder of the contract value, whichever is less.*

113.12. *(AS-TREAS: Salary Supplements) The salary supplements for Clerks of Courts, Probate Judges, Coroners, Register of Deeds, and Sheriffs provided in Part IA, Section 113 are in addition to the salary and other benefits currently paid by the county for those officials. No county may use any portion of the salary supplement provided in Part IA to supplant the current salary and other benefits paid by the county to those officials. The State Treasurer shall ensure that each county has complied with this proviso.*

SECTION 117 - X900 - GENERAL PROVISIONS

117.1. (GP: Revenues, Deposits Credited to General Fund) For the current fiscal year, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and departmental revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income derived from any other departmental or institutional source of activity, must be remitted to the State Treasurer at least once each week, when practical, and must be credited, unless otherwise directed by law, to the General Fund of the State. Each institution, department, or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement, showing in detail the sources itemized according to standard budget classification from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller General and the Executive Budget Office. In order to facilitate the immediate deposit of collections, refunds of such collections by state institutions where properly approved by the authorities of same, may be made in accordance with directions from the State Comptroller General and State Treasurer. General fund appropriations herein made for the support of the public school system of the State must be greater than or equal to the revenues derived from the General Retail Sales Tax, the Soft Drinks Tax, and the state's portion of the Alcoholic Liquors Tax and Cable Television Fees as forecasted in the general fund revenue estimate of the Board of Economic Advisors as accounted for in the Statement of Revenues of this act. Appropriations in this act for the support of the public school system shall include the following:

Department of Education;
State Board for Technical and Comprehensive Education;
Educational Television Commission;
Wil Lou Gray Opportunity School;
School for the Deaf and the Blind;
Governor's School for Agriculture at John de la Howe;
Debt Service on Capital Improvement Bonds Applicable to Above Agencies;
Debt Service on School Bonds;
Other School Purposes.

Nothing contained herein shall be construed as diminishing the educational funding requirements of this section.

117.2. (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part, if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways and Public Transportation Fund, and other applicable funds, to meet the ordinary expenses of the state government for Fiscal Year ~~2025-26~~ *2026-27*, and for other purposes specifically designated.

117.3. (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, "current fiscal year" means the fiscal year beginning July 1, ~~2025~~ *2026*, and ending June 30, ~~2026~~ *2027*, and "prior fiscal year" means the fiscal year beginning July 1, ~~2024~~ *2025*, and ending June 30, ~~2025~~ *2026*.

117.4. (GP: Descriptive Proviso Titles) Descriptive proviso titles listed in this act are for purposes of identification only and are not to be considered part of the official text.

117.5. (GP: Judicial & Involuntary Commitment, Defense of Indigents) It is the responsibility of all agencies, departments and institutions of state government, to provide at no cost and as a part of the regular services of the agency, department or institutions such services as are necessary to carry out the provisions of Chapter 52, Title 44 (Involuntary Commitment), Article 7, Chapter 17, Title 44 of the 1976 Code (Judicial Commitment), Chapter 3, Title 17 of the 1976 Code (Defense of Indigents), and Article 1, Chapter 3, Title 16 of the 1976 Code (Death Penalty), as amended, upon request of the Judicial Department and/or the appropriate court. To this end, state agencies are directed to furnish to the Judicial Department a list of their employees who are competent to serve as court examiners. The Judicial Department shall forward a copy of this list to the appropriate courts, and the courts shall utilize the services of such state employees whenever feasible. State employees shall receive no additional compensation for performing such services. For the purpose of interpreting this section, employees of the Medical University of South Carolina and individuals serving an internship or residency as an academic requirement or employees who are not full-time state employees and who are not performing duties as state employees are not considered state employees.

117.6. (GP: Case Service Billing Payments Prior Year) Agencies appropriated case services funds who routinely receive prior year case service billings after the old fiscal year has been officially closed are authorized to pay these case service obligations with current funds. This authorization does not apply to billings on hand that have been through a timely agency payment approval process when the old fiscal year closes.

117.7. (GP: Fee Increases) (A) No state agency, department, board, committee, commission, or authority, may increase an existing fee for performing any duty, responsibility, or function unless the fee for performing the particular duty, responsibility, or function is authorized by statutory law and set by regulation except as provided in this paragraph.

(B) This paragraph does not apply to:

(1) state-supported governmental health care facilities;

(2) state-supported schools, colleges, and universities;

(3) educational, entertainment, recreational, cultural, and training programs;

(4) the State Board of Financial Institutions;

(5) sales by state agencies of goods or tangible products produced for or by these agencies;

(6) charges by state agencies for room and board provided on state-owned property;

(7) application fees for recreational activities sponsored by state agencies and conducted on a draw or lottery basis;

(8) court fees or fines levied in a judicial or adjudicatory proceeding; or

(9) the South Carolina Public Service Authority or the South Carolina Ports Authority.

(C) This paragraph does not prohibit a state agency, department, board, committee, or commission from increasing fees for services provided to other state agencies, departments, boards, committees, commissions, political subdivisions, or fees for health care and laboratory services regardless of whether the fee is set by statute.

(D) Statutory law for purposes of this paragraph does not include regulations promulgated pursuant to the State Administrative Procedures Act.

117.8. (GP: State Institutions - Revenues & Income) The University of South Carolina, Clemson University, the Medical University of South Carolina (including the Medical University Hospital), The Citadel, Winthrop University, South Carolina State University, Francis Marion University, University of Charleston, Lander University, Coastal Carolina University, and the Wil Lou

Gray Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Proviso 117.1 of this act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 11-3-185 of the 1976 Code, and expended to fulfill the purpose for which such fees or income were levied, but no part of such income shall be used for permanent improvements without the express written approval of the State Fiscal Accountability Authority and the Joint Legislative Capital Bond Review Committee; and it is further required that no such fee or income shall be charged in excess of the amount that is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. Notwithstanding other provisions of this act, funds at state institutions of higher learning derived wholly from athletic or other student contests, from the activities of student organizations, and from the operations of canteens and bookstores, and from approved Private Practice plans at institutions and affiliated agencies may be retained at the institution and expended by the respective institutions only in accord with policies established by the institution's Board of Trustees. Such funds shall be audited annually by the State but the provisions of this act concerning unclassified personnel compensation, travel, equipment purchases and other purchasing regulations shall not apply to the use of these funds.

117.9. (GP: Transfers of Appropriations) Agencies and institutions shall be authorized to transfer appropriations within programs and within the agency with notification to the Executive Budget Office and Comptroller General. No such transfer may exceed twenty percent of the program budget. Upon request, details of such transfers may be provided to members of the General Assembly on an agency by agency basis. Transfers of appropriations from personal service accounts to other operating accounts or from other operating accounts to personal service accounts may be restricted to any established standard level set by the State Fiscal Accountability Authority upon formal approval by a majority of the members of the State Fiscal Accountability Authority.

117.10. (GP: Federal Funds-DPH, DES, DSS, DHHS - Disallowances) Amounts appropriated to the Department of Public Health, Department of Environmental Services, Department of Social Services, and Department of Health and Human Services may be expended to cover program operations of prior fiscal years where adjustment of such prior years are necessary under federal regulations or audit exceptions. All disallowances or notices of disallowances by any federal agency of any costs claimed by these agencies shall be submitted to the State Auditor, the Senate Finance Committee and the House Ways and Means Committee, within five days of receipt of such actions.

117.11. (GP: Fixed Student Fees) During the current fiscal year, student fees at the state institutions of higher learning shall be fixed by the respective Boards of Trustees as follows:

(1) Fees applicable to student housing, dining halls, student health service, parking facility, laundries and all other personal subsistence expenses shall be sufficient to fully cover the total direct operating and capital expenses of providing such facilities and services over their expected useful life except those operating or capital expenses related to the removal of asbestos.

(2) Student activity fees may be fixed at such rates as the respective Boards shall deem reasonable and necessary.

117.12. (GP: Tech Educ. Colleges Student Activity Fees) Notwithstanding any other provisions of this act, funds at technical education colleges derived wholly from the activities of student organizations and from the operations of canteens and bookstores may be retained by the college and expended only in accord with policies established by the respective college's area commission and approved by the State Board for Technical and Comprehensive Education.

117.13. (GP: Discrimination Policy) It is the policy of the State of South Carolina to recruit, hire, train, and promote employees without discrimination because of race, color, sex, national origin, age, religion or physical disability. This policy is to apply to all levels and phases of personnel within state government, including but not limited to recruiting, hiring, compensation, benefits, promotions, transfers, layoffs, recalls from layoffs, and educational, social, or recreational programs. It is the policy of the State to take affirmative action to remove the disparate effects of past discrimination, if any, because of race, color, sex, national origin, age, religion, or physical disability.

Each state agency shall submit to the State Human Affairs Commission employment and filled vacancy data by race and sex by October thirty-first of each year.

In accordance with Section 1-13-110 of the 1976 Code, as amended, the Human Affairs Commission shall submit a report on the status of state agencies' Affirmative Action Plans and Programs to the General Assembly by February first each year. This report shall contain the total number of persons employed in each job group, by race and sex, at the end of the preceding reporting period, a breakdown by race and sex of those hired or promoted from within the agency during the reporting period, and an indication of whether affirmative action goals were achieved. For each job group referenced in the Human Affairs report, where the hiring of personnel does not reflect the percentage goals established in the agency's affirmative action plan for the year in question, the state agency shall submit a detailed explanation to the Human Affairs Commission by February fifteenth, explaining why goals were not achieved.

The Human Affairs Commission shall review the explanations and notify the Department of Administration of any agency not in satisfactory compliance with meeting its stated goals.

The Department of Administration shall notify any agency not in compliance that their request for additional appropriations for the current appropriation cycle, may not be processed until such time as the Department of Administration, after consultation with the Human Affairs Commission, is satisfied that the agency is making a good faith effort to comply with its affirmative action plan, and that the compliance must be accomplished within a reasonable length of time to be determined by the mission and circumstances of the agency. This requirement shall not affect additional appropriation requests for public assistance payments or aid to entities. This section does not apply to those agencies that have been exempted from the reporting requirements of the Human Affairs Commission.

117.14. (GP: FTE Management) (A) In order to provide the necessary control over the number of employees, the Executive Budget Office is hereby directed to maintain close supervision over the number of state employees, and to require specifically the following:

(1) That no state agency exceed the total authorized number of full-time equivalent positions and those funded from state sources as provided in each section of this act except by majority vote of the State Fiscal Accountability Authority. Each agency is responsible for ensuring that the number of filled and vacant FTEs does not exceed the number of authorized FTEs in the South Carolina Enterprise Information System (SCEIS).

(2) That the Executive Budget Office shall maintain and make, as necessary, periodic adjustments thereto, an official record of the total number of authorized full-time equivalent positions by agency for state and total funding sources.

(a) That within sixty days of the passage of the Appropriation Act or by September first, whichever comes later, each agency of the State must have established in SCEIS all new positions authorized in the Act. After that date, the Executive Budget Office in

consultation with the Division of State Human Resources shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established as filled or vacant by state agencies in excess of the total number of authorized full-time equivalent positions. Each agency may, upon notification to the Executive Budget Office, change the funding source of state FTE positions established on the Executive Budget Office records as necessary to expend federal and other sources of personal service funds to conserve or stay within the state appropriated personal service funds. No agency shall change funding sources that will cause the agency to exceed the authorized number of state or total full-time equivalent positions. Each agency may transfer FTEs between programs as needed to accomplish the agency mission.

(b) That by September thirtieth, the office shall prepare a FTE analysis, by agency, which shows the number of authorized, filled, and vacant positions by source of funds for the current and two previously completed fiscal years. The office shall provide a copy of each agency's FTE analysis to the Senate Finance and House Ways and Means Committees.

(3) That full-time equivalent (FTE) positions shall be determined under the following guidelines:

(a) The annual work hours for each FTE shall be the agency's full-time standard annual work hours.

(b) The state FTE shall be derived by multiplying the state percentage of budgeted funds for each position by the FTE for that position.

(c) All institutions of higher education shall use a value of 0.75 FTE for each position determined to be full-time faculty with a duration of nine months.

The FTE method of accounting shall be utilized for all authorized positions.

(4) That the number of positions authorized in this act shall be reduced in the following circumstances:

(a) Upon request by an agency.

(b) When anticipated federal funds are not made available.

(c) When the Executive Budget Office, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

(5) That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this act but temporary positions may be so funded.

(6) That the provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan under item I of Section 8-11-260.

(B) The Governor, in making his appropriation recommendations to the Ways and Means Committee, must provide that the level of personal service appropriation recommended for each agency is at least ninety-seven percent of the funds required to meet one hundred percent of the funds needed for the full-time equivalents positions recommended by the Governor (exclusive of new positions).

117.15. (GP: Allowance for Residences & Compensation Restrictions) (A) That salaries paid to officers and employees of the State, including its several boards, commissions, and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee. The charge for these items may be payroll deducted at the discretion of the Comptroller General or the chief financial officer at each agency maintaining its own payroll system. This shall not apply to the Governor's Mansion, nor to guards at any of the state's penal

institutions and nurses and attendants at the Department of Behavioral Health and Developmental Disabilities, Office of Intellectual and Developmental Disabilities, and registered nurses providing clinical care at the MUSC Medical Center, nor to the Superintendent and staff of the Governor's School for Agriculture at John de la Howe, nor to the cottage parents and staff of Wil Lou Gray Opportunity School, nor to full-time or part-time staff who work after regular working hours in the SLED Communications Center or Maintenance Area, nor to adult staff at the Governor's School for Science and Mathematics and the Governor's School for Arts and Humanities who are required to stay on campus by the institution because of job requirements or program participation. Any state institution of higher learning may provide complimentary membership privileges to employees who work at their wellness centers. The presidents of those state institutions of higher learning authorized to provide on-campus residential facilities for students may be permitted to occupy residences on the grounds of such institutions without charge.

(B) Any state institution of higher learning may provide a housing allowance to the president in lieu of a residential facility, the amount to be approved by the State Fiscal Accountability Authority.

(C) That the following may be permitted to occupy residences owned by the respective departments without charge: the Farm Director, Farm Managers, and Specialists employed at the Wateree River Correctional Institution; the South Carolina State Commission of Forestry fire tower operators, forestry aides, and caretaker at central headquarters; the Department of Natural Resources' Wildlife Management Area Personnel, Fish Hatchery Personnel, and Heritage Trust Personnel; Director of Wil Lou Gray Opportunity School; President of the School for the Deaf and the Blind; houseparents for the Commission for the Blind; South Carolina Department of Public Health personnel at the State Park Health Facility and Camp Burnt Gin; South Carolina Department of Environmental Services personnel at the State Park Health Facility; Residence Life Coordinators at Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at Winthrop University and Francis Marion University; Farm Superintendent at Winthrop University; Residence Hall Directors at the College of Charleston; the Department of Behavioral Health and Developmental Disabilities, Office of Intellectual and Developmental Disabilities physicians and other professionals at Whitten Center, Clemson University Off-Campus Agricultural Staff and Housing Area Coordinators; and TriCounty Technical College's Bridge to Clemson Resident and Area Directors; and housing maintenance night supervisors, residence life directors, temporary and transition employees, and emergency medical personnel occupying residences owned by the University of South Carolina. Except in the case of elected officials, the fair market rental value of any residence furnished to a state employee shall be reported by the state agency furnishing the residence to the Agency Head Salary Commission, and the Department of Administration by October first of each fiscal year.

(D) All salaries paid by departments and institutions shall be in accord with a uniform classification and compensation plan, approved by the Department of Administration, applicable to all personnel of the State Government whose compensation is not specifically fixed in this act. Such plan shall include all employees regardless of the source of funds from which payment for personal service is drawn. The Department of Administration is authorized to approve temporary salary adjustments for classified and unclassified employees who perform temporary duties which are limited by time and/or funds. When approved, a temporary salary adjustment shall not be added to an employee's base salary and shall end when the duties are completed and/or the funds expire. Academic personnel of the institutions of higher learning and other individual or group of positions that cannot practically be covered by the plan may be excluded therefrom but their compensations as approved by the Department of Administration shall, nevertheless, be subject to review by the State Fiscal Accountability Authority. Salary appropriations for employees fixed in this act shall be in

full for all services rendered, and no supplements from other sources shall be permitted or approved by the State Fiscal Accountability Authority. With the exception of travel and subsistence, legislative study committees shall not compensate any person who is otherwise employed as a full-time state employee. Salaries of the heads of all agencies of the State Government shall be specifically fixed in this act and no salary shall be paid any agency head whose salary is not so fixed. As long as there is no impact on appropriated funds, state agencies and institutions shall be allowed to spend public funds and/or other funds for designated employee award programs which shall have written criteria approved by the agency governing board or commission. For purposes of this section, monetary awards, if any, shall not be considered a part of an employee's base salary, a salary supplement, or a perquisite of employment. The names of all employees receiving monetary awards and the amounts received shall be reported annually to the Department of Administration.

(E) In the case of lodging furnished by certain higher education institutions to employees, the prevailing local rate does not apply if the institution meets the exceptions for inadequate rent described in the current Internal Revenue Code Section 119(d)(2). To meet the exception, rental rates must equal the lesser of five percent of the appraised value of the qualified campus lodging, or the average of the rentals paid by individuals (other than employees or students of the educational institution) during the calendar year for lodging provided by the educational institution which is comparable to the qualified campus lodging provided to the employee, over the rent paid by the employee for the qualified campus lodging during the calendar year. The appraised value shall be determined as of the close of the calendar year in which the taxable year begins, or, in the case of a rental period not greater than one year, at any time during the calendar year in which the period begins.

117.16. (GP: Universities & Colleges - Allowance for Presidents) Presidents of the University of South Carolina, Clemson University, the Medical University of South Carolina, The Citadel, Winthrop University, South Carolina State University, Francis Marion University, University of Charleston, Coastal Carolina University and Lander University must not be paid a fixed allowance for personal expenses incurred in connection with the performance of their official duties. Reimbursements may be made to the presidents from funds available to their respective institutions for any personal expenses incurred provided that all requests for reimbursement are supported by properly documented vouchers processed through the normal accounting procedures of the institutions.

117.17. (GP: Replacement of Personal Property) The Department of Juvenile Justice, Department of Corrections, Department of Probation, Parole and Pardon Services, Department of Behavioral Health and Developmental Disabilities, Office of Mental Health and Office of Intellectual and Developmental Disabilities, Continuum of Care, Department of Social Services and School for the Deaf and the Blind may replace the personal property of an employee which has been damaged or destroyed by a client while in custody of the agency. The replacement of personal property may be made only if the loss has resulted from actions by the employee deemed to be appropriate and in the line of duty by the agency head and if the damaged or destroyed item is found by the agency head to be reasonable in value, and necessary for the employee to carry out the functions and duties of his employment. Replacement of damaged or destroyed items shall not exceed $250 per item, per incident. Each agency must have guidelines to insure the reasonableness of the replacement payments.

117.18. (GP: Business Expense Reimbursement) Agency heads and deputy commissioners or deputy directors designated by agency heads may receive reimbursements for business expenses incurred while performing their official duties, provided that receipts are presented when seeking reimbursement and justification is submitted to document the time, place, and purpose of the

expense as well as the names of the individuals involved. The Department of Administration shall promulgate regulations governing these expenses.

117.19. (GP: Per Diem) The per diem allowance of all boards, commissions and committees shall be at the rate of $50 per day. No full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions, or committees.

117.20. (GP: Travel - Subsistence Expenses & Mileage) Travel and subsistence expenses, whether paid from state appropriated, federal, local or other funds, shall be allowed in accordance with the following provisions:

(A) Unless otherwise provided in paragraphs B through H of this section, all employees of the State of South Carolina or any agency thereof including employees and members of the governing bodies of each technical college while traveling on the business of the State shall, upon presentation of a paid receipt, be allowed reimbursement for actual expenses incurred for lodging, not to exceed the current maximum lodging rates, excluding taxes, established by the U.S. General Services Administration. The lodging reimbursement for employees of a school district must also conform to these rates when that employee's travel reimbursement is paid by state funds that are transferred to the school district. Agencies may contract with lodging facilities to pay on behalf of an employee. Failure to maintain proper control of direct payments for lodging may result in the revocation of the agency's authority by the Comptroller General or the State Auditor. The employee shall also be reimbursed for the actual expenses incurred in the obtaining of meals except that such costs shall not exceed $35 per day within the State of South Carolina. For travel outside of South Carolina the maximum daily reimbursement for meals shall not exceed $50. Agencies may contract with food or dining facilities to pay for meals on behalf of employees in accordance with rules and regulations established by the Office of Comptroller General. It shall be the responsibility of the agency head to monitor the charges for lodging which might be claimed by his employees in order to determine that such charges are following maximum lodging rates as established by the U.S. General Services Administration. Any exceptions must have the written approval of the agency head, taking into consideration location, purpose of travel or other extenuating circumstances. The provisions of this item shall not apply to Section 42-3-40 of the 1976 Code, and when pertaining to institutions of higher learning, for travel paid with funds other than General Funds.

(B) That employees of the State, when traveling outside the United States, Canada, and Puerto Rico upon promotional business for the State of South Carolina shall be entitled to actual expenses for both food and lodging.

(C) The Governor, Lieutenant Governor, Secretary of State, Comptroller General, Attorney General, State Treasurer, Adjutant General, Superintendent of Education and the Commissioner of Agriculture shall be reimbursed actual expenses for subsistence.

(D) Non-legislative members of committees appointed pursuant to Acts and Resolutions of the General Assembly whose membership consists solely of members of the General Assembly or members of the General Assembly and other personnel who are not employees of the State of South Carolina shall be allowed subsistence expenses of $42 per day while traveling on official business, unless otherwise designated by law. Members of such committees may opt to receive actual expenses incurred for lodging and actual expenses incurred in the obtaining of meals in lieu of the allowable subsistence expense.

(E) Members of the state boards, commissions, or committees whose duties are not full-time and who are paid on a per diem basis, shall be allowed reimbursement for actual expenses incurred at the rates provided in paragraph A and I of this section while away from their places of residence on official business of the State. One person accompanying a handicapped member of a state

board, commission, or committee on official business of the State shall be allowed the same reimbursement for actual expenses incurred at the rates provided in paragraph A through I of this section.

(F) No subsistence reimbursement shall be allowed to a Justice of the Supreme Court or Judge of the Court of Appeals while traveling in the county of his official residence. When traveling on official business of said court within fifty miles outside the county of his official residence, a Supreme Court Justice and a Judge of the Court of Appeals shall be allowed subsistence expenses in the amount of $42 per day plus such mileage allowance for travel as is provided for other employees of the State. When traveling on official business of said court fifty or more miles outside the county of his official residence, each Justice and Judge of the Court of Appeals shall be allowed subsistence expenses in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State. The Chief Justice, or such other person as the Chief Justice designates, while attending the Conference of Chief Justices and one member of the Supreme Court while attending the National Convention of Appellate Court Judges, and three Circuit Judges while attending the National Convention of State Trial Judges shall be allowed actual subsistence and travel expenses. Upon approval of the Chief Justice, Supreme Court Justices, Judges of the Court of Appeals, Circuit Judges, and Family Court Judges shall be reimbursed for actual expenses incurred for all other official business requiring out-of-state expenses at the rate provided in paragraph A of this section.

(G) No subsistence reimbursements are allowed to a Circuit Judge, a Family Court Judge, or an Administrative Law Judge while holding court within the county in which he resides. While holding court or on other official business outside the county, within fifty miles of his residence, a Circuit Court Judge, Family Court Judge, or an Administrative Law Judge is entitled to a subsistence allowance in the amount of $42 per day plus such mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a location fifty miles or more from his residence, a Circuit Court, Family Court or Administrative Law Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State.

(H) Any retired Justice, Circuit Court Judge or Family Court Judge or Master-in-Equity appointed by the Supreme Court to serve as a Special Circuit Judge, Family Court Judge, Appeals Court Judge, or Acting Associate Justice shall serve without pay but shall receive the same allowance for subsistence, expenses, and mileage as provided in Part I for Circuit Court Judges.

(I) No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed except as provided in paragraph E, of this section. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities or sections of the State, expenses may be allowed for the necessary travel to his official headquarters. The members of the Workers' Compensation Commission may be reimbursed at the regular mileage rate of one round trip each week from their respective homes to Columbia. No subsistence reimbursement shall be allowed to a member of the Workers' Compensation Commission while traveling in the county of his official residence. When traveling on official business of the commission outside the county of his official residence, a member of the Workers' Compensation Commission shall be allowed subsistence expenses in the amount of $42 per day. When traveling on official business of the commission fifty or more miles outside the county of his official residence, each member shall be allowed a subsistence allowance in the amount as provided in this act for members of the General Assembly. When out-of-state, members of the Workers' Compensation Commission and the members of the Appellate Panel of the Department of Employment and Workforce may claim the established amount of per diem, as stated in the General Appropriation Act, or actual expenses as deemed reasonable

by the Comptroller General. The members of the Appellate Panel of the Department of Employment and Workforce may be reimbursed at the regular mileage rate when the member is on official business fifty miles or more outside of Columbia. The members of the Appellate Panel of the Department of Employment and Workforce shall be allowed subsistence allowance in the amount as provided in this act for members of the General Assembly when the member is on official business fifty miles or more outside of Columbia.

(J) When an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge to equal the standard business mileage rate as established by the Internal Revenue Service will be allowed for the use of such automobile and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. Whenever state provided motor pool vehicles are reasonably available and their use is practical and an employee of the State shall request for his own benefit to use his or her personal vehicle in traveling on necessary official business, a charge of four cents per mile less than the standard business mileage rate as established by the Internal Revenue Service will be allocated for the use of such vehicle and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof but no mileage will be allowed. Agencies and employees are directed to use state fueling facilities to the maximum extent possible, when such use is cost beneficial to the State. When using commercial fueling facilities, operators of State-owned vehicles are directed to use self-service pumps. In traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules and like factors. Mileage between an employee's home and his/her place of employment is not subject to reimbursement. However, when an employee leaves on a business trip directly from his/her home, and does not go by the employee's headquarters, the employee shall be eligible for reimbursement for actual mileage beginning at his/her residence.

(K) That a state agency may advance travel and subsistence expense monies to employees of that agency for the financing of ordinary and necessary travel required in the conducting of the business of the agency. The Office of Comptroller General is directed to develop and publish rules and regulations pertaining to the advancing of travel expenses and no state agency shall make such advances except under the rules and regulations as published. All advances for travel and subsistence monies shall be repaid to the agency within thirty days after the end of the trip or by July fifteenth, whichever comes first.

(L) That the state institutions of higher learning are authorized to reimburse reasonable relocation expenses for new employees when such reimbursements are considered by the agency head to be essential to successful recruitment of professionally competent staff members.

(M) The Office of Comptroller General is authorized to promulgate and publish rules and regulations governing travel and subsistence payments.

(N) No state funds may be used to purchase first class airline tickets.

117.21. (GP: Organizations Receiving State Appropriations Report). Each state agency receiving funds that are a direct appropriation to a non-profit organization, prior to disbursing the funds, shall require from each recipient organization a plan of how the state funds will be spent and how the expenditures will provide a public benefit. The Executive Budget Office, Department of Administration shall provide each state agency with a standard form for collecting the information required. After receiving the

funds, non-profit organizations shall provide quarterly spending updates to the respective state agency. After all state funds have been expended, each organization shall provide an accounting of how the funds were spent, including an accounting of funds provided to subgrantees and affiliated non-profits. State agencies receiving funds pursuant to this provision shall report the information collected to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by June 30th. No funds in this act shall be disbursed to organizations or purposes which practice discrimination against persons by virtue of race, creed, color or national origin.

117.22. (GP: State-Owned Aircraft - Flight Logs) Each agency having in its custody one or more aircraft shall maintain a continuing log on all flights, which in order to promote accountability and transparency shall be open for public inspection and shall also be posted online. Any and all aircraft owned or operated by agencies of the State Government shall be used only for official business. The Division of Aeronautics and other agencies owning and operating aircraft may furnish transportation to the Governor, Constitutional Officers, members of the General Assembly, members of state boards, commissions, and agencies and their invitees for official business only; no member of the General Assembly, no member of a state board, commission, or committee, and no state official shall use any state-owned or operated aircraft unless the member or official files within twenty-four hours after the completion of the flight with the agency that provided the flight a sworn statement certifying and describing the official nature of his trip; and no member of the General Assembly, no member of a state board, commission or committee, and no state official shall be furnished air transportation by a state agency unless such agency prepares and maintains in its files a sworn statement from the highest ranking official of the agency or its designee certifying that the member's or state official's trip was in conjunction with the official business of the agency. Official business shall not include routine transportation to and from meetings of the General Assembly or committee meetings for which mileage is authorized. Official business also does not include attending a press conference, bill signing, or political function.

All logs shall be signed by the parties using the flight and the signatures shall be maintained as part of the permanent record of any agency. All passengers shall be listed on the flight log by their legal name; passengers flying with an appropriate official of SLED or the Department of Commerce whose confidentiality must, in the opinion of SLED or the department, be protected shall be listed in writing on the flight log as "Confidential Passenger SLED or the Department of Commerce (strike one)" and the appropriate official of SLED or the department shall certify to the agency operating the aircraft the necessity for such confidentiality. The Division of Aeronautics shall post its flight logs on its website within one working day of completion of trips.

Violation of the above provisions of this section is prima facie evidence of a violation of Section 8-13-700(A) of the 1976 Code and shall subject a violating member of the General Assembly to the ethics procedure of his appropriate house and shall subject a violating member of a state board, commission or committee, or a state official to the applicable ethics procedure relating to them as provided by law. The above provisions do not apply to state-owned or operated aircraft when used by the Medical University of South Carolina, nor to aircraft of the athletic department or the educational foundations of any state-supported institution of higher education, nor to law enforcement officers when flying on state-owned aircraft in pursuit of fugitives, missing persons, or felons or for investigation of gang, drug, or other violent crimes.

Aircraft owned by agencies of state government shall not be leased to individuals for their personal use.

117.23. (GP: Carry Forward) Each agency is authorized to carry forward unspent general fund appropriations from the prior fiscal year into the current fiscal year, up to a maximum of ten percent of its original general fund appropriations less any appropriation reductions for the current fiscal year. Agencies shall not withhold services in order to carry forward general funds.

This provision shall be suspended if necessary to avoid a fiscal year-end general fund deficit. For purposes of this proviso, the amount of the general fund deficit shall be determined after first applying the Capital Reserve Fund provisions in Section 11-11-320(D) of the 1976 Code, and before any transfers from the General Reserve. The amount of general funds needed to avoid a year-end deficit shall be reduced proportionately from each agency's carry forward amount.

Any funds that are carried forward as a result of this provision are not considered part of the base of appropriations for any succeeding years.

117.24. (GP: TEFRA-Tax Equity and Fiscal Responsibility Act) It is the intent of the General Assembly that the State Medicaid Plan be amended to provide benefits for disabled children as allowed by the Tax Equity and Fiscal Responsibility Act (TEFRA) option. State agencies, including but not limited to, the Department of Social Services - the Continuum of Care, the Department of Public Health, the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health and Office of Intellectual and Developmental Disabilities, and the Department of Health and Human Services shall collectively review and identify existing state appropriations within their respective budgets that can be used as state match to serve these children. Such funds shall be used effective January 1, 1995 to implement TEFRA option benefits. Agencies providing services under the provisions of this paragraph must not spend less in the current fiscal year than expended in the previous fiscal year.

117.25. (GP: Prison Industries) All agencies funded in this act, when procuring goods and services, shall first consider contracting for services or purchasing goods and services through the Department of Corrections' Prison Industries Program. The Department of Corrections shall furnish, upon request, to all agencies a catalogue of goods and services provided by Prison Industries. The department is hereby directed to develop and market a catalogue of Prison Industries products for nationwide circulation.

117.26. (GP: Travel Report) Annually on November first, the Comptroller General shall issue a report on travel expenditures for the prior fiscal year which shall be distributed to the Senate Finance Committee, the House Ways and Means Committee, and the Statehouse Press Room. The Comptroller General may use up to $500 of general fund appropriations for the purpose of providing copies to the media or the public upon request. The report must contain a listing for every agency receiving an appropriation in the annual General Appropriations Act. The listing must show at a minimum the top ten percent of employees for whom travel expenses and registration fees were paid within each agency, not to exceed twenty-five employees per agency. Agencies should include position titles for each of the top twenty-five travelers for each agency. Expenditures must include state, federal and other sources of funds. Expenditures for in-state and out-of-state registration fees (fees to attend conferences, teleconferences, workshops, or seminars for training on a per person basis) must be shown as a separate subtotal within the grand total for the individual employees and the agency as a whole. The list for each agency must be in rank order with the largest expenditure first and the name of the employee must be shown with each amount. Agencies should include a brief summary of the type of travel the agency incurs. The Comptroller General may provide additional information as deemed appropriate. The Comptroller General shall provide no exceptions to this report in that the information contained is not considered confidential or restricted for economic development purposes. However, further disclosure of detailed information shall be restricted as provided for by law.

117.27. (GP: School Technology Initiative) From the funds appropriated/authorized for the K-12 technology initiative, the Department of Education, in consultation with the Department of Administration, the State Library, the Educational Television Commission, and a representative from the Education Oversight Committee, shall administer the K-12 technology initiative funds. These funds are intended to provide technology, encourage effective use of technology in K-12 public schools throughout the state, conduct cost/benefit analyses of the various technologies, and should, to the maximum extent possible, involve public-private sector collaborative efforts. Funds may also be used to establish pilot projects for new technologies with selected school districts as part of the evaluation process. K-12 technology initiative funds shall be retained and carried forward to be used for the same purpose.

117.28. (GP: State-Operated Day Care Facilities Fees) Any state agency receiving funding in this act and any higher education institution, including four-year institutions, two-year institutions, and technical colleges, that operates an early childhood development center or day care facility shall charge, at a minimum, fees that are comparable to those charged by private day care facilities in the local community. The institution or agency shall not restrict enrollment in the center solely to the children of faculty, staff, and students of the institution; nor shall fees be set at a lower level for faculty, staff, or students of the institution or agency.

117.29. (GP: Base Budget Analysis) Agencies' annual accountability reports for the prior fiscal year, as required in Section 1-1-810, must be accessible to the Governor, Senate Finance Committee, House Ways and Means Committee, and to the public on or before September fifteenth, for the purpose of a zero-base budget analysis and in order to ensure that the Agency Head Salary Commission has the accountability reports for use in a timely manner. Accountability Report guidelines shall require agencies to identify key program area descriptions and expenditures and link these to key financial and performance results measures. The Executive Budget Office is directed to develop a process for training agency leaders on the annual agency accountability report and its use in financial, organizational, and accountability improvement. Until performance-based funding is fully implemented and reported annually, the state supported colleges, universities and technical schools shall report in accordance with Section 59-101-350.

117.30. (GP: Collection on Dishonored Payments) In lieu of any other provision of law, any state agency may collect a service charge as provided in Section 34-11-70 to cover the costs associated with the processing and collection of dishonored instruments or electronic payments where any amount is not paid by the drawee due to insufficient funds on deposit with the bank or the person upon which it was drawn when presented, or the instrument has an incorrect or insufficient signature on it. Such funds shall be retained and expended by the agency in accordance with this purpose and any unused amount shall carry forward to the following fiscal year.

117.31. (GP: State DNA Database) Funds collected by the South Carolina Department of Corrections, the Department of Probation, Parole and Pardon, and Department of Juvenile Justice to process DNA samples must be remitted to the State Law Enforcement Division to offset the expenses incurred to operate the State DNA Database program. SLED may retain, expend, and carry forward these funds. Any carry forward funds resulting from the DNA Database program must be used solely to operate the DNA Database program.

117.32. (GP: Voluntary Separation Incentive Program) State agencies may implement, in consultation with the Department of Administration, a program to realign resources to include provisions for a separation incentive payment for employees which may include the employer portion of health and dental benefits not to exceed one year. Employees participating in such program shall be considered to have voluntarily quit their employment without good cause and be subject to the provisions of Section 41-35-120(1) of the South Carolina Employment Security Law. Any program developed under this provision will involve voluntary participation

from employees and will be funded within existing appropriations. The program must be approved by the agency head and the Director of the Human Resources Division based on ability to demonstrate recurring cost savings for realignment and/or permanent downsizing. State agencies shall report the prior year's results to the Department of Administration by August fifteenth, of the current fiscal year. The Department of Administration, upon request, shall report to the Senate Finance Committee and the House Ways and Means Committee on these results.

117.33. (GP: Debt Collection Reports) Each state agency shall provide to the Chairmen of the Senate Finance and House of Representatives Ways and Means Committees and the Inspector General a report detailing the amount of its outstanding debt and all methods it has used to collect that debt. This report is due by the last day of February for the previous calendar year. For purposes of this provision, outstanding debt means a sum remaining due and owed to a state agency by a nongovernmental entity for more than sixty calendar days.

117.34. (GP: State-Funded Libraries - Web Filters) (A) A library receiving state funds, directly, indirectly, by grant, or otherwise, other than a library at an institution of higher learning, that has computers available for use by the public or students, or both, must equip these computers with software incorporating web-filtering technology designed to eliminate or reduce the ability of the computer to access sites displaying pornographic pictures or text. However, up to ten percent, and at least one, of the library's computers must be unfiltered. Each library's governing officials shall determine the physical location of any unfiltered computer(s). The library also must have a written policy providing sanctions against a person who instructs or demonstrates to another person how to bypass this web-filtering technology.

(B) State funds intended for a library not in compliance with subsection (A) must be reduced by fifty percent. Funds resulting from this reduction must be distributed among other libraries that are in compliance with subsection (A).

117.35. (GP: Tobacco Settlement Funds Carry Forward) State agencies are hereby authorized to retain and carry forward any unexpended Tobacco Settlement Agreement funds from the prior fiscal year into the current fiscal year and to expend such funds for the same purpose.

117.36. (GP: Use Tax Exemption) For the current fiscal year, there is exempt from the use tax imposed pursuant to Chapter 36, Title 12 of the 1976 Code the sales price of tangible personal property purchased for use in private primary and secondary schools, including kindergartens and early childhood education programs, which are exempt from income taxes pursuant to Section 501(c)(3) of the Internal Revenue Code. For the purposes of this item, the Internal Revenue Code means Internal Revenue Code as described in Section 12-6-40 of the 1976 Code. This exemption applies for sales occurring after 1995. No refund is due any taxpayer of use tax paid on sales exempted by this paragraph.

117.37. (GP: Personal Property Tax Relief Fund) If the Personal Property Tax Exemption Sales Tax is imposed in a county and a sales tax rate of two percent of gross proceeds of sales is insufficient to offset the property tax not collected, sufficient amounts must be credited to the Trust Fund for Tax Relief established pursuant to Section 11-11-150 of the 1976 Code to provide the reimbursement to offset such a shortfall in the manner provided in Section 4-10-540(A) of the 1976 Code.

117.38. (GP: COG Annual Report) Each Council of Government shall submit a report to the Senate Finance Committee and the House Ways and Means Committee by December first each year describing how the funds which they received from the State in the prior fiscal year were expended.

117.39. (GP: South Carolina Recycling Initiative) To protect the public health and safety, protect and preserve the environment of this State, and to recover resources which have the potential for usefulness in the most environmentally safe, economically feasible and cost effective manner, state agencies shall purchase recycled iron and steel unless the item cannot be acquired competitively at a reasonable price.

117.40. (GP: Life and Palmetto Fellows Scholarships Waiver Exemption) Any provision in permanent law or in Part IB, Section 117 of this act, except that which is specified for LIFE and Palmetto Fellows Scholarships, that would require general fund appropriations other than what is specified in Part IA of this act is waived for the current fiscal year.

117.41. (GP: Sole Source Procurements) The State Fiscal Accountability Authority shall evaluate and determine whether the written determinations, explanations, and basis for sole source procurements, pursuant to South Carolina Code Section 11-35-1560, and emergency procurements, pursuant to South Carolina Code Section 11-35-1570, are legitimate and valid reasons for awarding noncompetitive contracts.

117.42. (GP: Parking Fees) State agencies shall not impose additional parking fees or increases in current fees for state employees during the current fiscal year. This provision does not apply to any college or university.

117.43. (GP: Facility Rental Fee) The Governor's School for the Arts and Humanities, Governor's School for Science and Mathematics, Wil Lou Gray Opportunity School, and the Governor's School for Agriculture at John de la Howe are authorized to charge, collect, expend and carry forward fees charged for facility and equipment rental and registration.

117.44. (GP: Insurance Claims) Any insurance reimbursement to an agency may be used to offset expenses related to the claim. These funds may be retained, expended, and carried forward.

117.45. (GP: Organizational Charts) All agencies, departments and institutions of state government shall furnish to the Human Resources Division: (1) a current personnel organizational chart annually no later than September first of the current fiscal year, or upon the request of the division; and (2) notification of any change to the agency's organizational structure which impacts an employee's grievance rights within thirty days of such change. The organizational chart shall be in a form prescribed by the Human Resources Division showing all authorized positions, class title, class code, position number and indications as to whether such positions are filled or vacant. In addition, the organizational chart shall clearly identify those employees who are exempt from the State Employee Grievance Procedure Act.

117.46. (GP: Agencies Affected by Restructuring) Upon restructuring of state agencies by the General Assembly the Department of Administration is directed to work with affected State agencies in order to phase-in operations of restructured organizations during the current fiscal year. Restructured organizations should be operating entirely under the revised structure no later than December thirty-first, of the current fiscal year, unless otherwise directed by law. The department is further directed to work with the affected agencies in order to identify and facilitate the transfer of any portion of their operations, including transfer of funds during the current fiscal year, which is affected by the restructured organization adopted by the General Assembly, but which has not already been accomplished herein. Until sufficient changes can be made to the State's accounting system and the appointment of appropriate agency heads, the Comptroller General and the State Treasurer shall allow those agencies affected by restructuring to continue processing documents within the account structure existing on June thirtieth, of the prior fiscal year. Restructured agencies shall make all the necessary accounting adjustments to complete the transition to the new account structure as soon as possible, but no later than December thirty-first, of the current fiscal year, unless otherwise directed by law. The Executive Budget Office is directed

to prepare the subsequent detail budget to conform Part IA and corresponding provisos in this act to any restructuring changes that are ratified.

117.47. (GP: Agency Administrative Support Collaboration) It is the intent of the General Assembly that state agencies continue to actively pursue cost savings measures through collaborative efforts and where feasible may combine administrative support functions with other agencies in order to maximize efficiency and effectiveness.

117.48. (GP: Assessment Audit / Crime Victim Funds) If the State Auditor finds that any county treasurer, municipal treasurer, county clerk of court, magistrate, or municipal court has not properly allocated revenue generated from court fines, fines, and assessments to the crime victim funds or has not properly expended crime victim funds, pursuant to Sections 14-1-206(B) and (D), 14-1-207(B) and (D), 14-1-208(B) and (D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Department of Crime Victim Compensation. The State Department of Crime Victim Compensation is authorized to conduct an audit which shall include both a programmatic review and financial audit of any entity or nonprofit organization receiving victim assistance funding based on the referrals from the State Auditor or complaints of a specific nature received by the State Department of Crime Victim Compensation to ensure that crime victim funds are expended in accordance with the law. Guidelines for the expenditure of these funds shall be developed by the Victim Services Coordinating Council. The Victim Services Coordinating Council shall develop these guidelines to ensure any expenditure which meets the parameters of Article 15, Chapter 3, Title 16 is an allowable expenditure. Any local entity or nonprofit organization that receives funding from revenue generated from crime victim funds is required to submit their budget for the expenditure of these funds to the State Department of Crime Victim Compensation within thirty days of the budget's approval by the governing body of the entity or nonprofit organization. Failure to comply with this provision shall cause the State Department of Crime Victim Compensation to initiate a programmatic review and a financial audit of the entity's or nonprofit organization's expenditures of victim assistance funds. Additionally, the Department of Crime Victim Compensation will place the name of the noncompliant entity or nonprofit organization on their website where it shall remain until such time as they are in compliance with the terms of this proviso. Any entity or nonprofit organization receiving victim assistance funding must cooperate and provide expenditure/program data requested by the State Department of Crime Victim Compensation. If the State Department of Crime Victim Compensation finds an error, the entity or nonprofit organization has ninety days to rectify the error. An error constitutes an entity or nonprofit organization spending victim assistance funding on unauthorized items as determined by the State Department of Crime Victim Compensation. If the entity or nonprofit organization fails to cooperate with the programmatic review and financial audit or to rectify the error within ninety days, the State Department of Crime Victim Compensation shall assess and collect a penalty in the amount of the unauthorized expenditure plus $1,500 against the entity or nonprofit organization for improper expenditures. This penalty plus $1,500 must be paid within thirty days of the notification by the State Department of Crime Victim Compensation to the entity or nonprofit organization that they are in noncompliance with the provisions of this proviso. All penalties received by the State Department of Crime Victim Compensation shall be credited to the General Fund of the State. If the penalty is not received by the State Department of Crime Victim Compensation within thirty days of the notification, the political subdivision will deduct the amount of the penalty from the entity or nonprofit organization's subsequent fiscal year appropriation.

117.49. (GP: H.L. Hunley Museum Location) The General Assembly approves ~~the Patriots Point Development Authority~~ *a suitable waterfront site in the Charleston Harbor or its tributaries* as the permanent site of the H.L. Hunley Museum. This approval is contingent upon the negotiation and execution of necessary contracts between the State of South Carolina and ~~the Patriots Point~~

~~Development Authority~~ *owner of the approved location*. The Hunley Commission is directed to expend funds from its account to negotiate and execute contracts on behalf of the State of South Carolina.

117.50. (GP: Secure Juvenile Confinement) The Attorney General shall review the interpretation of the current policies of the Department of Public Safety and the Department of Corrections regarding secure juvenile confinement that the departments indicate may jeopardize federal grant funds. The departments may not implement any changes to the current policies regarding secure juvenile confinement until the Attorney General considers the departments' interpretation of the federal Juvenile Justice and Delinquency Prevention Act in regard to the secure holding of juveniles for more than six hours in adult detention facilities that also serve as forty-eight-hour juvenile holdover facilities. The Attorney General will determine if the departments' interpretation is fair and equitable and how the local governments and the Department of Juvenile Justice would be impacted, to include any financial considerations.

117.51. (GP: ISCEDC Funding Transfer) The Department of Behavioral Health and Developmental Disabilities, Office of Mental Health and Office of Intellectual and Developmental Disabilities, and Juvenile Justice are directed to transfer a total of $1,199,456 in funds to the Department of Social Services for the support of the Interagency System for Caring for Emotionally Disturbed Children. Funding transfers shall be in the following amounts: Office of Mental Health - $595,000, Office of Intellectual and Developmental Disabilities - $379,456, and Department of Juvenile Justice - $225,000. The transfer of funds shall be accomplished by September thirtieth of the current fiscal year.

117.52. (GP: Employee Bonuses) State agencies and institutions are allowed to spend state, federal, and other sources of revenue to provide selected employees lump sum bonuses, not to exceed three thousand dollars per year, based on objective guidelines established by the Department of Administration. Payment of these bonuses is not a part of the employee's base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems. The employing agency must report this information on or before August thirty-first of each year and must include the total amount and source of the bonus received by the employee during the preceding fiscal year (July first through June thirtieth). The Human Resources Division of the Department of Administration shall formulate policies and procedures to ensure compliance with the reporting provisions of this proviso. Copies of the reports shall be made available to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, upon request.

117.53. (GP: FEMA Flexibility) Any appropriation designated as the state share for a federally declared disaster may be carried forward and used for the same purpose by the Emergency Management Division of the Adjutant General's Office in the event of additional federally declared disasters. Unallocated funds from established state accounts may be used as the state share in any federally declared disaster. These funds may also be used during a Governor's state of emergency to augment existing state appropriations of the South Carolina Emergency Management Division (SCEMD). When these funds are used during a Governor's state of emergency, the allocation of those funds following the event will be determined by the Governor based on the recommendation of the Adjutant General and the Director of the South Carolina Emergency Management Division.

In the event there is a federally declared disaster and state match funds are unavailable, the State Fiscal Accountability Authority may borrow from any internal account or accounts necessary to maximize federal matching funds through the Emergency Management Division. Any such borrowing must be reported to the General Assembly within five days. Funds borrowed from accounts shall be replenished by the General Assembly as soon as practicable.

117.54. (GP: Respiratory Syncytial Virus Prescription Sales and Use Tax Exemption) The effective date of the exemption from sales and use tax of prescription medicines used to prevent respiratory syncytial virus shall be January 1, 1999. No refund of sales and use taxes may be claimed as a result of this provision.

117.55. (GP: Year-End Financial Statements - Penalties) Agencies, institutions, and other reporting entities required to submit annual audited financial statements for inclusion in the State's Annual Comprehensive Financial Report must submit final audited financial statements to the Comptroller General not later than October first for those with fiscal year-end June thirtieth. The South Carolina Retirement Systems, Insurance Benefits, and Other Post-Employment Benefits Trust Funds administered by the South Carolina Public Employee Benefit Authority must submit their final audited financial statements no later than October fifteenth. For institutions and reporting entities with fiscal year-ends other than June thirtieth, final audited financial statements must be submitted to the Comptroller General within 120 days of that fiscal year-end. The Comptroller General shall provide a written report of each agency, institution, or other reporting entity not in compliance with this provision to the State Fiscal Accountability Authority by November thirtieth.

117.56. (GP: Purchase Card Incentive Rebates) In addition to the Purchase Card Rebate deposited in the general fund, any incentive rebate premium received by an agency from the Purchase Card Program may be retained and used by the agency to support its operations.

117.57. (GP: Sex Offender Monitoring and Supervision) The funds appropriated to the Department of Probation, Parole and Pardon Services in Part IA, Section 66, Program II.A.2. for the Sex Offender Monitoring Program and to the Department of Juvenile Justice in Part IA, Section 67, Program III.A. Special Item: Sex Offender Monitoring are to be used and expended only for GPS monitoring programs of the departments. In cases of limited funds, monitoring of "Jessie's Law" offenders shall take precedence over all other GPS programs of the departments. Funds appropriated for this program may not be used for any other purpose or transferred to any other program. Unexpended funds appropriated for Sex Offender Monitoring may be carried forward and used for the same purpose. The departments are directed to submit a report to the General Assembly by January fifteenth each year accounting for the expenditure of the funds including any carry-forward funding; the total costs and per-day costs for equipment, supervision, and monitoring; the total number of staff assigned to the activity and the average agent caseloads; the amount of funds collected from sex offenders for both intensive supervision and electronic monitoring; and the anticipated fiscal needs for the upcoming fiscal year. The report shall also include, but not be limited to, data regarding the number of offenders sentenced to electronic monitoring, including the number sentenced for life; the number of alert notifications received, investigated, and prosecuted; and the number of offenders returned to prison as a result of electronic monitoring violations.

117.58. (GP: Viscosupplementation Therapies Sales and Use Tax Exemption) For the current fiscal year only, sales and use taxes on viscosupplementation therapies shall be suspended. No refund or forgiveness of tax may be claimed as a result of this provision.

117.59. (GP: CID & PCC Agency Head Salaries) All hiring salaries and salary increases for the agency heads of the Commission on Indigent Defense and the Commission on Prosecution Coordination shall be subject to all provisions related to agency heads covered by the Agency Head Salary Commission.

117.60. (GP: Prosecutors and Defenders Public Service Incentive Program) The Office of Attorney General, the Commission on Prosecution Coordination, and the Commission on Indigent Defense shall develop and implement a Prosecutors and Defenders

Public Service Incentive Program for attorneys employed by the Office of Attorney General, the Commission on Prosecution Coordination, the Commission on Indigent Defense, a Circuit Solicitor's Office or a Circuit Public Defender's Office.

After more than three years of continuous service as a full-time attorney with any of these entities, qualifying attorneys may be reimbursed up to $1,000 for payments made in the prior calendar year on outstanding law school loans. Reimbursements for law school loan payments may be increased by up to $1,000 for each additional year of continuous service; however, such reimbursements shall not exceed $5,000 in any year. The amount of law school loan payment reimbursement in any calendar year shall not exceed the amount of principal and interest paid on the loan in the prior calendar year. Reimbursements under the program may continue until all outstanding law school loans are satisfied; however, such reimbursements shall not exceed $40,000 per qualifying attorney. Reimbursements shall be adjusted if necessary so as not to exceed appropriations for the program.

The Prosecutors and Defenders Public Service Incentive Program must be administered by the Commission on Prosecution Coordination, which shall pay for the cost of administration within the funds appropriated.

The Office of Attorney General, the Commission on Prosecution Coordination, and the Commission on Indigent Defense shall each compile a report that includes, but is not limited to, the number of applicants and the impact of the program on attracting and retaining attorneys. The Commission on Prosecution Coordination shall also compile a report that includes, but is not limited to, the cost of administering the program as well as the amount of reimbursements per agency or entity. Such reports shall be submitted to the Senate Finance Committee and the House Ways and Means Committee by April first.

Unexpended program funds from the prior fiscal year may be carried forward into the current fiscal year to be used for the same purpose.

117.61. (GP: Attorney Dues) Agencies and offices of the State of South Carolina that employ attorneys are authorized, if they so decide, to use other appropriated funds, including General Fund carry forward funds, to pay the costs of mandatory dues owed to the South Carolina Bar Association.

117.62. (GP: Critical Employee Recruitment and Retention) State agencies are allowed to spend state, federal, and other sources of revenue to provide lump sum bonuses to aid in recruiting and retaining workers in critical needs jobs which provide services that directly impact the health, safety, and welfare of the public. The employee bonus amount shall be approved by the State Human Resources Director based on State Human Resources guidelines, and shall not exceed $10,000 per year. Payment of these bonuses is not a part of the employee's base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems. These bonuses shall, however, be considered earnings for determining if an employee who has returned to work after retirement is subject to the earning limitation imposed in either Section 9-1-1790(A)(1) or Section 9-11-(4)(a)(i).

These agencies may also provide paid educational leave for any employee in a FTE position deemed critical by the Department of Administration to attend class while enrolled in degree programs that are related to the agency's mission. All such leave is at the agency head's discretion.

These agencies may enter into an agreement with individuals employed in critical needs positions to repay them for their outstanding student loans associated with completion of a relevant degree. Agencies may pay these employees up to twenty percent or $7,500, whichever is less, of their outstanding student loan each year over a five-year period. Payments will be made directly to

the employee at the end of each year of employment. The agency will be responsible for verifying the principal balance of the employee's student loan prior to issuing payments.

Agencies are also authorized to allow tuition reimbursement from a maximum of ten credit hours per semester; allow probationary employees to participate in tuition programs; and provide tuition prepayment instead of tuition reimbursement for employees willing to pursue a degree in a healthcare program. An agency may pay up to fifty percent of an employee's tuition through tuition prepayment. The remaining tuition could be reimbursed to the employee after successful completion of the class.

The Department of Administration shall approve of the designation of critical needs positions applicable to this provision using guidelines that include, but are not limited to: (1) the difficulty recruiting for the positions as reflected by data such as the vacancy rate maintained, the average time to fill, the lack of sufficient qualified applicants, and other objective factors; (2) the difficulty retaining employees in the positions as shown by turnover data; (3) justification by the state agency that the position is critical to the core mission of the agency and directly impacts the health, safety and welfare of the public; and (4) assurances from the state agency that there are sufficient existing funds available to pay for items under this provision.

Healthcare employees in approved critical needs positions working on a practicum or required clinical experience towards completion of a healthcare degree may be allowed to complete these requirements at their state agency or another state agency at the discretion of the agency head. This field placement at another state agency may be considered work time for participating employees.

State agencies must report to the Department of Administration by August 31st of each year any expenditure under this provision. The Department of Administration shall compile a report of the responses and submit them to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by October 1st of each year.

117.63. (GP: Governor's Budget Certification) The annual Executive Budget proposed by the Governor must be certified by the Director of the Revenue and Fiscal Affairs Office or his designee in the same manner as the House Ways and Means and Senate Finance Committee versions of the budget bill are certified.

117.64. (GP: Voluntary Furlough) Agency heads may institute a voluntary employee furlough program of not more than ninety days per fiscal year. During this voluntary furlough, the state employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agencies, institutions and departments will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. In the event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

117.65. RESERVED

117.66. (GP: Reduction in Force Antidiscrimination) In the event of a reduction in force implemented by a state agency or institution, the state agency or institution must comply with Title VII of the Civil Rights Act of 1964 or any other applicable federal or state antidiscrimination laws.

117.67. (GP: Printed Report Requirements) (A) For the current fiscal year, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically. Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to

report student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For the current fiscal year, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For the current fiscal year, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and shall instead only submit the documents electronically.

(D) For the current fiscal year, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code. The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

117.68. (GP: IMD Operations) The Department of Health and Human Services shall produce an annual report on Medicaid-funded out-of-home placements and associated expenditures which shall be provided to the Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Committee, and the Governor no later than November first each year.

117.69. (GP: Fines and Fees Report) In order to promote accountability and transparency, each state agency must provide and release to the public via the agency's website, a report of all aggregate amounts of fines and fees that were charged and collected by that state agency in the prior fiscal year. The report shall include, but not be limited to: (1) the code section, regulation, or proviso that authorized the fines and fees to be charged, collected, or received; (2) the amount of the fine or fee; (3) the amount received by source; (4) the purpose for which the funds were expended by the agency; (5) the amount of funds transferred to the general fund, if applicable, and the authority by which the transfer took place; and (6) the amount of funds transferred to another entity, if applicable, and the authority by which the transfer took place, as well as the name of the entity to which the funds were transferred. The report must be posted online by September first. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first. Funds appropriated to and/or authorized for use by each state agency shall be used to accomplish this directive.

117.70. (GP: Mandatory Furlough) In a fiscal year in which the general funds appropriated for a state agency are less than the general funds appropriated for that agency in the prior fiscal year, or whenever the General Assembly or the Executive Budget Office implements a midyear across-the-board budget reduction, and agency heads institute a mandatory employee furlough program, in determining which employees must participate in the program, agency heads should give consideration to furloughs for contract employees, post-TERI employees, and TERI employees before other employees. During this mandatory furlough, the state employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agencies, institutions, and departments will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. In the event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

117.71. (GP: Reduction In Force) In a fiscal year in which the general funds appropriated for a state agency are less than the general funds appropriated for that agency in the prior fiscal year, or whenever the General Assembly or the Executive Budget Office implements a midyear across-the-board budget reduction, and agency heads must make reductions in force, agency heads should give consideration to reductions of contract employees, post-TERI employees, and TERI employees before other employees. In the event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

117.72. (GP: Cost Savings When Filling Vacancies Created by Retirements) During the current fiscal year, whenever classified FTEs become vacant because of employee retirements, it is the intent of the General Assembly that state agencies should realize personnel costs savings of at least twenty-five percent in the aggregate when managing these vacant positions. Prior to filling a classified FTE which has become vacant because of a retirement, an agency must review and determine the appropriate salary for the position as well as determine whether the agency can manage without filling the position or by delay in filling the position. Prior to filling the vacant FTE, agencies must follow all laws and regulations concerning posting and competitive solicitation and consideration of applicants. No agency shall enter into any agreement with any employee that violates the terms of this proviso.

117.73. (GP: Information Technology for Health Care) From the funds appropriated and authorized to the Department of Health and Human Services, the department shall advance the use of health information technology and health information exchange to improve quality and efficiency of health care by creating the capability of moving clinical information among different health care information systems.

The department shall procure, contract, and/or otherwise enter into agreements that it deems to be in furtherance of the recommendations of the Health Information Exchange Strategy Development Committee established pursuant to Act 94 of 2021 or other initiative it deems appropriate to facilitate the useful exchange of health information. Such initiatives may include allowing health care providers to appropriately access and securely share patient medical information, collecting statewide data on critical assets and workforce capacities, and implementing a Medicaid encounter notification system. Any systems should focus on providing connectivity to health care providers while minimizing administrative burden and allowing health care providers to maintain existing electronic health systems. The department shall incorporate measures to ensure that the confidentiality, integrity, and availability of patient data is always safeguarded and protected in accordance with state and federal laws. The department shall coordinate its efforts with the Department of Public Health and other stakeholders the department deems appropriate.

117.74. (GP: Broadband Spectrum Lease) The General Assembly must approve any exercise of the Middle Band Segment Channel recapture provisions contained in the Educational Broadband Service Spectrum Lease Agreements if the exercise of the recapture provisions would result in a decrease in payments received by the State. The Educational Television Commission assumes management and administration of the lease and receives lease payments directly. The Educational Television Commission shall retain and expend funds received pursuant to the lease for agency operations. The commission shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year. In the event of a default by the current lease holder, the Educational Television Commission is authorized to use contingent funds up until such time as a new lease can be negotiated by the State and the Educational Television Commission.

117.75. (GP: Reduction in Compensation) For the current fiscal year, no state agency or political subdivision of this State may decrease the compensation of an employee, including dismissal, suspension, or demotion, solely because the employee gave sworn

testimony regarding alleged wrongdoing to a standing committee, subcommittee of a standing committee, or study committee of the Senate or the House of Representatives. This proviso shall apply regardless of when the alleged wrongdoing occurred.

117.76. (GP: Deficit Monitoring) It is the responsibility of each state agency, department, and institution to operate within the limits of its authorized appropriations. All agencies, departments, and institutions are to budget, allocate and manage its authorized appropriations in a way to avoid an operating deficit for the fiscal year.

If at the end of each quarterly deficit monitoring review by the Executive Budget Office, it is determined by either the Executive Budget Office or a state agency, department, or institution that the likelihood of a deficit for the current fiscal year exists, the state agency shall notify the General Assembly within fifteen days of this determination and shall further request the Executive Budget Office to work with it to develop a plan to avoid the deficit. Within fifteen days of the deficit avoidance plan being completed, the Executive Budget Office shall either request the General Assembly to recognize the deficit if it determines the deficit avoidance plan will not be sufficient to avoid a deficit or notify the General Assembly of how the deficit will be avoided based on the deficit avoidance plan if the Executive Budget Office determines the plan will be sufficient to avoid a deficit.

Upon notification from the Executive Budget Office that an agency will run a deficit and requesting that it be recognized, the General Assembly, by joint resolution, may make a finding that the cause of, or likelihood of, a deficit is unavoidable due to factors which are outside the control of the state agency, department, or institution, and recognize the deficit. Any legislation to recognize a deficit must be in a separate joint resolution enacted for the sole purpose of recognizing the deficit of a particular state agency, department, or institution. A deficit may only be recognized by an affirmative vote of each branch of the General Assembly.

If the General Assembly recognizes the deficit, then the actual deficit at the close of the fiscal year must be reduced as necessary from surplus revenues or surplus funds available at the close of the fiscal year in which the deficit occurs and from funds available in the General Reserve Fund and the Capital Reserve Fund, as required by the Constitution of this State.

Once a deficit has been recognized by the General Assembly, the state agency, department, or institution shall limit travel and conference attendance to that which is deemed essential by the director of the agency, department, or institution. In addition, the General Assembly, when recognizing a deficit may direct that any pay increases and purchases of equipment and vehicles must be approved by the Executive Budget Office.

117.77. (GP: Commuting Costs) State government employees who use a permanently assigned agency or state-owned vehicle to commute from their permanently assigned work location to and from the employee's home must reimburse the agency in which they are employed for commuting use in accordance with IRS regulations based on guidance from the Office of Comptroller General which must use the Cents per mile Rule, unless they are exempted from such reimbursement by applicable IRS regulations. These permanently assigned vehicles must be clearly marked as a state or agency vehicle through the use of permanent state-government license plates and either state or agency seal decals unless the vehicle is used primarily in undercover operations. This requirement does not apply to a vehicle used by an employee for the purpose of a special travel assignment, for active certified law enforcement officers authorized to carry firearms, execute warrants, and make arrests, for Constitutional Officers, or for Department of Transportation employees on call for emergency maintenance.

117.78. (GP: Bank Account Transparency and Accountability) Each state agency, except state institutions of higher learning, which has composite reservoir bank accounts or any other accounts containing public funds which are not included in the Comptroller General's South Carolina Enterprise Information System shall prepare a report for each account disclosing every transaction of the

account in the prior fiscal year. The report shall be submitted to the State Fiscal Accountability Authority by October first of each fiscal year. The report shall include the name(s) and title(s) of each person authorized to sign checks or make withdrawals from each account, the name and title of each person responsible for reconciling each account, the beginning and year-end balance of funds in each account, and data related to both deposits and expenditures of each account. The report shall include, but not be limited to, the date, amount, and source of each deposit transaction and the date, name of the payee, the transaction amount, and a description of the goods or services purchased for each expenditure transaction. To facilitate review, the State Fiscal Accountability Authority shall prescribe a common format for the report which agencies must use. In order to promote accountability and transparency, a link to the report shall be posted on the Comptroller General's website as well as the agency's homepage.

When the State Auditor conducts or contracts for an audit of a state agency, accounts of the agency subject to this proviso must be included as part of the review.

If an agency determines that the release of the information required in this provision would be detrimental to the state or the agency, the agency may petition the State Fiscal Accountability Authority to grant the agency an exemption from the reporting requirements for the detrimental portion. The meeting to determine whether an exemption should be granted shall be closed. However, the exemption may only be granted upon a majority vote of the State Fiscal Accountability Authority in a public meeting.

117.79. (GP: Websites) All agencies, departments, and institutions of state government shall be responsible for providing on its Internet website a link to the Internet website of any agency, other than the individual agency, department, or institution, that posts on its Internet website that agency, department, or institution's monthly state procurement card statements or monthly reports containing all or substantially all the same information contained in the monthly state procurement card statements. The link must be to the specific webpage or section on the website of the agency where the state procurement card information for the state agency, department, or institution can be found. The information posted may not contain the state procurement card number. Any information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting required by this section.

117.80. (GP: Regulations) For the current fiscal year, if a state agency proposes a regulation that levies or increases a fee, fine, or that otherwise generates revenues, the title to the Joint Resolution which proposes the regulation must indicate that a fee, fine, or revenue source is being proposed.

117.81. (GP: Joint Children's Committee) For the current fiscal year, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, $475,000 shall be transferred to the Senate for the Joint Citizens and Legislative Committee on Children to provide the report, research, and other operating expenses as directed in Section 63-1-50 of the 1976 Code. Funds transferred to the University of South Carolina for the Joint Citizens and Legislative Committee on Children shall be maintained in a separate and distinct account. A detailed report of all expenditures shall be made to the Executive Budget Office within thirty days of the close each fiscal quarter, and the Executive Budget Office shall distribute this information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. The remaining revenue resulting from this reduction shall be transferred to the Department of Juvenile Justice to be used for mentoring or alternatives to incarceration programs. Unexpended funds authorized by this provision may be retained and carried forward by the Senate or the Department of Juvenile Justice, respectively, and used for the same purposes. The rate of reduction authorized in this provision shall be in addition to the reduction authorized in Proviso 41.2.

117.82. (GP: Civil Conspiracy Defense Costs) For the current fiscal year, for any claim that has not reached a judgment, if a state or local government employee or former state or local government employee ("government employee") is personally sued for civil conspiracy, the employee must be provided legal counsel by the governmental entity and/or their insurer upon the submission of an affidavit executed by the agency head or his designee that the employee was acting within the scope of employment or in good faith. No insurer that provides insurance for any governmental entity may exclude coverage for civil conspiracy as provided for in this provision. Prior to trial, the court must make a final determination whether the action or decision giving rise to the suit was made by the government employee within the scope of their official duty or in good faith. If the court finds that the government employee was acting outside the scope of the employee's official duties or not in good faith, the government or their insurer shall not thereafter expend any funds to pay or defend the claim including funds for the employee's legal counsel. If the court finds the government employee was acting within the scope of their official duties, the employee is immune from suit, liability, and damages with respect to the civil conspiracy claim. The government may only expend funds to defend the claim if the determination is that the employee was acting within the scope of their official duties or in good faith. Nothing in this proviso prevents an insurance provider from defending and paying, respectively, any claims that the provider has contractually agreed to defend and pay.

117.83. (GP: Recovery Audits) The State Fiscal Accountability Authority shall contract with one or more firms to conduct recovery audits of payments made by all state agencies to vendors for goods and services. The audits must be designed to detect, document, and recover overpayments and erroneous payments to the vendors and to recommend improved financial and operational practices and procedures. A state agency shall pay, from recovered monies received, the recovery audit firm responsible for obtaining for the agency a reimbursement or payment from a vendor a negotiated fee not to exceed twenty percent of the funds recovered by that firm.

Unless otherwise restricted by law, funds recovered, less the cost of recovery, shall be remitted to a special fund subject to appropriation by the General Assembly. Agencies may recover costs that are documented to be directly related to implementation of this provision.

Recovery audits apply only to payments made more than one hundred eighty days prior to the date the audit is initiated and shall cover at least three complete fiscal years.

All information provided under a contract must be treated as confidential by the recovery audit firm. A violation of this provision shall result in the forfeiture by the firm of all compensation under the contract and to the same sanctions and penalties that would apply to that disclosure.

Each state agency shall participate in this recovery audit program and shall cooperate and provide the recovery audit firm with all information necessary for the audit in a timely manner. All vendors that provide goods or services to a state agency shall cooperate with the recovery audit firm in its audit.

A state agency shall expend or return to the federal government any federal money that is recovered through a recovery audit conducted under this provision. Payments to the recovery audit firm from the federal share of recovered funds shall be solely from the federal portion as allowed by the federal agency.

In addition to performing the recovery audits, the recovery audit firm may conduct an analysis of contracts and pricing structures, as determined and directed by the Executive Director of the State Fiscal Accountability Authority or her or his designee, to identify and recommend future cost-savings and improved state agency financial operations going forward. A state agency shall pay the

recovery audit firm responsible for obtaining the agency actual cost-savings a fee as authorized by the contract with the recovery audit firm.

The recovery audit firm shall provide reports to the State Fiscal Accountability Authority detailing its findings, the causes for the overpayments and erroneous payments, future cost-savings opportunities and its recommendations for strengthening state operations and/or state contracts to prevent improper payments in the future.

For purposes of this proviso, the term "vendor" or "vendors" includes, but is not limited to, sellers, suppliers, service providers, other providers, contractors, and third party administrators; the term "overpayments and erroneous payments" includes, but is not limited to, overpayments, duplicate payments, erroneous payments, and rebates, discounts, and credits not received; and the term "state agency" or "state agencies" includes all state agencies, boards, commissions, institutions, and institutions of higher education.

The State Fiscal Accountability Authority shall provide copies, including electronic form copies, of final reports received from a firm under contract to: the Governor; the Chairman of the Senate Finance Committee; the Chairman of the House Ways and Means Committee; and the state auditor's office. Not later than January first of each year, the board shall issue a report to the General Assembly summarizing the contents of all reports received under this provision during the prior fiscal year.

117.84. (GP: Means Test) All agencies providing Healthcare Services are directed to identify standards and criteria for means testing on all programs provided, where allowed by Federal guidelines. Once a consistent criteria has been established within an agency, they shall implement their respective plans. Each agency shall report all criteria and fiscal data to the Chairman of the Senate Finance Committee and to the Chairman of the House Ways and Means Committee no later than January first.

117.85. (GP: Agency Reduction Management) The General Assembly encourages state agencies, in the event agencies are assessed a base reduction, to endeavor to realize savings through: (1) payroll management including, but not limited to, furloughs, reductions in employee compensation, and instituting a hiring freeze; (2) eliminate administrative overhead cost that does not directly impact the agency's mission; and as a final option (3) reductions to programmatic funding.

117.86. (GP: WIOA Service Advertising) For the current fiscal year, the Workforce Development Boards may promote outreach for their services via billboard, bus placard, newspapers, or radio in all workforce development areas. This outreach may not be limited to e-mail, online, or other internet-based outreach, publicity, or other promotions. Workforce development boards must adhere to all state procurement policies and procedures when utilizing outreach for the services provided by the Workforce Innovation and Opportunity Act.

117.87. (GP: WIOA Training Marketability Evaluation) (A) For the current fiscal year, the Department of Employment and Workforce shall submit a report that demonstrates how funds were expended in the prior fiscal year to provide marketable work skills training. The report shall include, but not be limited to the total number of local training recipients, a description of the training area in which each recipient participated, and the number and percentage of participants in each training area that, upon completion of training, have become employed in the field in which they were trained. The report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Labor, Commerce and Industry Committee on or before December sixteenth.

(B) Also, the report must specifically describe any restructuring or realignment of agency functions, and any changes in staffing levels or service. The report must detail information on employees terminated, hired, re-hired, reassigned, or reclassified by program

area and location. Further, the report must describe efforts made by the agency to reassign or retrain employees who were terminated for positions for which the department hired new employees.

117.88. (GP: Victims Assistance Transfer) The Department of Corrections shall transfer $20,500 each month to the Office of Attorney General for distribution through the State Victims Assistance Program.

117.89. (GP: DOC & PPP Potential Consolidation Plan) From the funds appropriated to the Department of Corrections and the Department of Probation, Parole and Pardon Services, the directors of the departments may collaborate and develop a plan to consolidate the functions of the departments.

117.90. (GP: BabyNet Quarterly Reports) The School for the Deaf and Blind, the Department of Health and Human Services, and the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health and Office of Intellectual and Developmental Disabilities shall each provide on a common template, a quarterly report to the Chairman of the House Ways and Means Committee and the Chairman of Senate Finance outlining all programs provided by them for BabyNet; all federal funds received and expended on BabyNet and all state funds expended on BabyNet. Each entity and agency shall report on its share of the state's ongoing maintenance of effort as defined by the US Department of Education under IDEA Part C.

117.91. (GP: Single Audit Schedule of Federal Expenditures) To ensure timely completion of the of the Statewide Single Audit, state agencies which do not receive a separate audit of federal expenditures, must submit to the Office of the State Auditor a schedule of federal program expenditures in a format prescribed by the Office of the State Auditor, no later than August fifteenth of each year.

117.92. (GP: Prohibits Local Government Fund Public Funded Lobbyists) All local governmental entities including, but not limited to, counties, municipalities, and associations are prohibited from using taxpayer funds received from the Local Government Fund to compensate employees for lobbying activities engaged in on behalf of such governmental entity.

117.93. (GP: Prohibit Use of State Aircraft for Athletic Recruitment) Institutions of higher learning may use the state aircraft operated by the Division of Aeronautics for the purpose of athletic recruiting, provided that they reimburse the Division of Aeronautics for all flight hours on an at cost basis, using non-general funds.

To ensure availability of the aircraft for purposes of official state business, the State Law Enforcement Division, the Department of Commerce, the Office of the Governor, the House of Representatives, and the Senate shall have first right of refusal in the event of scheduling conflicts with athletic recruiting flights.

117.94. (GP: Recreational Activities) Two counties that receive an allocation from the Local Government Fund may enter into a Memorandum of Understanding in order to provide recreational activities and projects that benefit the citizens of both counties.

117.95. (GP: Technology and Remediation) The funds appropriated to the Department of Administration for the Division of Information Security shall be used to develop and implement a statewide information security program. A portion of the nonrecurring funds may be used for enterprise technology and remediation, and distributed to state agencies to address the State's most serious information security vulnerabilities as determined by the Division of Information Security and the Division of Technology Operations. Funds appropriated for Enterprise Technology and Remediation shall be excluded from the Department of Administration's base budget calculation of any across-the-board agency base reduction mandated by the Executive Budget Office or the General Assembly. Unexpended Enterprise Technology and Remediation funds may be carried forward from the prior fiscal year and used for the same purpose.

117.96. (GP: Data Breach Notification) (A) An agency of this State owning or licensing computerized data or other data that includes personal identifying information shall disclose any breach of the security of the system following discovery or notification of the breach in the security of the data to any resident of this State whose personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person. In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the agency may consider the following factors, among others:

(1) indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information;

(2) indications that the information has been viewed, downloaded, or copied; or

(3) indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of reported identity theft.

(B) An agency maintaining computerized data or other data that includes personal identifying information that the agency does not own shall notify the owner or licensee of the information of a breach of the security of the data immediately following discovery, if the personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person.

(C) The disclosure requirements of subsections (A) and (B) must be made in the most expedient time possible and without unreasonable delay; however, the notification required by this section may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation and must be made after the law enforcement agency determines that it no longer compromises the investigation. A delay in notification shall not exceed seventy-two hours after discovery, unless the agency requests and the attorney general grants, in writing, additional delays of up to seventy-two hours each upon a determination that such notification impedes a criminal investigation.

(D) For purposes of this proviso:

(1) "Agency" means any agency, department, board, commission, committee, or institution of higher learning of the State or a political subdivision of it.

(2) "Breach of the security of the system" means unauthorized access to and acquisition of computerized data that was not rendered unusable through encryption, redaction, or other methods that compromise the security, confidentiality, or integrity of personal identifying information maintained by the agency, when illegal use of the information has occurred or is reasonably likely to occur or use of the information creates a material risk of harm to the consumer. Good faith acquisition of personal identifying information by an employee or agent of the agency for the purposes of the agency is not a breach of the security of the system if the personal identifying information is not used or subject to further unauthorized disclosure.

(3) "Consumer reporting agency" means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports. A list of consumer reporting agencies shall be compiled by the Department of Consumer Affairs and furnished upon request to the agency required to make a notification under this section.

(4) "Personal identifying information" means the first name or first initial and last name in combination with and linked to any one or more of the following data elements that relate to a resident of this State, when the data elements are neither encrypted nor redacted or when the data elements are encrypted with an encryption key and the encryption key that has also been acquired:

(a) social security number;

(b) driver's license number or state identification card number issued instead of a driver's license;

(c) financial account number, or credit card or debit card number in combination with any required security code, access code, or password that would permit access to a resident's financial account; or

(d) other numbers or information which may be used to access a person's financial accounts or numbers or information issued by a governmental or regulatory entity that uniquely will identify an individual.

The term does not include information that is lawfully obtained from publicly available information, or from federal, state, or local government records lawfully made available to the general public.

(E) The notice required by this section may be provided by:

(1) written notice;

(2) electronic notice, if the agency's primary method of communication with the individual is by electronic means, the person to whom notice is required has expressly consented to receiving said notice in electronic form, or is consistent with the provisions regarding electronic records and signatures set forth in Section 7001 of Title 15 U.S.C. and Chapter 6, Title 26 of the 1976 Code;

(3) telephonic notice; or

(4) substitute notice, if the agency demonstrates that the cost of providing notice exceeds two hundred fifty thousand dollars or that the affected class of subject persons to be notified exceeds five hundred thousand or the agency has insufficient contact information. Substitute notice consists of:

(a) e-mail notice when the agency has an e-mail address for the subject persons;

(b) conspicuous posting of the notice on the agency's website page, if the agency maintains one; or

(c) notification to major statewide media.

Regardless of the method by which notice is provided, such notice shall include contact information for the agency making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

(F) A resident of this State who is injured by a violation of this section, in addition to and cumulative of all other rights and remedies available at law, may:

(1) institute a civil action to recover damages;

(2) seek an injunction to enforce compliance; and

(3) recover attorney's fees and court costs, if successful.

(G) An agency that knowingly and willfully violates this section is subject to an administrative fine up to one thousand dollars for each resident whose information was accessible by reason of the breach, the amount to be decided by the Department of Consumer Affairs.

(H) If the agency provides notice to more than one thousand persons at one time pursuant to this section, the agency shall notify, without unreasonable delay, the Consumer Protection Division of the Department of Consumer Affairs and all consumer reporting agencies that compile and maintain files on a nationwide basis, as defined in 15 U.S.C. Section 1681a(p), of the timing, distribution, and content of the notice.

117.97. (GP: Remittance of Court Fee and Fine Money) County and city treasurers are required to remit to the State Treasurer set percentages of revenues generated by assessments imposed by 14-1-206(A), 14-1-207(A), 14-1-208(A). This remittance is required on a monthly basis by the 15th day of each month.

Should a county and/or city treasurer fail to make the required remittance, the SC Criminal Justice Academy shall cease providing services to all law enforcement officers of all law enforcement agencies encompassed within the political subdivision if they have failed to make remittance for two consecutive months in a fiscal year. The finance director shall certify by July first, under oath, that the county and/or city has remitted all funds or the SC Criminal Justice Academy shall withhold services until such time as remittance is made.

117.98. (GP: Detailed Expenditure/Revenue Reports PCC/CID) The Commission on Prosecution Coordination and the Commission on Indigent Defense shall provide detailed expenditure reports and associated revenue streams for each individual circuit, revenue streams shall include, but not be limited to, state funds, local funds, Federal funds, and also nongovernmental sources of funds, by no later than September first, on the prior fiscal year**,** to the appropriate commission. The commissions shall than provide the Chairman of the House Ways and Means Committee and Chairman of the Senate Finance Committee with a combined report by September fifteenth of the current fiscal year.

117.99. (GP: South Carolina Welcome Centers) ~~The Department of Parks, Recreation and Tourism and the Department of Transportation shall maintain a Memorandum of Understanding (MOU) that provides that the Department of Parks, Recreation and Tourism shall control operations of all South Carolina Welcome Centers. The MOU shall include replacement, renovation, and maintenance of the facilities, daily operations, and grounds maintenance and upkeep and shall clearly define responsibility for additional portions of Welcome Centers to include paving and sidewalks. The Department of Transportation shall transfer to the Department of Parks, Recreation and Tourism $5,140,727, and any additional state funds appropriated by the General Assembly for the same purpose shall be considered supplemental to this amount. These funds must be increased by an amount commensurate with any statewide state employee salary increases or statewide state employee bonuses, including employee fringes, provided by this General Appropriations Act. The Department of Parks, Recreation and Tourism assumes responsibility for this amount and the timing of the transfer of these funds shall be defined as part of the MOU. The funds transferred to the Department of Parks, Recreation and Tourism shall be placed in a separate and distinct fund, and these funds shall be carried forward from the prior fiscal year into the current fiscal year and be expended for the same purposes.~~

117.100. (GP: Continuation of Teen Pregnancy Prevention Project Accountability) (A) Qualifying organizations applying for General Funds provided as a special item in this act and titled Continuation of Teen Pregnancy Prevention must include in its application a proposed annual budget and agreement to provide quarterly reports to the grantor state agency detailing the expenditure of funds and the project's accomplishments which shall include:

(1) Financial:

(a) personnel costs, including employer contributions, by position for each of the following areas: administration, training, and education, as well as for other positions as identified;

(b) operational costs identified in the application; and

(c) one-time costs over $500 for such items as supplies.

Administration costs may not exceed ten percent of the total project budget. For purposes of this provision, "Administration" is defined as expenses other than educational.

(2) Description of program and curriculum to be used;

(3) Description of training;

(4) Schedule and brief description of project activities for each quarter;

(5) Participation reports on the following:

(a) number of persons who participated;

(b) total number of hours provided;

(c) number of train the trainer events; and

(d) other data regarding the activities of the project;

(6) Description of the project evaluation to be used;

(7) Copy of latest completed independent financial audit and agency's response to any audit exceptions;

(8) Qualifications of project personnel;

(9) Best Practices to be used; and

(10) Evidence Based Curriculum.

(B) An organization awarded a grant must provide these quarterly reports to the grantor state agency within fifteen days of the end of each quarter. Grantees failing to submit reports with thirty days of the end of each quarter shall have their grant terminated.

(C) Unexpended funds for Continuation of Teen Pregnancy Prevention projects under the Department of Social Services, the Department of Education, or under the Department of Public Health shall be carried forward for the purpose of fulfilling the department's contractual agreement.

117.101. (GP: Information Technology and Information Security Plans) (A) By August first of the current fiscal year, all state agencies must submit an information technology plan and an information security plan to the Department of Administration. State agencies must submit updates to their plans if there are changes following initial submission. Changes that would necessitate an updated plan include, but are not limited to, changes in response to technological advancements, changes in legislation, regulation or compliance requirements, newly identified funding sources, or new issues relating to information technology management or business requirements.

The information technology plans required by this section shall be in the form and level of detail required by the department and shall include at least: (1) the information technology objectives of the state agency; (2) an inventory of the state agency's information technology; (3) any performance measures used by the state agency for implementing its information technology objectives; (4) how the state agency's development of information technology coordinates with other governmental entities; (5) the state agency's budget plans for information technology for the coming fiscal year which must include: (a) all fixed, recurring information technology costs, regardless of funding sources; (b) new information technology expenditures for services, hardware upgrades/replacements and

software purchases, regardless of funding sources; (c) new information technology projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information technology personnel, regardless of funding sources; and (6) the state agency's need for appropriations for information technology.

The information security plans required by this section shall be in the form and level of detail required by the division and shall include at least: (1) the information security objectives of the state agency; (2) an inventory of the state agency's information security technology; (3) a profile of the state agency's compliance with security policies established by the division; (4) a profile of the state agency's sensitive data and a description of applicable state and federal privacy requirements; (5) a profile of risk management and other measures taken by the state agency to protect its data from unauthorized access and disclosure; (6) the state agency's budget plans for information security for the coming fiscal year which must include: (a) all fixed, recurring information security technology costs, regardless of funding sources; (b) new information security expenditures for services hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information security projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information security personnel, regardless of funding sources; and (7) the state agency's need for appropriations for information security.

(B) The director of the Department of Administration should seek advice from private and public sector resources on the efficient use of information technology and best practices.

(C) The Judicial Department, Legislative Department, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this proviso.

117.102. (GP: SCOIS Transfer) For the current fiscal year, the South Carolina Occupational Information System, its authority and responsibilities, to include the collections of user fees that must be used to operate the program, shall continue to be transferred from the Department of Employment and Workforce to the Department of Education.

117.103. (GP: Child Fatality Review) (A) The agencies specified shall implement the following recommendations contained in the Legislative Audit Council's October 2014 report "A Review of Child Welfare Services at the Department of Social Services":

(1) Annually, the Department of Social Services and the State Child Fatality Advisory Committee shall jointly report statistics on child deaths from maltreatment and the number of those with prior Department of Social Services involvement.

(2) The Department of Social Services and the State Child Fatality Advisory Committee shall use their child fatality review findings to make recommendations to revise Department of Social Services policy or practice where appropriate.

(3) The Department of Social Services shall ensure that it includes child fatality statistics from all relevant sources when reporting to the National Child Abuse and Neglect Data System. These sources shall include, but not be limited to, law enforcement agencies and the Department of Public Health.

(4) The State Law Enforcement Division and the Department of Public Health shall establish a system for cross checking child fatalities in the state to ensure that all fatalities are being properly reported to the State Law Enforcement Division.

(5) The State Law Enforcement Division and the State Child Fatality Advisory Committee shall review the training provided to coroners on the reporting of child fatalities to ensure that information is provided on which fatalities are to be reported and what procedure is to be followed for reporting the fatalities.

(6) The Department of Public Safety shall report statistics on all child fatalities to the State Child Fatality Advisory Committee.

(7) The State Child Fatality Advisory Committee shall evaluate the feasibility of adopting the Child Death Review Case Reporting System developed by the National Center for the Review and Prevention of Child Deaths and shall submit a report on their findings to the General Assembly by December 1, 2016.

(B) Pursuant to Section 63-11-1930(E),the director of each agency specified in this provision shall ensure that sufficient staff and administrative support is provided to the State Child Fatality Advisory Committee to accomplish the requirements of this provision.

117.104. (GP: Refugee Resettlement Program) No state funds shall be expended to assist in the United States Refugee Resettlement Program unless the county council of the county where the resettlement is to occur approves the relocation.

117.105. (GP: Family Planning Funds) (A) Notwithstanding any other law, federal family planning funds and state family planning funds shall be awarded to eligible individuals, organizations, or entities applying to be family planning contractors in the following order of descending priority:

(1) public entities that provide family planning services, including state, county, and local community health clinics and federally qualified health centers;

(2) nonpublic entities that provide comprehensive primary and preventive health services, as described in 42 U.S.C. 254b(b)(1)(A), in addition to family planning services; and

(3) nonpublic entities that provide family planning services but do not provide comprehensive primary and preventive health services.

(B) Family planning funds must be distributed in compliance with federal law to ensure distribution in a manner that does not severely limit or eliminate access to family planning services in any region of the State.

(C) Any department, agency, board, commission, office, or other instrumentality of the State that distributes family planning funds shall submit an annual report to the General Assembly listing any family planning contractors that fall under item (A)(3), and the amount of federal or state family planning funds they received. The report shall provide a detailed explanation of how it was determined that there were an insufficient number of eligible individuals, organizations, or entities in items (A)(1) and (A)(2) to prevent a significant reduction in family planning services in each region of the State where (A)(3) contractors are located.

117.106. (GP: Statewide Strategic Information Technology Plan Implementation) To ensure the uniform implementation of the Statewide Strategic Information Technology Plan developed pursuant to the Restructuring Act of 2014 and designed to improve the State's ability to provide reliable, secure, cost-efficient, and innovative information technology services and infrastructure, state agencies are directed as follows:

(1) Agencies shall use the shared services from the Department of Administration, Division of Technology Operations as those services become available and in a sequence to be determined by the division. Agencies shall coordinate with the division to accomplish a strategic transition to the shared services environment. Shared services include, but are not limited to, mainframe services, application hosting, servers, storage, network services, desktop services, and disaster recovery services. The State Chief Information Officer may grant an exception, to be revisited on a periodic basis, if the division determines that it cannot immediately satisfy the technical or security capabilities required to support the agency in question.

(2) With regard to information technology governance, standards, and enterprise architecture, agencies shall comply with the rules, standards, plans, policies, and directives of the Division of Technology Operations.

(3) With regard to information technology governance, standards, and enterprise architecture, agencies shall participate and comply with decisions determined by the information technology governance advisory groups.

(4) With regard to the annual Appropriations Act budget submission, agencies shall submit all information technology budget requests to the Executive Budget Office and the Division of Technology Operations. The Executive Budget Office and the Division of Technology Operations shall jointly review the budget requests and recommend for funding consideration only those proposals that fit into the overall Statewide Strategic Information Technology Plan.

(5) With the consultation and approval of the Division of Technology Operations, agencies must create an information technology plan for purchases that exceed $50,000 to ensure compliance with the Statewide Strategic Information Technology Plan and the standards defined by the division.

(6) Agencies shall develop a three-year strategic plan for information technology, updated annually, for the Division of Technology Operations, that shall be approved by the Chief Information Officer, that sets forth: (a) operational and project priorities; (b) budget summaries; (c) planned projects and procurements; (d) staffing plans; (e) security initiatives; and (f) risks, issues, and concerns with the agency's information technology.

(7) Agencies shall enter information technology costs into the South Carolina Enterprise Information System (SCEIS) as directed by the Division of Technology Operations and SCEIS.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency compliance no later than December thirty-first of each calendar year.

The Legislative Branch, the Judicial Branch, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this provision.

117.107. (GP: Sentencing Reform Oversight Committee Reauthorization) There is established for the current fiscal year the South Carolina Sentencing Reform Oversight Committee. The oversight committee shall be composed of eleven members, two of whom shall be members of the Senate, both appointed by the Chair of the Senate Judiciary Committee and one being the Chair of the Senate Judiciary Committee or his designee; two of whom shall be members of the Senate, one appointed by the President of the Senate and one appointed by the Chairman of the Senate Finance Committee; two of whom shall be members of the House of Representatives, both appointed by the Chair of the House Judiciary Committee and one being the Chair of the House Judiciary Committee or his designee; two of whom shall be members of the House of Representatives, one appointed by the Speaker of the House and one appointed by the Chairman of the House Ways and Means Committee; one of whom shall be appointed by the Chair of the Senate Judiciary Committee from the general public at large; one of whom shall be appointed by the Chair of the House Judiciary Committee from the general public at large; and one of whom shall be appointed by the Governor. Provided, however, that in making appointments to the oversight committee, race, gender, and other demographic factors should be considered to assure nondiscrimination, inclusion, and representation to the greatest extent of all segments of the population of the State. The members of the general public appointed by the chairs of the House and Senate Judiciary Committees must be representative of all citizens of this State and must not be members of the General Assembly.

The oversight committee must meet as soon as practicable after appointment and organize itself by electing one of its members as chair and such other officers as the oversight committee may consider necessary. Thereafter, the oversight committee must meet at the call of the chair or by a majority of the members. A quorum consists of seven members.

The oversight committee shall have the following powers and duties:

(1) to review the implementation of the recommendations made in the Sentencing Reform Commission report of February 2010, including, but not limited to:

(a) the plan required from the Department of Probation, Parole and Pardon Services on the parole board training and other goals identified in Section 24-21-10;

(b) the report from the Department of Probation, Parole and Pardon Services on its goals and the development of assessment tools consistent with evidence-based practices;

(c) the report from the Office of Pretrial Intervention Coordinator in the Commission on Prosecution Coordination on diversion programs required by the provisions of Article 11, Chapter 22, Title 17; and

(d) the report from the Department of Probation, Parole and Pardon Services on:

(i) the number and percentage of individuals placed on administrative sanctions and the number and percentage of individuals who have earned compliance credits; and

(ii) the number and percentage of probationers and parolees whose supervision has been revoked for violations of conditions or for convictions of new offenses;

(2) to request data similar to the information contained in the report required by Section 17-22-1120 from private organizations for which programs are operated through a court and that divert individuals from prosecution, incarceration, or confinement, such as diversion from incarceration for failure to pay child support, and for which programs are sanctioned by, coordinated with, or funded by federal, state, or local governmental agencies;

(3)(a) to calculate:

(i) any state expenditures that have been avoided by reductions in the revocation rate as calculated by the Department of Probation, Parole and Pardon Services and reported under Sections 24-21-450 and 24-21-680; and

(ii) any state expenditures that have been avoided by reductions in the new felony offense conviction rate as calculated by the Department of Probation, Parole and Pardon Services and reported under Sections 24-21-450 and 24-21-680;

(b) to develop rules and regulations for calculating the savings in item (3)(a), which shall account at a minimum for the variable costs averted, such as food and medical expenses, and also to consider fixed expenditures that are avoided if larger numbers of potential inmates are avoided;

(c) on or before December first, to report the calculations made pursuant to item (3)(a) to the President of the Senate, the Speaker of the House of Representatives, the Chief Justice of the South Carolina Supreme Court, and the Governor. The report also shall recommend whether or not to appropriate up to thirty-five percent of any state expenditures that are avoided as calculated in item (3)(a) to the Department of Probation, Parole and Pardon Services. With respect to the recommended appropriations in this item (c), none of the calculated savings shall be recommended for appropriation for that fiscal year if there is an increase in the percentage of individuals supervised by the Department of Probation, Parole and Pardon Services who are convicted of a new felony offense as calculated in subitem (3)(a)(ii);

(d) any funds appropriated during this fiscal year pursuant to the recommendations in item (c) shall be used to supplement, not replace, any other state appropriations to the Department of Probation, Parole and Pardon Services;

(e) funds received through appropriations pursuant to this item shall be used by the Department of Probation, Parole and Pardon Services for the following purposes:

(i) implementation of evidence-based practices;

(ii) increasing the availability of risk reduction programs and interventions, including substance abuse treatment programs, for supervised individuals; or

(iii) grants to nonprofit victim services organizations to partner with the Department of Probation, Parole and Pardon Services and courts to assist victims and increase the amount of restitution collected from offenders;

(4) to submit to the General Assembly, on an annual basis, the oversight committee's evaluation of the implementation of the recommendations of the Sentencing Reform Commission report of February 2010;

(5) to make reports and recommendations to the General Assembly on matters relating to the powers and duties set forth in this section, including recommendations on transfers of funding based on the success or failure of implementation of the recommendations; and

(6) to undertake such additional studies or evaluations as the oversight committee considers necessary to provide sentencing reform information and analysis.

The oversight committee members are entitled to such mileage, subsistence, and per diem as authorized by law for members of boards, committees, and commissions while in the performance of the duties for which appointed. These expenses shall be paid from the general fund of the State on warrants duly signed by the chair of the oversight committee and payable by the authorities from which a member is appointed.

The oversight committee is encouraged to apply for and may expend grants, gifts, or federal funds it receives from other sources to carry out its duties and responsibilities.

The oversight committee must use clerical and professional employees of the General Assembly for its staff, who must be made available to the oversight committee.

The oversight committee may employ or retain other professional staff, upon the determination of the necessity for other staff by the oversight committee.

The oversight committee may employ consultants to assist in the evaluations and, when necessary, the implementation of the recommendations of the Sentencing Reform Commission report of February 2010.

117.108. (GP: State Employee Leave Donation) In the event of a medical emergency, a state employee may make a written request to the employing agency that a specified number of hours of his accrued annual and/or sick leave be transferred from his annual and/or sick leave account to a specific leave recipient rather than to a leave pool account, subject to the approval of the agency director. An employee with less than fifteen days in his sick leave account may not transfer any sick leave to the recipient, and an employee with more than fifteen days in his sick leave account may transfer sick leave to the recipient if he retains a minimum of fifteen days in his own sick leave account. Once leave of an employee has been transferred to the recipient, it may not be restored or returned to the leave donor. For purposes of this provision, a medical emergency is defined under IRS Revenue Ruling 90-29 as a medical condition of the employee or a family member that will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available apart from the leave-sharing plan.

117.109. (GP: State Engineer) The State Engineer is an office located within the State Fiscal Accountability Authority, all references to the contrary notwithstanding.

117.110. (GP: Retail Facilities Revitalization Act Repeal Suspension) The repeal of Chapter 34, Title 6 of the 1976 Code as specified in Act 285 of 2006 as to sites for which written notification of election of mode of credit has been provided to the Department of Revenue prior to July 1, 2016 and for which a building permit has been issued prior to July 1, 2016, is suspended for Fiscal Year ~~2025-26~~ *2026-27.*

117.111. (GP: Funds Exempt from Budget Reduction Calculations) The funds designated in F310, Section 107, Capital Reserve Fund, funds designated in V040, Section 112, Debt service, funds designated in X220, Section 113, Aid to Subdivisions - State Treasurer for the Local Government Fund, and funds designated in X500, Section 115, Tax Relief Trust Fund shall be excluded from the calculation of any across-the-board base reduction mandated by the Department of Administration, Executive Budget Office or the General Assembly and shall not be subject to any such reduction.

117.112. (GP: South Carolina Telemedicine Network) From the funds appropriated to the Medical University of South Carolina for the MUSC Hospital Authority for Telemedicine and the funds appropriated and authorized for the Department of Health and Human Services, the agencies must continue the development of the South Carolina Statewide Telemedicine Network. The South Carolina Telehealth Alliance shall submit a proposal to the MUSC Hospital Authority and the Department of Health and Human Services to determine which hospitals, clinics, schools or other entities are best suited for Telemedicine partnerships.

(A) The Department of Health and Human Services shall develop or continue a program to leverage the use of teaching hospitals to provide rural physician coverage by expanding the use of Telemedicine, to include new applications such as School Based Telehealth, and Tele-ICU. The department shall also amend its policy related to reimbursement for telemedicine to add Act 301 Behavioral Health Centers as a referring site for covered telemedicine services.

(B) During the current fiscal year the Department of Health and Human Services shall contract with the MUSC Hospital Authority in the amount of $5,000,000 to lead the development and operation of a statewide, open access South Carolina Telemedicine Network. At the request of the department, MUSC shall provide the department with all information and materials necessary to seek federal medical assistance for this contract. The MUSC Hospital Authority shall contract with each Regional Support Hub to ensure funding and support of strategic plans submitted by the Regional Support Hubs and approved by both the MUSC Hospital Authority and the Department of Health and Human Services. Institutions and other entities participating in the network must be afforded the opportunity to meaningfully participate in the development of any annual refining to the initiative's strategic plan. Working with the department, the MUSC Hospital Authority shall collaborate with Palmetto Care Connections to pursue this goal. No less than $1,000,000 of these funds shall be allocated toward support of Palmetto Care Connections and other hospitals in South Carolina. The MUSC Hospital Authority must provide the department with quarterly reports regarding the funds allocation and progress of telemedicine transformation efforts and networks. These reports must include an itemization of the ultimate recipients of these funds, whether vendors, grantees, specific participating institutions, or the Medical University of South Carolina, and must distinguish between funds allocation to the university as a participating institution as opposed to those retained and used by the university in its capacity as the administering entity for the network.

(C) The Department of Health and Human Services shall continue to identify and implement telehealth benefits and policies that are evidence-based, cost efficient, and aligned with the needs of the Medicaid population. ~~The department must also continue to~~

~~review the temporary telephonic and telehealth flexibilities it has adopted to address the COVID-19 public health emergency and make permanent those that are suitable for inclusion in the Medicaid benefit. No later than October 1, the department shall submit a report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on policy and benefit changes it has introduced in the furtherance of this goal and as part of its ongoing effort to improve the sustainability of telehealth services.~~

117.113. (GP: Prohibited Funding for Aborted Fetus Research) Notwithstanding any other provision of this act, general funds appropriated in this act may not be used to purchase fetal tissue obtained from an abortion to perform scientific or laboratory research or other kinds of investigation conducted on fetal tissue.

117.114. (GP: SCRS & PORS Trust Fund) Unless otherwise provided in Paragraphs A through D of this provision, the funds appropriated to the Public Employee Benefit Authority (PEBA) for the South Carolina Retirement System Trust Fund and the Police Officers' Retirement System Trust Fund in Part IA, Section 108 of this act shall be credited toward the contributions due from participating employers in SCRS and PORS for Fiscal Year ~~2025-26~~ *2026-27*. Each employer's credit shall be determined at the same rate as calculated by PEBA for the pension funding allocation credit for Fiscal Year 2017-18. A participating employer shall not receive a credit that exceeds the employer contributions due from the employer.

(A) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of special purpose districts, joint authorities, or non-profit corporations; however, this provision does not apply to the South Carolina State Ports Authority and the South Carolina Public Service Authority.

(B) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of hospitals; however this provision does not apply to the Medical University Hospital Authority.

(C) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of participating associations or service organizations as defined in Section 9-1-10(11)(e) of the 1976 Code.

(D) From the funds available for allocation pursuant to this provision, no credits shall be issued for state employees who are funded with federal funds. The Public Employee Benefits Authority shall collaborate with the Department of Administration, Executive Budget Office and the Revenue and Fiscal Affairs Office to determine the amount of credit exclusion for federally-funded employees of state agencies.

117.115. (GP: Retirement System Assets and Custodial Banking Relationship Transfer) In order to facilitate the transfer of custodianship of the assets of the Retirement System to the Public Employee Benefit Authority and governance of the custodial banking relationship to the Retirement System Investment Commission, all portions of contracts, agreements, and exemptions from the Consolidated Procurement Code providing for and relating to custodial banking, general banking, accounting, or any other ancillary services are transferred to, and devolved upon, the Public Employee Benefit Authority and the Retirement System Investment Commission in accordance with the authority transferred to the respective agency.

117.116. (GP: Opioid Abuse Prevention and Treatment Plan) (A) From the funds appropriated and authorized to the Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services and the Department of Health and Human Services in the current fiscal year, the agencies shall establish a coalition of state agencies, providers and other related entities to combat the opioid epidemic in a collaborative manner and ensure that appropriate services and treatments are made available statewide. This initiative should include efforts to coordinate funding for the provision of treatment with an assessment of current

programs and funding levels, to enhance available prevention, treatment and recovery services; expand provider capacity; and enable workforce development for substance use disorder services. General Funds appropriated to any state agency for Opioid Abuse Prevention and Treatment may be carried forward and expended for the same purpose.

(B) The Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services, the State Law Enforcement Division, and the Department of Health and Human Services shall establish an advisory board with representation from both agencies, to provide both oversight and administrative direction to the coalition. The advisory board may also include representation from the Department of Public Health, the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health, the Medical University of South Carolina, the University of South Carolina's School of Medicine, the Department of Labor Licensing and Regulation, the Department of Corrections, state and local law enforcement agencies, the judicial branch, the South Carolina Hospital Association, the South Carolina Medical Association, the South Carolina Primary Health Care Association, Behavioral Health Centers and other related entities. The advisory board must consider recommendations made in the 2018 report by the South Carolina House of Representatives Opioid Abuse Prevention Study Committee, as well as any recommendations made by the South Carolina Behavioral Health Coalition related to substance use disorders and create a plan to ensure implementation of appropriate recommendations.

(C) The Department of Health and Human Services may leverage any and all available federal funds to implement enhanced treatment services and resources for this coalition.

(D) In consultation with the Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services and the Medical University of South Carolina Hospital Authority, the Department of Health and Human Services shall review and evaluate outcomes data from the program for MAT services for prescription opioid dependency and addiction established by Act 97 of 2017 and expanded by Act 264 of 2018. Based on the success rate and ability to continue expansion of this model, the department may provide funding not to exceed $2,500,000 to continue and expand the program to additional providers that are necessary to ensure greater impact in geographical areas of critical need. All medications proven to be effective in treating opioid addiction shall be considered as viable options on a case by case basis to ensure the greatest level of success for individuals in the program.

(E) The Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services and the Department of Health and Human Services shall assist the Department of Public Health with any funding required to implement necessary programmatic enhancements to the Prescription Monitoring Program. The departments must consider changes to strengthen risk assessments and patient support tools, as well as the potential integration of Electronic Health Record systems. To the extent possible, the program must be expanded to include the administration of naloxone and other opioid overdose antidotes.

(F) In order to provide comprehensive treatment, from the point of incarceration, to individuals charged with criminal offenses who suffer from any substance use disorder that is treatable with medication, the Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services must solicit potential cooperation from law enforcement, the state's solicitors, Magistrate Courts and Circuit Courts, to establish a diversion program in at least one judicial circuit. This program shall provide both behavioral and medical treatment, consultations with peer support specialists, and continued supervision of participants who are released, which may include electronic monitoring.

(G) The Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services and the Department of Health and Human Services shall also coordinate with at least one four-year college or university and one two-year technical

college with on-campus dormitories to establish pilot programs for Collegiate Recovery Programs to target intervention and the retention of students. These programs must offer academic support in designated spaces that provide for group meetings, clinical support, technology access, and academic advising, to assist students in recovery.

117.117. (GP: SCEIS Data Entry Compliance) The Department of Administration shall develop and issue written SCEIS data entry standards and guidelines for agency compliance. To ensure uniform compliance with these standards and guidelines, state agencies shall comply with all SCEIS data entry rules, standards, plans, policies, directives, and guidelines established by the Department of Administration.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency compliance no later than December thirty-first of each calendar year.

117.118. (GP: Statewide Real Estate Plan Implementation) Pursuant to legislative intent expressed in Proviso 118.2 (Titling of Real Property) of this act to establish a comprehensive central real property and office facility management process to plan for the needs of state government agencies; and to achieve maximum efficiency and economy in the use of state-owned, state-leased, and commercial leased facilities, all state agencies are directed as follows:

(1) In the current occupation of state-owned and commercial facilities or prior to incurring an obligation to expend funds through entering or renewing a lease for state-owned or commercial facilities, state agencies shall work in conjunction with the Department of Administration to achieve uniform space standards in state-owned, state-leased, and commercial leased facilities resulting over time in an overall target density of 210 square feet per person unless otherwise approved by the department.

(2) Prior to entering or renewing any contract for leasing real property, state agencies shall comply with the Department of Administration's site selection criteria for state-owned, state-leased, or commercial leased space,

(3) State agencies shall record into the South Carolina Enterprise Information System (SCEIS) all maintenance and operations expenditures for state-owned and state-leased facilities in the manner prescribed by the Department of Administration.

(4) State agencies shall provide to the Department of Administration a list of all contracts related to facilities management, maintenance, and support, and shall not renew or enter into any new contracts related to facilities management, maintenance or support without prior approval from the Department of Administration.

(5) Under guidance and direction of the Department of Administration, state agencies shall annually report on and submit plans to address ongoing and deferred maintenance for all state-owned real property.

(6) State agencies shall annually update and submit an inventory of state-owned facilities and land to the Department of Administration by June 30 of each fiscal year in the manner prescribed by the department. Each submission shall include a portfolio assessment with recommendations for any dispositions.

The Legislative Branch, the Judicial Branch, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are generally exempt from the requirements of this proviso; provided, however, that public institutions of higher learning and technical colleges shall be subject to the provisions of paragraph (6) in its entirety, and the provisions of paragraph (1) with respect to any facility or portion thereof used for administrative and office space.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding compliance with this proviso no later than December 31 of each calendar year, beginning December 31, 2018.

117.119. (GP: Statewide Administrative Services) The Department of Administration may provide consolidated administrative services to all agencies to promote cost savings, process integrity and other efficiencies, and to reduce duplication, overlap and redundancies, or any combination thereof and to provide for consistency in transactions and processes and to advance a statewide approach to agency administration. Consolidated administrative services may include, but are not limited to: (1) financial and accounting support, such as accounts payable and receivable processing, procurement processing, journal entry processing and financial reporting assistance; (2) human resources administrative support, such as transaction processing and reporting, payroll processing, and human resources training; and (3) budget support, such as budget transaction processing and budget reporting assistance.

Agencies that receive twenty million dollars or less in total appropriations in the current fiscal year shall consult with the Department of Administration to determine whether the use of consolidated administrative services offered by the department would be beneficial to the agency. The Legislative Branch, the Judicial Branch, public institutions of higher learning and technical colleges shall be exempt from the requirements of this provision.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency utilization of administrative services offered by the department no later than December 31 of the current fiscal year.

117.120. (GP: Mobile Device Protection Plan) With funds appropriated and authorized in the current fiscal year, the Department of Administration in the current fiscal year, shall implement updated policies for protecting mobile devices including, but not limited to, cellular phones, tablets and laptops. The department must also consider the potential consolidation of existing protection plans as established by other state agencies, to ensure an effective and efficient statewide approach to a protection plan that covers all state owned devices.

(A) The following factors shall be considered by the department as it reviews options for providing this protection, and to the extent possible, the following components must be included in the updated plan:

(1) protective cases and screens available for all devices;
(2) multi-year underwritten insurance coverage for both the device and the protective case;
(3) zero deductible if possible to ensure cost savings to the department;
(4) multiple claims per device should be allowable;
(5) replacement policy if devices cannot be repaired;
(6) local pickup and delivery service for efficient repair and replacement where possible; and
(7) chain of custody notifications with real time progress and repair status updates.

(B) Upon development of these policies and to follow the new mobile device purchasing policy for state agencies, the State Fiscal Accountability Authority must establish a statewide contract for protecting all state-owned, mobile devices that can be included in one combined contract.

(C) The State Fiscal Accountability Authority must ensure that any contract developed for this purpose is awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

117.121. (GP: Board Meeting Coverage) The South Carolina Public Service Authority must provide live-streamed coverage, whenever practicable, of all meetings of the Board of Directors to ensure transparency and access for the public. The board meetings

shall be recorded and archived and made available on the South Carolina Public Service Authority's website. If a meeting cannot be live-streamed, then the authority must make transcripts available on the authority's website within three business days.

117.122. (GP: Criminal History Investigations) (A) State agencies, state institutions and political subdivisions of the state are authorized, as necessary to comply with internal revenue service Publication 1075, including amendments thereto and publications replacing Publication 1075, to obtain state and national criminal history background checks and investigations performed by the State Law Enforcement Division and the Federal Bureau of Investigation on all employees and contractors with access to federal tax information. The State Law Enforcement Division is authorized to conduct fingerprint-based state and national background checks for state agencies, state institutions and political subdivisions of the state which have access to federal tax information in order to comply with Publication 1075.

(B) An employee or contractor of a state agency, state institution and political subdivision of the state with access to or that uses federal tax information must:

(1) agree to a national background check and the release of all investigative records to the state agency, state institution or political subdivision of the state for the purpose of verifying criminal history information for non-criminal justice purposes; and

(2) supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the State Law Enforcement Division, and then submit to a national criminal history background check to be conducted by the Federal Bureau of Investigation.

(C) Except as otherwise provided in this section, a state agency, state institution or political subdivision of the state shall pay any costs incurred to conduct background checks and investigations requested by the state agency. The state agency, state institution or political subdivision of the state may require a person or entity contracting with the agency to pay the costs associated with the background investigations for all employees of the contractor. The requirement may be a condition of the contract with the agency, state institution or political subdivision of the state.

(D) Each state agency, state institution or political subdivision of the state required to conduct background checks and investigations pursuant to this provision shall establish written policies concerning the implementation and use of the background checks and investigations conducted pursuant to this provision.

117.123. (GP: Medical Marijuana Research) (A) With funds provided in this fiscal year, the University of South Carolina College of Pharmacy and the Medical University of South Carolina are authorized, to the extent permitted by and in accordance with federal laws and regulations, to undertake the following actions: acquire pharmaceutical grade marijuana, marijuana extracts, semi-pure isolates, and purified compounds including, but not limited to, THC, CBD, CBO, cannabinol, and cannabigerol for use in research and clinical trials to develop potential therapeutic agents for epilepsy, Dravet's Syndrome, chronic pain, cancer, reduction of nausea, and vomiting induced by chemotherapy, glaucoma, obesity, multiple sclerosis, drug abuse, inflammation, and autoimmune disorders, including encephalomyelitis.

(B) The University of South Carolina and the Medical University of the South Carolina are further authorized to form collaborations, agreements, and partnerships with other public and private entities in order to conduct this research and clinical trials, to the extent permitted by and in accordance with federal laws and regulations, as well as to pursue both public and private funding. Further, the University of South Carolina and the Medical University of South Carolina are directed to provide to the members of

the South Carolina General Assembly, on or before the first day of the 2026 legislative session, with a written summary of the actions they have undertaken pursuant to this proviso and the material findings, if any, resulting from such activities.

117.124. (GP: Immigration Compliance Report) From the funds appropriated to the South Carolina Law Enforcement Division (SLED), the agency shall publish the Immigration Compliance Report (ICR). SLED may conduct investigations necessary to ensure the accuracy of information provided by counties and municipal governments within the ICR. Every agency of this State, and political subdivisions thereof, shall provide documentation that SLED considers necessary for the publication of the ICR. The ICR shall contain a list of county and municipal governments that SLED has certified to be compliant with Sections 17-13-170(E) and 23-3-1100 of the 1976 Code as well as compliance with any federal laws related to the presence of an unlawful person in the United States in the previous fiscal year. The ICR must be provided to the General Assembly, the Governor, and the State Treasurer by December thirty-first of the current fiscal year.

The State Treasurer shall withhold any remaining disbursement from the Local Government Fund to any county or municipality that is not certified as "compliant" in the ICR; however, this requirement may not be imposed until the first publication of the ICR.

117.125. (GP: School Resource Officer Critical Needs) Any Class 1 law enforcement officer who retired under the Police Officers Retirement System on or before December 31, 2022, may return to employment with a public school district as a critical needs School Resource Officer without affecting the monthly retirement allowance that they are receiving from the Police Officers Retirement System. The Law Enforcement Training Council must develop guidelines and curriculum for these officers to be recertified and must not require recertification through basic training for those that have been inactive for a year or more.

117.126. (GP: Secure Area Duty Officers Program) The Office of Adjutant General, the State Law Enforcement Division, and other law enforcement authorities are authorized to conduct security- and counterterrorism-related activities as prescribed by the Governor in Executive Order 2015-18. Activities carried out under this program shall be considered state or federal training for purposes of Section 15-78-60(19) and the agency and its personnel shall be exempt from liability as described therein. State agencies involved in the Secure Area Duty Officers Program (SADOP) may expend state and federal funds in support of the program.

117.127. (GP: Magistrates Compensation) Notwithstanding Proviso 117.138 (Employee Compensation), in the current fiscal year, the salary for each magistrate must be calculated using the same schedule and same circuit judge salary, at a minimum, as was in effect in Fiscal Year 2018-19.

117.128. (GP: New Savannah Bluff Lock and Dam) The Department of Environmental Services is prohibited from using any appropriated funds to process and approve any license, permit, authorization, or certification related to the New Savannah Bluff Lock and Dam inconsistent with the State's policy and the General Assembly's intent of maintaining the existing water quality and navigability conditions of that portion of the Savannah River in and around the New Savannah Bluff Lock and Dam. Consistency may occur by including conditions on any proposed project for the maintenance of the New Savannah Bluff Lock and Dam pool at elevation 114.5 NAVD88 for the preservation of adequate and sufficient water quality, navigation, water supply, and recreational activities.

117.129. (GP: Offshore Oil) (A) For the current fiscal year, no funds appropriated or authorized to the Department of Environmental Services, or to local governmental entities, including but not limited to counties, municipalities and special purpose districts, may be expended to approve a plan, permit, license application or other authorization for:

(1) the construction or use of infrastructure for which the principal purpose is to facilitate the transportation of unrefined or unprocessed oil or gas into the territorial waters of South Carolina, or onto the lands of South Carolina, from offshore oil and gas production platforms and related infrastructure in the Atlantic Ocean;

(2) activities for which the principal purpose is the exploration, development, or production of unrefined or unprocessed oil or gas from within the territorial waters of South Carolina; or

(3) activities for which the principal purpose is the exploration, development, or production of unrefined or unprocessed oil or gas in the Atlantic Ocean.

(B) For purposes of this proviso:

(1) "Development" means the design, planning, permitting, licensing, authorization or construction of infrastructure for which the principal purpose is the production of oil or gas.

(2) "Exploration" means any activity for which the principal purpose is to define, characterize, test for or evaluate oil or gas resources for possible commercial development or production.

(3) "Production" means any activity for which the principal purpose is to engage in, monitor, or conduct operations or maintenance related to the active extraction of unrefined or unprocessed oil or gas.

(4) "Territorial waters of South Carolina" means waters located within the state of South Carolina and waters of the Atlantic Ocean extending out to three nautical miles from the mean low-water mark of South Carolina's naturally occurring coastline.

117.130. (GP: PSA Contracts for Contributions) In the current fiscal year, the South Carolina Public Service Authority may not enter into any new contracts for contributions to the Executive Defined Benefit Plan or the Executive Retention Defined Contribution Plan.

117.131. (GP: Fixed Rate Compensation) The South Carolina public higher education institutions are authorized to compensate nonpermanent, non-FTE adjunct, temporary, or part-time instructors/faculty on a fixed rate basis. These individuals shall provide classroom and related instructional activities on an as needed basis depending on student enrollment per semester or academic term. Institutions may pay exempt or non-exempt employees as defined by the Fair Labor Standards Act only when they are needed to work. Adjunct, temporary, or part-time instructors/faculty employed in this category are non-covered employees who may exceed twelve months, but are not eligible for State benefits except for the option of contributing to the State Retirement System or Health Care Plan if eligible under the Affordable Care Act guidelines.

117.132. (GP: Sickle Cell Disease) From the funds appropriated to the Department of Health and Human Services, the department shall transfer $2,000,000 to the Medical University of South Carolina Hospital Authority to develop a comprehensive approach to advancing the awareness, detection, treatment, and scientific knowledge of sickle cell disease and trait within South Carolina. The Medical University of South Carolina Hospital Authority shall be authorized to partner with independent research entities to advance curative therapies for sickle cell disease and trait and shall be authorized to endow one or more nationally leading academic research centers with a research chair named the "Rena N. Grant Endowed Chair for Hematology" in furtherance of this goal. Additionally, to improve the quality of care provided to sickle cell patients, the authority shall perform statewide cultural competency training in all hospitals, including urgent care centers, in this State using its preexisting training model in order to educate and increase the awareness of health care professionals that are most likely to treat sickle cell patients on the symptoms and stigma associated with sickle cell disease and trait, especially pain relief.

For purposes of this proviso:

(1) "Health care professional" has the meaning as in Section 44-66-20 of the 1976 Code.

(2) "Hospital" means a facility organized and administered to provide overnight medical or surgical care or nursing care of illness, injury, or infirmity and may provide obstetrical care, and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy.

In developing and implementing the South Carolina Statewide Telemedicine Network, the department and the authority shall include the goals set forth in this provision to bring better care to individuals with sickle cell disease or trait.

The Department of Health and Human Services shall be authorized to pursue a Health Services Initiative through the Children's Health Insurance Program for the purposes of improving child and maternal health when either or both exhibit the sickle cell disease or trait, and improve outreach, access to crisis stabilization, and coping resources for children with sickle cell disease.

By January fifteenth of the current fiscal year, the department and the authority shall each submit a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor outlining their progress on these initiatives.

117.133. (GP: Statewide Strategic Personnel Budgeting) (A) To encourage consistency in human resources compensation decisions, support data driven decisions regarding expenditure of funds for personnel in state government, and improve the state's ability to recruit and retain top talent, all state agencies are directed as follows:

(1) With regard to the annual Appropriations Act budget plan submission, agencies shall submit all human resources and personnel related budget requests to the Department of Administration's Executive Budget Office and Division of State Human Resources on or before August 1 of the current fiscal year. The Executive Budget Office and the Division of State Human Resources shall jointly review the budget requests and make recommendations for funding consideration. These funding recommendations shall be submitted to the Governor, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee.

(2) Agencies shall comply with all human resources rules, regulations, standards, plans, policies, and directives of the Division of State Human Resources.

(B) The Judicial Department, Legislative Department, political subdivisions, and quasi-governmental bodies are exempt from the requirements of this provision.

117.134. (GP: COVID-19 Proof of Vaccination Restriction - Institutions) For the current fiscal year, state-supported institutions of higher learning that directly or indirectly receive funds appropriated or authorized through the general appropriations act shall be restricted from requiring proof of COVID-19 vaccination for any student as a condition of enrollment, attendance at on campus instruction, or residence on campus. In instances of off-campus learning events for which third party program providers require proof of vaccination, the third party requirements shall apply.

117.135. (GP: Agribusiness Processor) For the current fiscal year, local and state sales tax collection for material handling and construction materials on agribusiness facilities that invest at least $100 million in the state are exempt.

117.136. (GP: Federal Gun Law) For the current fiscal year, no law enforcement agency that receives state or local funds shall enforce a federal law, regulation, statute, executive order, or procedure related to firearms put into effect after January 1, 2021, if

any such federal action requires the seizure of a firearm, firearm part, or firearm component solely because of its classification or type of weapon.

117.137. (GP: National Guard College Assistance Program) For the current fiscal year, a member of the SC National Guard may qualify for college assistance program grants for more than one hundred thirty semester hours or related quarter hours. Additionally, service members may receive college assistance program benefits up to an amount equal to one hundred percent of tuition and fees not to exceed twelve thousand dollars for the academic year. The lifetime maximum amount received shall not exceed twenty-five thousand dollars. Tuition and fees are defined as the amount charged for registering for credit hours of instruction, costs of textbooks, and other fees and charges associated with attendance at an eligible institution. Service members shall be required to meet all other requirements. Service members may complete and submit the Free Application for Federal Student Aid (FAFSA) to receive all eligible federal and state scholarships and grants.

117.138. (GP: Employee Compensation) (A) ~~The Department of Administration was appropriated funds to engage an external consultant for a study and to provide expert recommendations to reform the State's Classification and Compensation system. A consultant was retained and recommendations made to reform the State's compensation structure and pay grades for state agency employees in classified full-time equivalent (FTE) positions.~~ The amounts appropriated to F300-Statewide Employee Benefits for Employee Pay Increases must be allocated by the Department of Administration, Executive Budget Office to the various state agencies to provide for employee pay increases in accordance with the following plan:

(1) With respect to classified and non-judge judicial classified employees, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified employees shall be increased ~~to either the minimum of the new State pay grades established by the Department of Administration, or~~ *by* 2 percent~~, whichever is greater~~.

(2) With respect to unclassified and non-judge judicial unclassified state agency employees or unclassified executive compensation system employees not elsewhere covered in this act, effective on the first pay date that occurs on or after July first of the current fiscal year the compensation of all unclassified employees shall be increased by 2 percent. Any employee subject to the provisions of this paragraph shall not be eligible for compensation increases provided in paragraphs 1, 3, 4, 5, or 6.

(3) ~~With respect to classified employees of institutions of higher education and technical colleges eligible in this item, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified higher education employees shall be increased by 2 percent for FTEs.~~ With respect to unclassified employees of institutions of higher education and technical colleges eligible in this item, institutions and technical colleges are authorized to allot the total funds for compensation increases among individual employees without uniformity. The funds provided for compensation increases for any employee subject to the provisions of this item are based on an annual average of 2 percent and may be based on performance.

(4) Effective on the first pay date that occurs on or after July first of the current fiscal year, agency heads not covered by the Agency Head Salary Commission, shall receive an annualized base pay increase of 2 percent for FTEs.

(5) With respect to Transformation Coaches at the Department of Education, compensation shall be increased by 2 percent for FTEs making over $50,000.

(6) With respect to local health care providers compensated by the Department of Behavioral Health and Developmental Disabilities, Office of Substance Use Services, compensation increases shall be 2 percent effective on the first pay date that occurs

on or after July first of the current fiscal year. School Bus Driver salary and fringe funding to school districts shall be increased by 2 percent.

(7) Effective on the first pay date that occurs on or after July first of the current fiscal year, the Chief Justice and other judicial officers shall receive an annualized base pay increase of 2 percent for FTEs.

(8) Effective on the first pay date that occurs on or after July first of the current fiscal year, county auditors and county treasurers shall receive an annualized base pay increase of 2 percent.

(B) For Fiscal Year ~~2025-26~~ *2026-27*, the Executive Budget Office is directed to review Executive Branch agencies to determine whether their budgets warrant another fund authorization increase due to the 2 percent compensation increase for all full-time employees. If so warranted, the Executive Budget Office shall work with the Office of the Comptroller General to increase such authorization for the affected agencies.

(C) The Department of Administration shall allocate associated compensation increases for retirement employer contributions based on the retirement rate of the retirement system in which individual employees participate.

(D) The Executive Director of the State Fiscal Accountability Authority is authorized to use excess appropriations for the current fiscal year designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the State Fiscal Accountability Authority, such action may be considered a permanent transfer into the receiving agency's base budget.

(E) Funds appropriated in Part IA, F300, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

117.139. (GP: Fetal Remains) No funds appropriated or authorized by this act may be used by the State's public colleges or universities to purchase fetal remains resulting from an abortion for the purpose of research or experimentation. The State's public colleges and universities are further prohibited from accepting donated fetal remains resulting from an abortion for the purpose of research or experimentation. A public college or university that purchases or accepts donated fetal remains in violation of this proviso shall return to the General Fund an amount equal to ten percent of the funds appropriated to the college or university under Part IA of this act.

117.140. (GP: Behavioral Health Capacity) (A) The Department of Health and Human Services, in coordination with the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health and Office of Substance Use Services, the Department of Public Health, and all other relevant agencies shall examine and analyze the existing statewide system for the delivery of Medicaid and non-Medicaid behavioral health services to assess the system's effectiveness in:

(1) providing a range and supply of treatment options and settings that are appropriate to meet the varying needs of individual patients;

(2) being responsive to changes in federal law, regulation, or policy that improve access to care and/or associated reimbursement, particularly where related to the treatment of patients in Institutions for Mental Disease (IMDs);

(3) being economical in its approach, so as to obtain the greatest value possible for each state taxpayer dollar; and

(4) ensuring that the statewide system for the delivery of behavioral health services complies with the requirements of Section 44-9-90(7).

(B) With the support of the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health, the Department of Health and Human Services shall undertake an effort to assess existing gaps in coverage for or the supply of inpatient psychiatric care, crisis stabilization, and other inpatient or outpatient behavioral health services. Based upon this assessment, the Department of Health and Human Services shall establish, or with the full cooperation of any other requested state agency, request the establishment of coverage and reimbursement policies that it deems necessary to address existing deficiencies and bring about a more comprehensive and effective continuum of behavioral health care in South Carolina. Priorities for this effort may be piloted on a regional basis and shall include, but not be limited to:

(1) increasing the number of beds available to provide inpatient psychiatric care, with emphasis on communities with the greatest current need, and using the appropriate combination of new construction, augmentation or reconfiguration of existing facilities, or contracting with psychiatric or acute care hospitals to obtain short-term capacity;

(2) establishing crisis stabilization beds and services to provide needed short-term medication, counseling, and other support in previously unserved areas of the State, working toward the goal of having such services available within a 90-minute drive of each South Carolinian, and with coverage and reimbursement being funded through Medicaid for its beneficiaries or through the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health for indigent care, regardless of the provider of these services;

(3) formalizing and expanding the coverage of claims-based mobile crisis stabilization services that offer rapid and intensive interventions intended to stabilize individuals at the sites of behavioral health crises;

(4) developing one or more regional dedicated psychiatric emergency departments, operating twenty-four hours per day, seven days per week to effectively evaluate and triage patients experiencing acute behavioral health emergencies;

(5) developing effective referral and discharge strategies and engaging with existing community providers to ensure that sufficient outpatient services, case management services, and standards of care are in place;

(6) leveraging and building upon existing telehealth capacity to support and extend outpatient services; and

(7) promoting the development of in-state treatment options for specific behavioral health conditions for which patients are routinely placed out-of-state due to an insufficiency of treatment options or settings in South Carolina.

(C) The Executive Director of the Public Employee Benefit Authority shall be encouraged to consult with the Director of the Department of Health and Human Services to make appropriate coverage and reimbursement policy changes to ensure proper access to behavioral health services for covered beneficiaries.

(D) The Data Oversight Council, established pursuant to Section 44-6-170, shall undertake whatever rulemaking is necessary to ensure that the data on the utilization of crisis stabilization units are collected in a manner generally consistent with the requirements for general acute care hospitals and specialized hospitals, so that the effectiveness of these services may be properly evaluated. The Data Oversight Council, Department of Public Health, and any other state agency shall, upon the request of and in the format specified by the Department of Health and Human Services, furnish information on behavioral health service demand, utilization, or financing needed to facilitate the implementation of this provision.

(E) With the support of the Director of the Department of Behavioral Health and Developmental Disabilities and any other identified agency head, the Director of the Department of Health and Human Services shall evaluate opportunities to improve and/or coordinate treatment capacity for individuals diagnosed with substance use disorder and/or serious mental illness including, but not

limited to, options established pursuant to Sections 1115, 1915(l), and/or 1947 of the Social Security Act or made available to states by the Centers for Medicare and Medicaid Services through State Medicaid Director Letters 17-003, 18-011, or 19-0003.

(F) In consultation with the Department of Juvenile Justice and the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health, the Department of Health and Human Services shall ensure that access to "no eject, no reject" services is restored for children and adolescents requiring care in a private residential treatment facility.

(G) To ensure that individuals requiring behavioral health services are protected from unexpected or excessive billings, the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health shall examine ways to convert state-funded or DSH-funded indigent care to a sustainable reimbursement model that improves access to behavioral health treatment while potentially reducing uncompensated care levels and the department's reliance on state funds. In the current fiscal year, the department shall report to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee on the results of this examination and the actions taken to address any findings. The department also shall:

(1) contract for an exhaustive independent review of its entire revenue cycle, to eliminate inefficiencies and improve business processes, ensure that bills are produced on a timely and accurate basis, and assess and maximize the proportion of the time during which the department's clinicians and providers are rendering chargeable treatment services to the State's citizens; and

(2) ensure its immediate and ongoing compliance with the hospital price transparency rules established at 45 C.F.R. Part 180, and also meet its obligation to provide certain patients with good faith estimates as required by the No Surprises Act, P.L. 116-260, and subsequent regulation.

(H) With the support and participation of the Department of Education and the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health, and with the intent of assuring access to behavioral health services to every student in the State through either a public or private provider, the Department of Health and Human Services must lead a comprehensive effort to improve access to and the quality of school-based behavioral health services in South Carolina, while identifying and taking steps to address community-level disparities in the availability of this care. This effort shall include, but not be limited to:

(1) the performance of a comprehensive review of Medicaid and non-Medicaid school-based behavioral health services in South Carolina, including an assessment of the availability of such services and the identification of any barriers to access, such as coverage and reimbursement rules, billing practices, other insurer policies, state agency, school district rules or procedures, or provider shortages;

(2) a revisitation of existing coverage policies for medically necessary services provided to children, including those with or without a disability determination, and whether those services are or are not required by a child's individualized education plan or individualized family services plan, whether they do or do not arise from a referral under the Early and Periodic Screening, Diagnostic, and Treatment program, and in the context of State Medicaid Director Letter 14-006;

(3) the rescission of any Medicaid or PEBA policies that deny coverage, solely on the basis that those services are being provided within a school or through a telehealth encounter that originates in a school, of medically necessary outpatient services that have been furnished to eligible children by enrolled and qualified providers;

(4) the issuance of any new Medicaid policies needed to durably enshrine any appropriate telehealth coverage that had been authorized on a temporary basis during the public health emergency;

(5) a review of statewide and school district-level policies and practices relating to suicide risk referral protocols and behavioral health training for student-facing personnel in schools; and

(6) reporting to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on any other relevant potential policy changes that the Director of the Department of Health and Human Services believes would advance the intent of this provision, but which would have a fiscal impact that is sufficiently substantial to require the General Assembly's direct consideration in the future.

(I) The Department of Health and Human Services is authorized to establish programs and/or fund in whole or in part, including through the potential use of CHIP Health Services Initiatives, various pilot projects or other initiatives that are intended to develop the health care workforce in South Carolina. Such efforts must be targeted toward current or future providers who demonstrate, by whatever means is selected by the department, commitments to remaining in-state and including Medicaid beneficiaries among their patients. The development of the behavioral health workforce shall be prioritized, although the department may also address other provider classes, such as respiratory therapists, for which shortages have been highlighted and/or exacerbated by the public health emergency. Further consideration also should be given to attracting additional qualified preceptors and increasing opportunities for clinical rotations. The department may partner with or enlist the support of the Technical College System, Area Health Education Centers, and/or Student Loan Corporation in designing or administering these programs and, where appropriate, is encouraged to structure them as public-private partnerships in conjunction with the state's hospital and health systems and other key employers of health providers.

(J) If either the Director of the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health or the Director of the Department of Health and Human Services finds that state personnel and/or procurement rules are limiting his ability to fulfill the intent of this provision, he shall notify the State Fiscal Accountability Authority of this in writing and request whatever exemptions are necessary to ensure that clinical staff may be recruited, retained, and/or contracted for so as to provide greater access to behavioral health treatment.

(K) In consultation with the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health, the Department of Health and Human Services shall assess the feasibility of, and if warranted, take steps to establish or obtain though grant, contract, subscription, or other procurement, a statewide system for the near-real time tracking of in-patient psychiatric hospital beds and crisis stabilization beds. This system should be generally designed to draw data from providers' existing electronic medical record systems and make summary-level data available to authorized users within state agencies, participating provider organizations, and any others to be specified by the Department of Health and Human Services, for the purposes of managing critical resources and ensuring that patients may be promptly treated in the most effective and clinically appropriate setting. To protect patient privacy and ensure HIPAA compliance, the system may only collect information on the types, counts, and availability of beds, or other categorical or aggregated information, as opposed to individually identifying patient details. In partnership with the following named agencies, the Department of Health and Human Services may also explore and pursue the use of such a system:

(1) to meet the emergency preparedness and disaster recovery requirements of the Department of Public Health and the Emergency Management Division that are currently met by the Bed Availability Report Tracking system; and/or

(2) to augment or replace the capabilities of the Department on Aging's GetCareSC website.

(L) From the funds appropriated to or otherwise made available to it, the Department of Health and Human Services is authorized to procure, enter into contracts and agreements, offer grants, and otherwise expend funds as well as establish demonstration projects in one or more areas of the state to encourage and promote necessary infrastructure and investment to achieve the objectives set out in this provision. The department shall develop policies and procedures as necessary to assure accountability in the expenditure of these funds and apply for federal matching funds when appropriate and available. The department shall report annually to the Senate Finance Committee and the House Ways and Means Committee on all expenditures made under this provision.

(M) Crisis stabilization unit facilities established or funded pursuant to this provision shall be eligible for licensure under Regulation 61-125 without being owned or operated by the Department of Behavioral Health and Developmental Disabilities, Office of Mental Health.

(N) Funds appropriated for Behavioral Health Capacity may be retained by the Department of Health and Human Services and carried forward to be expended for any purpose specified in this provision.

117.141. (GP: Rare Disease Advisory Council) (A) For the current fiscal year, there shall be established the South Carolina Rare Disease Council, to be housed within the Medical University of South Carolina. The council shall advise the Governor, the General Assembly, and other stakeholders on research, diagnosis, treatment, and education related to rare diseases as defined by 21 U.S.C. Section 360bb.

(B) The council shall be composed of sixteen members and shall be appointed as follows:

(1) one member appointed by the Director of the Department of Public Health;

(2) one member appointed by the Director of the Department of Health and Human Services;

(3) one member from the Medical University of South Carolina as appointed by the President;

(4) one member from the University of South Carolina School of Medicine as appointed by the Dean;

(5) one member appointed by the Executive Director of the South Carolina Hospital Association;

(6) one member appointed by the Executive Director of the South Carolina Primary Healthcare Association;

(7) one member representing the biopharma industry as appointed by the President of the Medical University of South Carolina;

(8) three members with experience in the research and treatment of rare disease, one of whom must specialize in pediatrics, as appointed by the President of the Medical University of South Carolina;

(9) two members who are patients diagnosed with a rare disease as appointed by the President of the Medical University of South Carolina;

(10) one member from a rare disease organization operating in the state as appointed by the President of the Medical University of South Carolina;

(11) one caregiver of a person with a rare disease as appointed by the President of the Medical University of South Carolina;

(12) one member representing the state health plan as appointed by the Executive Director of the State Public Benefit Authority; and

(13) the Director of the Greenwood Genetic Center or his designee.

(C) The council shall convene its first meeting by October 31 and hold public meetings at least quarterly throughout the year. The council shall, at a minimum, conduct the following activities to benefit rare disease patients in South Carolina:

(1) solicit comments from stakeholders, including patients and patient caregivers in South Carolina impacted by rare diseases, to assess the needs of rare-disease patients, caregivers, and providers in the State;

(2) consult with experts on rare diseases to develop recommendations to improve patient access to and quality of rare-disease specialists, affordable and comprehensive health care coverage, relevant diagnostics, timely treatment, and other needed services;

(3) research and identify priorities related to treatments and services provided to persons with rare diseases in South Carolina and develop recommendations that include safeguards against discrimination for these populations on such issues, including disaster and public health emergency-related planning;

(4) publish a list of existing, publicly accessible resources on research, diagnosis, treatment, and education relating to the rare diseases in South Carolina;

(5) identify and distribute educational resources to foster recognition and optimize treatment of rare diseases in South Carolina; and

(6) identify best practices to reduce health disparities and achieve health equity in the research, diagnosis, and treatment of rare diseases in South Carolina.

(D) The council shall provide an annual report no later than June 30 to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the Senate Medical Affairs Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Medical, Military, Public and Municipal Affairs Committee. The annual report shall describe the activities and progress of the council and provide recommendations to the Governor and General Assembly on ways to address the needs of people living with rare diseases in the State of South Carolina.

(E) Of the funding appropriated to the Department of Health and Human Services, up to $250,000 shall be used to contract with MUSC Hospital Authority to provide staff support to the council and maintain a public website that shall include the annual reports, meeting notices and minutes, and the resources developed as part of subsection (C). Members of the council shall serve without compensation or per diem.

117.142. (GP: Public Health Officer Liability) From the funds available to the respective departments, state agencies established pursuant to Title 44 of the 1976 Code shall have the same obligations to defend and indemnify as if these agencies were subject to Section 1-11-440 or Section 12-4-325.

117.143. (GP: Electricity Market Reform) The Electricity Market Reform Measures Study Committee shall issue a report on its work to the General Assembly no later than January 31, ~~2026~~ *2027*; however, nothing in this provision prohibits the committee from continuing to meet past January 31, ~~2026~~ *2027* and issue additional reports pursuant to Act 187 of 2020.

117.144. (GP: Homestead Exemption Fund) For Fiscal Year ~~2025-26~~ *2026-27*, Section 11-11-156(C) is suspended.

117.145. (GP: Actions on Election Law) (A) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have an unconditional right to intervene on behalf of their respective bodies in a state court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(B) In a federal court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted, the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have standing to intervene as a party on behalf of their respective bodies, to file an amicus brief, or to

provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action.

(C) A federal court presiding over an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted is requested to allow the President, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, to intervene in any such action as a party.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this proviso, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F) The Senate and House of Representatives may expend funds appropriated in this act to exercise the unconditional right set forth in subsection (A) and to sustain any other action set forth in this proviso. No county election commission may accept or expend any funds other than public funds to prepare for or to conduct elections.

117.146. (GP: Retained Counsel) In the current fiscal year, from the funds appropriated, public colleges and universities, including public technical schools, shall revise or adopt policies to allow a student facing disciplinary or honor code violations as a result of a criminal charge the right to retain counsel, at the student's expense, to provide full legal representation in all proceedings including, but not limited to, allowing counsel to appear on behalf of the student, speak on behalf of the student, question witnesses, protect the statutory and constitutional rights of the student, and to otherwise fully participate in all proceedings on behalf of the student.

117.147. (GP: Disinfection and Cleaning) (A) Of the funds appropriated or authorized herein, agencies and political subdivisions, including public school districts, may implement or procure cleaning, sanitization, and disinfection services and products that, at a minimum, meet the most current requirements and guidelines issued by the Department of Public Health to mitigate the impact of any COVID-19 strains, as well as other communicable diseases. All cleaning, disinfection, and sanitization products should be able to be safely used on a daily, weekly, or monthly basis and meet the following qualifications, as aligned with current DPH guidelines:

(1) be on the EPA approved disinfectant list;

(2) be a broad-spectrum disinfectant that kills 99.9% of bacteria and viruses, including COVID-19, norovirus, influenza, e-coli, mold, fungi, and odor causing bacteria;

(3) be safe for use on multiple solid surfaces without leaving a residue; and

(4) be recognized by the Environmental Protection Agency and the United States Department of Agriculture as safe for use around food, including for use in cafeterias, kitchens, and other areas where food is prepared or consumed.

(B) The preferred method for widespread disinfection and sanitization of public spaces, after all necessary and recommended cleaning, may include the use of a residual antimicrobial, electrostatic spraying application on surfaces and utilize ultraviolet (UV-C) technology for indoor air quality (IAQ) pursuant to CDC guidelines. All related products and services require independent lab testing for verification of claims, and an Underwriters Lab (UL) listing for any electrical products. When vendors are procured to provide such services the vendor must have evidence of industry experience and expertise.

117.148. (GP: Job Order Contracting Pilot Program) (A) For the current fiscal year, the Division of Procurement Services of the State Fiscal Accountability Authority may pilot test a job order contracting method at the request and on behalf of up to twenty-two governmental bodies or public procurement units consisting of eight state agencies and twelve school districts two other political subdivisions by entering into job order contracts to acquire construction services when the exact time or exact quantities of future jobs are not known at the time of contract award. The State Engineer must approve, in his sole discretion, which governmental bodies and public procurement units may participate in the pilot project. Procurement Services may enter into job order contracts with up to four businesses for each governmental body or public procurement unit for each licensing classification and sub-classification for construction. The job order contracts must terminate twenty-four months after award.

(B) For purposes of this provision, the term "job order contract" means a contract that provides for the issuance of job orders for the performance of construction, renovation, and repair work, where contractors propose an adjustment factor or factors to be applied to a catalog of preset unit prices calculated using local prevailing wage rates, local equipment, and local material costs, and where individual job orders are issued to the awarded contractors on an as-needed basis and the price paid for the work is a lump sum of the preset unit prices needed to complete the job order multiplied by the quantity required multiplied by the adjustment factor.

(C) For purposes of the pilot project, an individual project using job orders may not exceed seven hundred and fifty thousand dollars and the sum of all individual job orders may not exceed six million dollars per contract. Work may not be divided artificially in order to avoid these limits. A single project must not be performed using job order contracts in combination with contracts awarded pursuant to Section 11-35-1550.

(D) For purposes of the pilot project, a job order must clearly specify all tasks to be performed or property to be delivered under the order so the full price for the performance of the work can be established when the order is placed. All job orders must be issued on a fixed-price basis. All job orders must be issued within the period of the contract and must be within the scope and maximum value of the contract. Each job order shall provide an itemized list of each construction tasks required to complete the work with the task's associated unit price and applied adjustment factor. Each job order proposal shall be certified as contract compliant by a reviewer independent of the contractor.

(E) Any solicitation for a job order contract must include the following: (1) the period of the contract; (2) the maximum dollar value of the services to be procured under the contract; (3) the maximum dollar value of the services to be procured under a single job order; (4) a description that reasonably describes the licensing classification and the general scope, nature, complexity, and purposes of the services to be procured under the contract in a manner that will enable a prospective bidder to decide whether to submit a bid; (5) the procedures that the governmental body will use for issuing job orders for the pilot program; (6) if applicable, the geographic area to which the job order contract applies; ordinarily, a geographically contiguous area should not be subdivided; and (7) the number of job order contracts to be awarded.

117.149. (GP: In-State Tuition Mitigation) (A) The following recurring funds have been appropriated in Part IA to institutions of higher learning to mitigate tuition and fee increases for in-state undergraduate students:

(1) The Citadel $~~3,081,444~~ *1,540,722*;

(2) Clemson University $~~12,196,972~~ *6,098,486*;

(3) University of Charleston $~~2,820,143~~ *1,410,071*;

(4) Coastal Carolina University $~~2,456,003~~ *1,228,001*;

(5) Francis Marion University $~~2,289,757~~ *1,144,878*;
(6) Lander University $~~2,119,998~~ *1,059,999*;
(7) South Carolina State University $~~1,842,814~~ *921,407*;
(8) University of South Carolina-Columbia $~~14,436,186~~ *7,218,093*;
(9) University of South Carolina-Aiken $~~2,361,911~~ *1,180,955*;
(10) University of South Carolina-Upstate $~~3,173,940~~ *1,598,970*;
(11) University of South Carolina-Beaufort $~~1,077,571~~ *538,785*;
(12) University of South Carolina-Lancaster $~~640,000~~ *320,000*;
(13) University of South Carolina-Salkehatchie $~~411,995~~ *205,997*;
(14) University of South Carolina-Sumter $~~686,882~~ *343,441*;
(15) University of South Carolina-Union $~~608,475~~ *304,237*;
and
(16) Winthrop University $~~2,330,588~~ *1,165,294*~~;~~
~~and~~
~~(17) Medical University of South Carolina $ 12,529,269~~.

(B) In order to retain the above appropriations, each institution of higher learning listed above must certify to the Commission on Higher Education by August 15, ~~2025~~ *2026*, there is no in-state undergraduate tuition or in-state undergraduate mandatory fee increase, excluding increases in auxiliary and athletic fees, for the ~~2025-26~~ *2026-27* academic year.

(C) The Commission on Higher Education shall develop the process by which institutions provide the certification. Certification of any institution proposing an in-state undergraduate tuition or in-state undergraduate mandatory fee increase must include analysis as to the necessity of the increase and all cost savings measures that have been undertaken to minimize them. Any institution unable to provide such certification to the commission shall remit their respective above recurring allocation to the General Fund by September 15, ~~2025~~ *2026*.

(D) By November 1, ~~2025~~ *2026*, the Commission on Higher Education shall report to the House Ways and Means Committee, the Senate Finance Committee, and the Executive Budget Office the institutions that failed to certify that the in-state undergraduate tuition or in-state undergraduate mandatory fee increase met the guidelines outlined in this provision. The Executive Budget Office is directed to reduce the recurring appropriation of any institution found to be non-compliant with the certification.

(E) Each institution shall maintain a comprehensive academic program review process, including annual review of new programs during their initial years of implementation and periodic review of established programs. Findings from these reviews shall inform program improvements, consolidation, or termination.

(F) Each institution shall submit an annual report to the Governor and the Chairmen of the House Ways and Means Committee and Senate Finance Committee on or before March 1, detailing the program review actions taken including, but not limited to, the programs discontinued or consolidated, the cost savings achieved, and the programmatic enhancements implemented under this initiative.

(G) The Commission on Higher Education shall submit a report to the Governor and the Chairmen of the Senate Finance Committee and House Ways and Means Committee by March 1, detailing three years of approved programs by each institution as

well as those programs that were terminated or consolidated. Additionally, the commission shall report those programs that were recommended for termination by the commission that the institutions failed to discontinue.

117.150. (GP: Historic Preservation Certification Fee) For the current fiscal year, the requirements of Section 12-6-3535(G) are suspended.

117.151. (GP: In-State Tuition Payment) For the current fiscal year, an individual enrolled in a public institution of higher learning who receives educational assistance under Chapter 35, Title 38 of the United States Code is entitled to pay in-state tuition and fees, while living in the State, without regard to the length of time the individual has resided in the State.

117.152. (GP: Statewide Mobile Health Units) For the current fiscal year, the South Carolina Center for Rural and Primary Healthcare may provide coordination and requested technical assistance to mobile health units in South Carolina, in order to coordinate statewide delivery of services to increase access to preventative and diagnostic health care, and reduce health inequities for rural, vulnerable, underserved, and displaced populations in South Carolina. To support this goal, the South Carolina Center for Rural and Primary Healthcare shall: (1) be authorized to identify and maintain a directory of currently operating mobile health units, the areas of the state in which they serve, and the scope of services they provide, and the populations served by the mobile health unit; (2) offer technical assistance to these units, and any established in the future, in the form of operational, technical, or logistical guidance and consultation as requested; (3) provide collaborative learning and development opportunities for mobile health units to engage in best practices and increase access to underserved populations or communities; (4) partner with the University of South Carolina Salkehatchie and Denmark Technical College, other public institutions of higher education, state serving healthcare organization and other state serving agencies, including the Department of Health and Human Services and the Department of Public Health to develop coordinating systems, support, training and health education services to meet the workforce needs of mobile health units and the communities that they serve; and also to develop competencies related to providing high impact mobile health services; and (5) initiate analyses and evaluation on the impact of services delivered through mobile health units. The center shall be available to assist and support implementation strategies driven by local, regional, and state data and research and aligned efforts, and may provide organization and collaboration among mobile health units and any units that may begin operating in the future.

117.153. (GP: COVID-19 Research) From the funds held in the COVID-19 Response Reserve Account established pursuant to Act 135 of 2020, an amount not to exceed $27,650,000 may be transferred to the Medical University of South Carolina to conduct a clinical trial for an investigational drug to be used in the treatment of COVID-19. Funding is to be made in two phases, Phase I of which must be limited to an amount not to exceed $13,063,639, and Phase II of which must be limited to an amount not to exceed $14,586,361. These transfers are subject to direction by the Governor, and review and comment by the Joint Bond Review Committee, for each phase of the clinical trial. Without limitation, funding for Phase I of the clinical trial is contingent upon establishment of outcome measures against which efficacy of the treatment will be assessed, and which must be included in the University's request to the Governor for consideration of the proposed expenditure. Without limitation, funding for Phase II of the clinical trial is contingent upon outcomes clearly demonstrating success of Phase I of the clinical trial. The University may collaborate with other public and private entities in conducting the clinical trial; provided, however, that the University must reserve its sole accountability and responsibility for conduct of the clinical trial and management of the funding to ensure that funds are expended only for the public purpose of promoting the health, safety, and welfare of the citizens of this State. The University must establish a schedule of expenditure projections for each phase of the clinical trial, and must provide periodic reports to the Governor and the

Joint Bond Review Committee in such form and at such times as each may prescribe. In addition to the foregoing, the University must provide to the Governor and the Joint Bond Review Committee an accounting of the expenditures for each phase of the clinical trial as soon as practicable following the earlier of conclusion of each phase of the clinical trial or exhaustion of the funding applicable thereto. In the event that any funds remain unexpended at the conclusion of either phase of the clinical trial, this authorization must lapse to the extent of the unexpended funds, and such unexpended funds must revert to their original funding source, with availability for expenditure in accordance with their original statutory purpose.

117.154. (GP: Licensure of Residential Treatment Facilities) From the funds appropriated in this act, the Department of Public Health shall collaborate with the Department of Health and Human Services to determine the number of Residential Treatment Facility (RTF) beds needed to ensure availability of in-state services for South Carolina residents. In accordance with this determination, DPH shall use RTF license application and renewal fees to issue and renew licenses only in a manner that specifies the percentage of beds each RTF must staff and reserve for South Carolina residents.

117.155. (GP: Lead Apprenticeship Agency) In the current fiscal year, the State Board for Technical and Comprehensive Education (SBTCE) shall be recognized as the lead agency for facilitating United States Department of Labor Registered Apprenticeships (USDOL) in South Carolina. All state agencies, public K-12 school districts, and other entities receiving state funds shall coordinate all USDOL Registered Apprenticeships and registered apprenticeship activities through SBTCE and its division Apprenticeship Carolina. SCTCS shall lead the creation and implementation of policies and coordinating efforts to foster the growth of Registered Apprenticeships in South Carolina. For the purposes of this provision, "Registered Apprenticeship" is defined as an industry-driven, high-quality career pathway where employers can develop and prepare their future workforce, and individuals can obtain paid work experience, receive progressive wage increases, classroom instruction, and a portable, nationally-recognized credential. Registered Apprenticeships are industry-vetted and approved and validated by the U.S. Department of Labor. With respect to occupational licensure for registered apprenticeships, the Department of Labor, Licensing and Regulation shall administer and enforce the regulations and direct all inspections and investigations related to issuing licenses for occupations regulated by the Department of Labor, Licensing and Regulation.

117.156. (GP: Millage Calculation) For Fiscal Year ~~2025-26~~ *2026-27*, a municipality is allowed an additional and permanent adjustment to its general operating millage rate increase limitation for population growth, calculated pursuant to Section 6-1-320, for any increase that would have been allowed in Fiscal Year 2021-2022 but was not known because of the delayed release of the 2020 Census. This adjustment must be calculated using the July 1, 2020 census population estimates, as originally published based on the 2020 Census, instead of the July 1, 2019 population estimates based on the 2010 Census.

117.157. (GP: Employee Retention and Recruitment) ~~(A) For Fiscal Year 2025-26, the Circuit Solicitor and Circuit Public Defender for each judicial circuit shall provide to the Commission on Prosecution Coordination Director and the Commission on Indigent Defense Director, respectively, a report of current warrants pending. The report shall provide the total number of warrants pending in Circuit Court on July 1st of the preceding and current fiscal year, and the total number of warrants disposed of in the previous fiscal year. In addition, the report shall provide the aging categories for pending warrants as follows: (1) those pending 365 days or less; (2) those pending 366 days to 544 days; and (3) the number of warrants pending more than 545 days. Each circuit shall also submit on a semiannual basis an updated report on the current number of warrants pending.~~

~~(B) The Commission on Prosecution Coordination and the Commission on Indigent Defense shall semiannually report progress updates to the Chief Administrative Judge of each respective circuit handling the General Sessions docket, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor's Office. The report shall include the utilization of the funds distributed among the circuits, steps taken to retain current employees, the number of new FTEs that have been hired, and information obtained from circuits on how these measures will go towards reducing both the number and aging warrants pending.~~

117.158. (GP: Athletic Admissions Revenue) For the current fiscal year, revenue derived from the provisions of Section 12-21-2420 from admissions to an athletic event of an accredited college or university shall be remitted to the Department of Revenue pursuant to Section 12-21-2420. Thereafter, the Department of Revenue shall allocate the same amount to the college or university so long as the use of the revenue is limited exclusively to supporting the college or university's student-athletes through the provision of student aid, scholarship, and/or related financial support.

117.159. (GP: Abandoned Textile Mills) For any project involving an abandoned textile mill of between either: (1) 50,000 and 55,000 square feet, the rehabilitation of which began on or prior to June 30, 2022; or (2) 130,000 and 135,000 square feet and estimated rehabilitation expenses of between either: (1) $3,000,000 and $3,500,000; or (2) $5,500,000 and $6,500,000, a Notice of Intent to Rehabilitate filed pursuant to the South Carolina Textile Communities Revitalization Act on or before June 30, 2025, shall be effective as of the effective date designated by the taxpayer in the Notice to Intent to Rehabilitate for purposes of Section 12-65-30(C)(2), which effective date may be earlier than the date of the Notice of Intent to Rehabilitate, and any rehabilitation expenses incurred on or after the effective date designated by the taxpayer shall be eligible for credits under Section 12-65-30(A)(2), provided all other applicable statutory requirements are satisfied.

117.160. (GP: Land Acquisitions) (A) Prior to entering into contracts to utilize funds appropriated or authorized by the General Assembly to acquire interests in land for natural resource protection and rural land preservation, including conservation easements (Land Protection Projects), the Department of Natural Resources, the Department of Parks, Recreation and Tourism, the Office of Resilience, the Forestry Commission, and the SC Conservation Bank (Resource Agencies) shall coordinate and collaborate with each other to maximize the most cost effective options available for the acquisition with the greatest public benefit. The Resource Agencies shall coordinate with each other to ensure that the funds are used for projects that support the agency's objectives, and do not substantially encroach upon another agency's objectives, the State's broader conservation objectives, and that demonstrate a satisfactory degree of financial leverage, partnerships, and other indicators of quality as determined by the Resource Agencies.

(B) In addition to the requirements set forth above, collaboration and coordination shall include, but are not limited to:

(1) quarterly collaboration and planning meetings to coordinate on projects and ensure compliance with this proviso;

(2) consideration of easement versus acquisition strategies for a proposed project;

(3) consideration of a proposed project's importance in terms of natural conservation, historic resource protection, flood mitigation, agricultural resource protection, or other applicable co-benefits;

(4) consideration of public access; and

(5) consideration of funding sources for the potential project.

(C)(1) Along with its statutorily required annual budget requests, each one of the Resource Agencies shall certify, in writing, to the Executive Budget Office that its budget requests for Land Protection Projects will conform with the requirements of this proviso,

with a copy of that written certification being contemporaneously provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee.

(2) By August 15th of the fiscal year, the Executive Budget Office shall prepare a report to the General Assembly of the properties acquired in prior fiscal year, the funding sources for the acquisition, the identification of any reductions in the State's basis in the property including owner agreement to sell below market value and any grants applied to the acquisition, and the intended agency for long-term management of the acquisition.

(D) Where required, the acquisitions process shall follow the existing JBRC and SFAA approval processes. The Resource Agency acquiring the interest in land, any Resource Agency directly participating in the acquisition financially or otherwise, and the Conservation Bank shall continue to submit a proviso compliance certification document when submitting a project.

117.161. (GP: Life Scholarship Retention) For the current fiscal year, of the funds allocated to the Commission on Higher Education for Life Scholarships, no monies shall be withheld from a student otherwise eligible for their second year of Life Scholarship funding based solely upon a grade earned in a dual enrollment class.

117.162. (GP: Definition of Physician's Office) For the purposes of meeting the requirements of Section 12-36-2120(80) for insertable medicine used in the prevention, treatment, or cure of ophthalmologic diseases or conditions, the definition of a physician's office includes an independent surgery center and a hospital-based outpatient department.

117.163. (GP: Festival Craft Person) In the current fiscal year, a person including, but not limited to, artists, craft person, or hobbyists, who makes sales not more than four times in the fiscal year at a fair, festival, carnival, or event that operates for a period of less than twelve consecutive days is not engaged in business or making sales at retail. However, this proviso does not apply to persons who are engaged in the business of making sales at retail for which they are required to obtain a license.

117.164. (GP: Prostate Cancer Study Committee) (A) For ~~the current fiscal year~~ *Fiscal Year 2026-27*, the South Carolina Prostate Cancer Study Committee ~~shall continue to address, but is not limited to addressing,~~ *may provide feedback or consultation if requested during any implementation of recommendations made in its February 2026 report regarding* the following initiatives:

(1) the best methods to ensure timely screening, accurate diagnosis, and treatment of prostate cancer;

(2) the need for and viability of a continuum of care for those diagnosed with and in remission from prostate cancer;

(3) reviewing and evaluating best practices for education and awareness about prostate cancer;

(4) identifying areas in South Carolina with a high incidence of prostate cancer or poor outcomes;

(5) researching the latest and proven methods for screening, diagnosing, and treating prostate cancer; and

(6) reviewing current efforts to promote prostate cancer awareness and screening in South Carolina and how best to improve those efforts.

(B) In addition to two Senators appointed by the President of the South Carolina Senate and two members of the House of Representatives as appointed by the Speaker of the South Carolina House of Representatives, the committee shall consist of:

(1) one Urology or Oncology Specialist from the MUSC School of Medicine;

(2) one Urology or Oncology Specialist from the University of South Carolina School of Medicine;

(3) three Urology or Oncology Specialists who are not affiliated with the MUSC School of Medicine or the University of South Carolina School of Medicine appointed jointly by the President of the Senate and the Speaker of the House of Representatives upon recommendation of the South Carolina Hospital Association;

(4) three Urology or Oncology Specialists who are not affiliated with the MUSC School of Medicine or the University of South Carolina School of Medicine appointed jointly by the President of the Senate and the Speaker of the House of Representatives upon recommendation of the South Carolina Medical Association;

(5) the Director of the Hollings Cancer Center or his designee;

(6) the Director of the South Carolina Office of Rural Health or his designee;

(7) the Director of the South Carolina Center for Rural and Primary Healthcare or his designee;

(8) the Director of Clemson Rural Health or his designee;

(9) the Dean of the Arnold School of Public Health or his designee;

(10) one representative from the American Cancer Society;

(11) one patient advocate, to be appointed by the Chairman of the Senate Finance Committee; and

(12) one patient advocate, to be appointed by the Chairman of the House Ways and Means Committee.

(C) No member of the study committee shall be entitled to any compensation or reimbursement.

~~(C)~~*(D)* From the membership of the committee, a Chairman shall be appointed jointly by the President of the Senate and the Speaker of the House of Representatives.

~~(D)~~*(E)* Any administrative services or support for the study committee shall be provided by staff of the General Assembly.

~~(E) No later than December 31, 2025, the study committee shall provide the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee with a report on its findings and recommendations on the initiatives contained in this provision.~~

117.165. (GP: Collaboration on Sexual Violence Preventions) (A) The South Carolina Institute on the Prevention of Sexual Violence on College Campuses shall produce an annual report that captures information provided by each institution of higher education regarding education and awareness programs, policy training initiatives, and prevention programs related to sexual violence. The South Carolina Institute on the Prevention of Sexual Violence on College Campuses is directed to provide an annual comprehensive report of this information to the Commission on Higher Education that will be posted to the commission's website. This information shall be available by June 15 of each year.

(B) The South Carolina Institute on the Prevention of Sexual Violence on College Campuses shall regularly collaborate with, and foster collaboration among, the State's institutions of higher education, nonprofit organizations, and other community partners regarding education and awareness programs, policy training initiatives, and prevention programs related to sexual violence.

117.166. (GP: Polling Location Availability) A county shall have its portion of the State Library, Aid to County Libraries withheld if a county library denies a request by the respective County Elections Board to use space available for public meetings or available for rent at the county library as a polling location. County Elections Boards must report any violation to the Executive Director of the State Election Commission. The Executive Director of the State Election Commission shall notify the State Library and the members of the respective legislative delegations of any refusal.

117.167. (GP: Scholarship Projections) With the funds appropriated to the Commission on Higher Education, by December 1st of the current fiscal year, the commission shall submit their projected funding requirements for the LIFE, HOPE, and Palmetto Fellows Scholarships to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. Prior to their submission, the commission shall obtain a letter from the Executive Director of the Office of

Revenue and Fiscal Affairs affirming that he has reviewed the projections and underlying assumptions and has concluded that they are reasonable.

117.168. (GP: Credit Unions) For Fiscal Year ~~2025-26~~ *2026-27*, a federal or state credit union that is headquartered in the State may act as a qualified public depository for deposits held by a municipality if the population of the municipality is less than five thousand, the municipality is not part of a federally recognized metropolitan statistical area, is located at least ten miles from a bank or credit union branch, and occupies and supports a full-service branching facility in the defined area. The credit union must comply with all other provisions of Section 6-5-15, and its deposits must be insured by the National Credit Union Share Insurance Fund.

117.169. (GP: Tuition Mitigation) Of the funds appropriated to the Executive Budget Office, as part of the annual solicitation of agency budget requests, the office shall require all institutions of higher education to provide detailed analysis for any requests for tuition mitigation. The office shall also require all institutions to provide detailed information on cost savings and efficiency initiatives that have been implemented, as well as any that could further be proposed to offset the need for tuition increases or that could lead to a reduction in tuition. The office shall develop guidance, forms, and any other requirements in coordination with the Governor's Office, Senate Finance Committee, and House Ways and Means Committee to collect this information.

117.170. (GP: Distribution of Approved Antidotes) An organization, either public or private, which provides substance use disorder assistance and services may distribute naloxone hydrochloride opioid antidotes which have been approved by the Federal Food and Drug Administration for over-the-counter sale or distribution. If the distributing organization's distribution is consistent with the existing standard of care and any applicable guidelines, rules, regulations, or other directives imposed by the Food and Drug Administration, then the distributing organization is not subject to criminal or civil liability for acts or omissions related to the distribution.

117.171. (GP: IT System Modernization) Of the funds appropriated in this act for IT System Modernization, the Department of Motor Vehicles is directed to work with the Department of Administration's Office of Technology and Information Services for the purposes of procurement and implementation of any new technology.

117.172. (GP: Medicaid Permit Days) The Department of Public Health shall not issue any Medicaid permit days in excess of the number of days authorized by the Department of Health and Human Services in accordance with the appropriations act. For the current fiscal year, the Department of Health and Human Services may grant additional permit days to facilities licensed and operating with a Medicaid permit who are deemed to be under the Medicaid permit days necessary to serve the residents of the county. This may include facilities with a restricted Certificate of Need and facilities operating under a previous waiver. Waivers shall not be granted for a nursing home that exceeds the number of patient days by more than five percent stated in its permit.

117.173. (GP: Rice Fields and Wetlands Pilot Program) (A) For Fiscal Year ~~2025-26~~ *2026-27*, the Office of Ocean and Coastal Resource Management, Department of Natural Resources, and the Office of Resilience shall collaborate to create the Rice Fields and Wetlands Pilot Program. The purpose of this program is to evaluate the creation of permits for reconstructing defunct rice fields and managed wetlands for the purposes of conservation, wildlife management, and flood mitigation.

(B) The pilot program shall:

(1) create certain eligibility criteria that properties are required to fit to participate in the program;

(2) establish the fee of the permit;

(3) allow up to one hundred properties that fit the specified criteria to participate; and

(4) utilize the revenue derived from the fee of the experimental permit for the cost of the pilot program.

(C) A progress report on the viability of the permit program shall be submitted to the General Assembly no later than June 30, 2026.

117.174. (GP: Commercial Air Travel) When booking out-of-state air travel for official state business, preference shall be given to the closest in-state Class I airport as defined by 14 C.F.R. Part 139.

117.175. (GP: Exit/Entry Fees) No funds appropriated herein to colleges and universities shall be spent for outside attorney expenses, exit fees, or entry fees associated directly with athletic conference affiliations.

117.176. (GP: Regulation Review Period) In the current fiscal year, the legislative review period for regulations is tolled, except for the period beginning on the second Tuesday in January and ending on the second Thursday in May. No funds appropriated or authorized in this act may be expended, in contradiction of this proviso, to make a regulation become effective by automatic approval by publication in the State Register.

117.177. (GP: Inspector General Report) If an investigation performed by the office of the State Inspector General results in recommendations for subsequent audits or raises concerns supporting subsequent audits, the appropriate oversight agency may conduct or hire an outside auditing firm to conduct the audits. The audit process shall be overseen by the State Inspector General, in coordination with the oversight agency. The agency or political subdivision being audited must pay reasonable costs associated with the audit.

117.178. (GP: Food Safety) Using funds appropriated to the agency for which the administration of the food safety program was transferred pursuant to Act 60 of 2023, as part of its retail food safety inspections of school cafeterias, the successor agency's review of the premises shall include the entire physical facility where the school cafeteria is located. This review shall include a review of the entirety of the building itself and any surrounding areas that may impact cafeteria personnel, facilities, or operations. The successor agency shall verify that the school cafeteria and all adjacent indoor and outdoor areas are maintained in a way that complies with applicable regulations and maximizes student health and safety.

117.179. (GP: Transfer of Physical Assets) ~~In the current fiscal year, the Department of Administration shall transfer the financial and administrative responsibility for the building and grounds located at 1 National Guard Road in Columbia to the Office of the Adjutant General. The Office of the Adjutant General is thereafter responsible for such building and grounds to include maintenance of necessary reserves for deferred and future depreciation and maintenance, assuming improvement obligations, and other costs of operation including, but not limited to, building maintenance, systems and equipment maintenance, custodial services, horticulture and grounds maintenance, insurance, and utilities. The Department of Administration shall not collect rent, and after the transfer, the Department of Administration shall have no responsibility for any deferred or future maintenance or repair of the building and grounds.~~

117.180. (GP: Fraud Mitigation) (A) All state agencies that issue checks as a benefit to the general public, rather than as payment for services rendered, and that do not utilize the procurement process for such disbursements, shall develop and implement measures to mitigate the risk of fraud. These agencies shall outline the specific steps being taken to prevent and detect fraudulent activity related to the issuance of benefit checks. This should include, but not be limited to, a verification processes for recipient eligibility, security measures for check issuance and distribution, and monitoring procedures to detect and address fraudulent transactions.

(B) Each agency shall compile a report detailing fraud mitigation measures implemented, any incidents of fraud detected, and corrective actions taken that must be submitted to the General Assembly by December 31 of the current fiscal year.

117.181. (GP: Mandatory Health Insurance) In the current fiscal year, public colleges and universities, including public technical colleges, shall not expend any state appropriated funds to mandate or require undergraduate domestic students to have health insurance as a condition of application or enrollment. The institutions shall revise or adopt policies to prevent such mandate or requirement, and shall not automatically enroll undergraduate domestic students in any health insurance plan or program without the student's prior authorization and consent, or charge or assess a fee for not participating or enrolling in any such plan or program.

117.182. (GP: FTE Management) ~~In order to better manage the number of full-time equivalent (FTE) positions across state government, not later than ninety days after the passage of the General Appropriations Act or by October 1, whichever comes later, the Executive Budget Office (EBO), in consultation with the State Division of Human Resources (DSHR) shall eliminate 25% of each agency's vacant FTE positions as of February 1, 2025, unless specifically exempted elsewhere in this act. The elimination of 25% of vacant FTE positions will be adjusted to reflect FTE positions received in the Fiscal Year 2023-24 General Appropriations Act or the Fiscal Year 2024-25 General Appropriations Act. Agencies shall consult with EBO and DSHR to identify which vacant positions should be eliminated, but the eliminations must align to the funding source for the identified vacant FTE positions. During agency consultations, EBO and DSHR shall determine if agencies have fewer than 5 vacancies or other extenuating circumstances and exempt those agencies from the required reduction. Extenuating circumstances may include that the agency or institution has reduced its authorized FTE count in the last several fiscal years or that it is in the process of hiring positions essential to the health, safety, and welfare of the public and/or critical operations of the State and the reduction would interfere with filling those positions. EBO must report the number of FTEs deleted by agency, program, and funding source to the Senate Finance Committee and the House Ways and Means Committee by December 1st of the current fiscal year. This proviso does not supersede proviso 57.15 or proviso 91.23.~~

117.183. (GP: Educational Scholarships for In-State Students) For the current fiscal year, institutions of higher learning may offer up to, but may not exceed, an additional four percent of educational fee waivers, provided that additional waivers, if any, are limited exclusively to the benefit of undergraduate South Carolina in-state students.

117.184. (GP: Program Transfer) ~~For Fiscal Year 2025-26, the Commission on Higher Education shall collaborate with the Department of Education and the Department of Administration, Executive Budget Office, to transition the Educator Report Card program, including associated FTE positions and all related funding, to the Department of Education no later than January 1, 2026. The Executive Budget Office is authorized to implement the necessary permanent transfers of funding and positions to facilitate the transition of the program.~~

117.185. (GP: Evaluation of Agribusiness & Agricultural Marketing Services) ~~The Department of Agriculture, Clemson University Public Service Activities, and South Carolina State Public Service Activities shall jointly undertake an evaluation of their respective roles in the administration and expenditure of state funds related to agribusiness and agricultural marketing programs and initiatives. This evaluation shall include, but not be limited to, each agency's utilization of state-appropriated funds to support agribusiness development, agricultural marketing, agricultural education, research, technical assistance, and related services; an analysis of the geographic areas and populations served by each agency's programs; and the identification of any overlapping or~~

~~duplicative efforts among the entities. The results of this evaluation shall be provided as a written report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways & Means Committee by June 30, 2026.~~

117.186. (GP: Statewide Flood Inundation Mapping) From the funds appropriated to the Department of Natural Resources for Statewide Flood Inundation Map Modeling, the department shall collaborate with the Office of Resilience to coordinate and provide advisory support for the mapping of statewide flood inundation. This collaboration shall aim to prevent duplicative efforts, streamline resources, and ensure consistency in flood mapping initiatives across both agencies.

117.187. (GP: Coordination of Disaster Mitigation Efforts) ~~For Fiscal Year 2025-26, the Office of Resilience and the Department of Natural Resources shall collaborate to evaluate and report on the spectrum of disaster types each agency plans and mitigates for statewide, as well as any overlap in these disaster type specific efforts. Based on this evaluation, the agencies shall develop a coordinated approach to the expenditure of disaster planning and mitigation funds and service delivery, eliminating redundancies in addressing the same types of disasters. A joint report detailing the evaluation's findings, including identified disaster types and overlaps, and any resulting recommendations, shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways & Means Committee by June 30, 2026.~~

117.188. (GP: Safe Homes Program) ~~(A) The Department of Insurance shall collaborate with the Office of Resilience to evaluate the operation of the Safe Homes Program and determine if all available funds are being fully accessed and made available for grants and used appropriately based on the current and projected needs of the State regarding home weatherization. The department shall submit a report to the General Assembly by June 30, 2026, detailing the evaluation's findings and providing recommendations to enhance the program's effectiveness. The recommendations may include, but are not limited to, proposed statutory changes and additional funding requirements as deemed necessary.~~

~~(B) For the current fiscal year, any funds appropriated for the Safe Homes Program shall be supplemental to the program's existing funding sources.~~

117.189. (GP: Political Subdivision Reimbursement) (A) For the property tax year that ends in the current fiscal year, for the property tax exemption on certain manufacturing property for which a reimbursement is required by law, up to three hundred million dollars may be used to reimburse political subdivisions, including school districts.

(B) To the extent that funds in excess of the amounts necessary to make the full reimbursement for the property tax exemption on certain manufacturing property are unavailable, then the balance in the Trust Fund for Tax Relief may be expended to make the reimbursements in full.

117.190. (GP: Interim Neurological and Critical Care Hospital Board) (A) With the funds appropriated to the Department of Health and Human Services for Neurological Critical Care and Rehabilitation Services in South Carolina, there is created the Interim Neurological and Critical Care Hospital Board at the University of South Carolina. The Department of Health and Human Services is authorized to transfer no more than an additional $200,000,000 of agency funds to the University of South Carolina for the same purposes. The board shall consist of the following members and shall serve at the pleasure of the appointing official:

(1) two members appointed by the Chairman of Senate Finance Committee, one of which may be a member of the University of South Carolina Board of Trustees;

(2) one member appointed by the President of the Senate, who may be a senior level employee of the University of South Carolina with knowledge of the medical field;

(3) two members appointed by the Chairman of the House Ways and Means Committee, one of which may be a member of the University of South Carolina Board of Trustees;

(4) one member appointed by the Speaker of the House, who may have a background in hospital management or administration and may not be an employee or member of the Board of Trustees of the University of South Carolina; and

(5) one member appointed by the Governor, who may have a background in hospital management or administration and may not be an employee or member of the Board of Trustees of the University of South Carolina nor a former employee or member of the Board of Trustees of the University of South Carolina.

(B) The Chairman of the Interim Board shall be one of the members appointed by the Chairman of the Senate Finance Committee, the President of the Senate, the Chairman of the House Ways and Means Committee, or the Speaker of the House to be elected by the board.

(C) The board shall be administratively supported by the University of South Carolina.

(D) The University of South Carolina is authorized to undertake permanent improvements necessary for Neurological Critical Care and Rehabilitation Services. Further, the funds appropriated for this purpose may be carried forward and expended for the necessary permanent improvements. The funds must be accounted for separately, and the university shall report semiannually to the Chairman of the Joint Bond Review Committee on the amount of funding carried forward, the amount remaining to be expended, the overall status of the project, and any other information requested by the committee.

117.191. (GP: Tax Rate) For the current fiscal year, Section 12-6-510(B)(2) and (3) is suspended.

117.192. (GP: Fund Investment) In the current fiscal year, the Office of State Treasurer may not invest any funds under their control in investments that utilize in any material, substantive manner an investment or business operational factor, policy, or practice including, but not limited to, commonly described Social, Environmental, and Governance (ESG) and Diversity, Equity and Inclusion (DEI) factors, policies, and practices whose pecuniary effect is not directly tied to maximizing investment returns or other strictly financial interests or objectives.

117.193. (GP: Aid to Fire District Planning) ~~The South Carolina Revenue and Fiscal Affairs Office, in conjunction with the Executive Budget Office, shall develop and submit options, including details, to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2025, to address the Aid to Fire District open-ended status as defined by the Office of the Comptroller General. The options shall ensure that all collections are disbursed to fire districts as prescribed by statute, other sources of collections are not altered, and disbursements are not reliant upon budgetary surpluses. The Department of Insurance and the Office of the State Treasurer shall cooperate with any requests for information from the Revenue and Fiscal Affairs Office.~~

117.194. (GP: AI Appropriations) Any agency or institution that is appropriated or authorized funds for artificial intelligence shall coordinate their efforts and budget requests with the Department of Administration's AI Center of Excellence *(AI COE)*. *AI products and services purchased by institutions of higher learning for instructional and/or research purposes are exempt from this provision provided that institutions provide monthly informational reports to the AI COE detailing the type, purpose, and cost of such purchases. Nothing herein exempts institutions of higher learning from complying with institutional and/or state procurement policies for such purchases as may otherwise be applicable.*

117.195. *(GP: JUUL Settlement) In the current fiscal year, the annual payment received by the State of South Carolina, Office of Attorney General, from the JUUL Settlement Agreement shall be transferred to the Department of Public Health (DPH) Tobacco Prevention and Control Unit to support and increase the work of tobacco prevention and control efforts statewide. The DPH Tobacco Prevention and Control Unit shall follow the Best Practices for Comprehensive Tobacco Control Programs guidelines set forth by the Centers for Disease Control and Prevention in its mission to prevent and reduce tobacco use through partnerships around the State. Settlement funds the agency is unable to utilize in the current fiscal year may be carried forward and expended for the same purpose. DPH shall provide a report on the use of funds to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by June 30 of the current fiscal year.*

117.196. *(GP: Town of Summerton Audit) Of the funds appropriated in this act and/or carried forward from the previous fiscal year, the Office of the State Auditor, in coordination with the Office of the Inspector General, is directed to contract a firm to conduct a forensic audit on the finances of the Town of Summerton from Fiscal Year 2015-16 through Fiscal Year 2025-26. The State Auditor shall oversee the auditing process and provide interim and final reports to the Town of Summerton, the Clarendon County Delegation, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee upon completion.*

117.197. *(GP: Aid to Fire Districts Fund) (A) There is created in the State Treasury by the Comptroller General a fund separate and distinct from the General Fund of the State and all other funds entitled the Aid to Fire Districts Fund. That portion of fire premium tax revenues and the State portion of the broker premium tax revenues that are required by statute to be distributed to county treasurers for local fire service must be deposited in the fund.*

(B) Additionally, the Department of Insurance shall ensure that the fund has an appropriate balance. The State Treasurer shall distribute the revenues in the fund to the county treasurers in the same manner and for the same purpose as provided by law.

117.198 *(GP: Office of Statewide Data)* **DELETED**

117.199. *(GP: Hospital Emergency Bed Placement) (A) For the current fiscal year with the funds appropriated in this act to the Department of Public Health, and notwithstanding any other provision of law or applicable fire or building code, during a justified emergency, a hospital may place patient beds in hallways, corridors, or other means of egress when a designated member of the emergency department's leadership team, as provided for in the hospital's written policies and procedures, determines and documents, within seven calendar days of the start of the justified emergency, on an electronic form developed by the Department of Public Health that:*

(1) all other appropriate treatment space in the hospital has been exhausted; and

(2) the health and safety of patients is jeopardized without the use of patient beds in these areas.

(B) The form required pursuant to item (A) shall include, but not be limited to:

(1) the beginning date and time of the justified emergency;

(2) the ending date and time of the justified emergency;

(3) the nature of the justified emergency as described in item (A);

(4) an indication that all other appropriate treatment space in the hospital has been exhausted;

(5) an indication that the health and safety of patients is at increased risk without the use of patient beds in hallways, corridors, or other means of egress; and

(6) the signature of the designated member of the emergency department's leadership team at the onset of the justified emergency.

(C) Hospitals shall maintain records required pursuant to item (B) and shall provide copies of the form described in item (B) no less than quarterly to the Department of Public Health documenting each instance in which a justified emergency has been determined and patient beds have been used in hallways, corridors, or other means of egress.

(D) When not in use for the care and treatment of patients during a justified emergency, hospitals shall remove any beds from hallways, corridors, or means of egress.

(E) To provide for the safety of hospital staff, patients, and visitors during a justified emergency, hospitals shall maintain a clear pathway in hallways, corridors, and means of egress and shall not block exits. Hospitals shall not erect or construct partitions or structures that obstruct the building's fire protection systems, including automatic sprinkler systems or fire alarm and detection system components.

(F) Hospitals shall develop written protocols governing justified emergency conditions and shall require all employees responsible for the care or treatment of patients to familiarize themselves with these protocols.

(G) The Department of Public Health shall monitor compliance and take enforcement action as authorized by law.

(H)(1) For purposes of this provision, a "justified emergency" means any of the following:

(a) a declared state of emergency;

(b) a natural or manmade disaster;

(c) a mass transit accident;

(d) an industrial or construction accident;

(e) a chemical, biological, radiological, or nuclear event;

(f) an act of crowd, spree, or terrorist violence resulting in injuries;

(g) an acute outbreak of contagious or infectious disease; or

(h) the exhaustion of all available treatment space in an emergency department due to the number of patients being treated at that time.

(2) "Hospital" means a facility that is organized and administered to provide overnight medical or surgical care or nursing care for an illness, injury, or infirmity and must provide on-campus emergency services; that may provide obstetrical care; and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy. This shall include all hospitals that convert to Rural Emergency Hospitals pursuant to 42 CFR Part 485 Subpart E and Section 125 of the Consolidated Appropriations Act of 2021.

(3) "Hallways," "Corridors," and other "Means of egress" shall have the same definitions as provided in the codes and standards in effect at the time of the incident, as identified in Section 1-34-20 and adopted by the Building Codes Council pursuant to Title 6, Chapter 9.

***117.200.** (GP: First Responder Interoperability) (A) For the current fiscal year, the First Responder Interoperability Program and the funds appropriated to the Department of Administration for this purpose are transferred to the State Law Enforcement Division (SLED). The employees, assets, liabilities, and contracts of the program are also transferred to and become part of SLED. All personnel transferred by this provision are to become employees of SLED with the same compensation, classification, and grade*

level. Applicable contracts entered by or on behalf of the program are continued and are considered to be devolved upon SLED at the time of the transfer.

(B) SLED is directed to administer and coordinate First Responder Interoperability operations for the statewide Palmetto 800 radio system to better coordinate public safety disaster responses and communications. First Responder Interoperability administration and coordination shall be funded as provided in this act. The cost-proportional funds shall be utilized for radio user fees of state agencies and public safety-first responders (Fire, EMS, and Law Enforcement) that participate in the statewide Palmetto 800 radio system (Palmetto 800 participants). SLED, in consultation with the Department of Administration, the Department of Public Safety, the State Emergency Management Division, a representative of the South Carolina Police Chief's Association, and a representative of the South Carolina Sheriff's Association, shall set a baseline number of radios used by each Palmetto 800 participant based on the technical aspects of the Palmetto 800 radio system and the jurisdictional requirements of the participant. If a Palmetto 800 participant reduces the baseline number of radios in use, the amount of funds allocated for the participant's radio user fees shall be reduced in a proportional amount.

(C) The funds shall also be utilized to provide private county and city radio systems with grant funds to be used for purchases of equipment that supports interoperability with the statewide Palmetto 800 radio system and its users. Grant funds shall be allocated to private county and city radio systems based on the criteria used for Palmetto 800 participants and in amounts proportional to the amounts allocated to support the per-site radio user fees of Palmetto 800 participants. A matching share is required by a Palmetto 800 participant or by a private county or city radio system in order to qualify for receipt of funds pursuant to this proviso. Each fiscal year SLED shall establish the level of match required based upon funding provided by this act. These entities shall be required to furnish such documentation as may be required by the department to verify that the matching funds requirement is met. Upon funding state agency and public safety-first responder user fees and private county and city equipment purchases, any remaining funds may be used to enhance and expand the statewide Palmetto 800 radio system. All funds shall be held in a separate account established by the department for the purposes set forth herein. Any unexpended portion of these funds may be carried forward and used for the same purpose. In the calculation of any across-the-board budget reduction mandated by the Executive Budget Office or General Assembly, the amount appropriated to SLED for First Responder Interoperability must be excluded from the department's base budget.

(D) SLED shall provide a report on the status of the integration of the statewide Palmetto 800 radio system, which shall include, but not be limited to, a list of entities that are not integrated into the system as of the end of the immediately preceding fiscal year and the reason why they are not integrated. The report shall be submitted by October first of the current fiscal year to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

117.201. *(GP: Firearm Safety Pilot)* **DELETED**

117.202. *(GP: Redirect of Funds) Funds previously appropriated are redirected as follows:*

(1) The $750,000 appropriated in Act 84 of 2023, by proviso 118.19(86)(wwwwww) to the Town of McColl for Downtown Improvements shall be redirected to be used for the purpose of historical buildings preservation in the city of Dillon. Unexpended funds may be carried forward to be expended for the same purpose.

(2) Funds remaining of the $2,750,000 appropriated in Act 94 of 2021, by proviso 118.18(51)(e) to the Law Enforcement Training Council Criminal Justice Academy for Emergency Generator for Academy Main Building shall be redirected to be used in the East Dorm Restroom and HVAC System Replacement. Unexpended funds may be carried forward to be expended for the same purpose.

(3) The $100,000 appropriated in Act No. 284 of 2016, by proviso 118.16(23)(dd) to the State Board for Technical and Comprehensive Education for the York Technical College - Western York Campus shall be redirected for workforce equipment. Unexpended funds may be carried forward to be expended for the same purpose.

(4) The $5,086,000 appropriated in Act No. 69 of 2025, by proviso 118.16(27)(l)(i) to the State Board for Technical and Comprehensive Education for Orangeburg-Calhoun Technical College Health Sciences Building shall be redirected for construction of an Advanced Manufacturing Facility. Unexpended funds may be carried forward to be expended for the same purpose.

(5) Funds appropriated in Act 239 of 2022, Section 118.19(B)(56)(G) to the Department of Corrections for Goodman Classroom and Mental Health Services Modular Buildings shall be redirected for the construction of a mental health building at the Graham (Camille Griffin) Correctional Institution.

(6) Funds remaining of the $250,000 appropriated in Act 226 of 2024, Section 118.20(B)(85)(oooo) to the Department of Parks, Recreation and Tourism for the Town of Blackville – Signage and Street Cameras shall be redirected for critical repairs and replacement of the wastewater system.

(7) Of the $100,000 appropriated in Act 239 of 2022, by proviso 118.19(93)pp Enoree Community Revitalization , $36,000 shall be redirected to Jonesville Fire Station, $30,000 shall be redirected to the Buffalo Volunteer Fire District and $34,000 shall be redirected to Glenn Springs Fire Department in Pauline.

(8) The $500,000 appropriated in Act 84 of 2023, by proviso 118.19(86)(qqqqqq) Town of Iva Train Depot shall be redirected to Anderson County to be utilized for recreational and historical projects.

(9) The $9,340 appropriated in Act 84 of 2023, by proviso 118.19 (86)(CCCCC)Promised Land Community Association shall be redirected to the Greenwood Food Bank.

(10) The $150,000 appropriated in Act 226 of 2024, by proviso 118.20 (85)(vvvv)Town of Greeleyville – Pocket Park Splash Pad and the remainder of the $200,000 appropriated in Act 84 of 2023, by proviso 118.19(86)(mmmmmm) Town of Greeleyville – Community Center Improvements shall be redirected to the Town of Greeleyville Pocket Park Project.

117.203. *(GP: City of North Augusta Primaries) For the current fiscal year, the City of North Augusta may use interest accrued from any Savannah River Site Litigation Settlement Funds to pay the costs of any election primaries held within its jurisdiction through the 2026 calendar year. The State Election Commission and/or the Aiken County Board of Voter Registration & Elections, as appropriate, shall ensure compliance with this provision, and if the City of North Augusta is in violation, shall notify the State Treasurer's Office, which shall withhold the City of North Augusta's portion of the Aid to Subdivisions, Local Government Fund.*

117.204. *(GP: Third Circuit Drug Court Administration)* **DELETED**

117.205. *(GP: Administration of Vacant Positions)* **DELETED**

117.206. *(GP: Name, Image, and Likeness) No appropriated funds or tuition revenue can be expended by a public institution of higher education to pay an intercollegiate athlete compensation for the use of their name, image, and likeness or for payments as defined by, and authorized pursuant to, the settlement in House v. NCAA.*

117.207. *(GP: Scout Motor Site Cost Review) (A) With the funds appropriated in this act, the Legislative Audit Council (LAC)*

and the Office of the Inspector General (OIG) shall jointly review cost overruns associated with the Scout Motors manufacturing site in Blythewood, Richland County, for which the Department of Commerce has requested a $150 million general fund appropriation.

(B) The review shall address: (1) the accuracy of the $150 million figure and the risk of further cost growth; (2) the adequacy of the Department of Commerce's original environmental due diligence and consultant qualifications; (3) when the Department of Commerce or its agents received notice that the original mitigation package was inadequate, and what action was taken; (4) the prudence of commencing upland construction before the federal wetlands permit issued, including the decision to retain rather than demobilize heavy equipment during the five-month permit suspension; (5) the itemized basis for the road overruns, distinguishing scheduling disruption from estimation error; (6) whether the Governor, Senate Finance Committee, or House Ways and Means Committee were informed of the overrun before the January 2026 public disclosure by the Department of Commerce; (7) whether the incentive contract or any professional liability remedy provides a basis to recover overrun costs from responsible parties; and (8) what systemic reforms to the Department of Commerce's project management, environmental due diligence, and legislative reporting practices are needed to prevent recurrence.

(C) The LAC and OIG shall also determine: (1) a complete payment schedule identifying each payee, the legal basis, amount, and deadline for each obligation; (2) the amount owed to South Carolina Department of Transportation and whether that interagency obligation warrants the same urgency as payments to private parties; (3) the amount attributable to future environmental remediation, its projected payment schedule, and whether a phased appropriation would satisfy all contractual obligations; (4) whether any portion of the $150 million reflects contingent or unincurred costs; and (5) whether any obligations are in default or at imminent risk of default and the amount required to cure or prevent that default.

(D) All state agencies shall cooperate fully and produce requested records within fifteen days. The LAC and OIG shall have access to all contracts, invoices, correspondence, consultant reports, and permitting and communications records related to the project.

(E) Where evidence of potential legal liability is found, the LAC or OIG shall make appropriate referrals to the Attorney General, State Ethics Commission, or other authorities and notify the Chairmen of Senate Finance and House Ways and Means within ten days.

(F) A joint written report shall be delivered to the President of the Senate, the Speaker of the House of Representatives, the Chairmen of Senate Finance and House Ways and Means, the Governor, and the Attorney General within 120 days of the effective date of this act. No funds shall be expended to satisfy the $150 million request until the report has been delivered and the General Assembly has enacted specific authorizing legislation approving the expenditure of such funds outside of the annual Appropriations Act.

117.208. *(GP: Flood Mapping Coordination) With the funds appropriated in this act, the Department of Natural Resources (DNR), the Office of Resilience, and the Emergency Management Division shall coordinate all flood mapping and flood-related data efforts to eliminate duplicative work and ensure efficient use of state resources. Before initiating any new flood mapping project or data collection initiative, the agencies shall consult with one another to determine whether the work overlaps with ongoing or planned efforts and, where practicable, consolidate such efforts. The agencies shall establish a joint data-sharing protocol making all flood-related data available to each agency for both long-term planning and real-time emergency response operations. DNR, as*

lead coordinating agency, shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 1, 2027, describing each agency's flood mapping activities, the data-sharing protocol established, instances in which coordination eliminated duplicative work, and any recommended statutory or regulatory changes to improve interagency coordination.

117.209. *(GP: Statewide Data Initiative) From the funds appropriated in Part IA, Section 93, the Department of Administration is directed to operate and support a Statewide Data Initiative (SDI) within the appropriate division of the department. State agencies must coordinate and collaborate with the department as part of the SDI in the establishment of a framework for data sharing, management, and transparency to improve public policy and support the efficient implementation of artificial intelligence. To ensure the coordinated and efficient utilization of state data, state agencies are directed to:*

(1) assist the department in maintaining an enterprise data inventory as part of the SDI by providing descriptions of data created or collected by the agency as requested;

(2) comply with all rules, standards, plans, policies, and technical terminologies established by the department as part of the SDI regarding data creation, security, and privacy;

(3) enter into and comply with interagency data sharing agreements and participate in data sharing pilots for identified use cases; and

(4) designate appropriate personnel to participate in the development of the statewide data strategy and in educational opportunities made available through the SDI.

117.210. *(GP: Reconciliation) (A) The State Treasurer's Office (STO) shall create procedures and reporting to allow the office to conduct a three-way reconciliation of cash and investments that accomplishes the following: (1) reconciles cash and investments custodied by the STO in the Treasury Management module to external third-party sources, to include reconciliations at an individual account level, as well as at the total pooled cash level; (2) reconciles cash and investments custodied by the STO in the Treasury Management module in SCEIS to cash by fund in the Finance module in SCEIS, ensuring that no treasury only funds balances are needed to reconcile; and (3) reconciles cash and investment portfolios custodied by the STO in the Treasury Management module in SCEIS to the Financial module in SCEIS. The Comptroller General's Office and the Department of Administration shall provide assistance as requested.*

(B) Using remaining funds as provided in Section 1 of Act 72 of 2025 and proviso 118.22B(68)(b) of Act 69 of 2025, the Department of Administration shall retain an independent third-party firm with relevant subject matter experience to assist the State by working with the STO, the Comptroller General's Office, SCEIS, the Office of the State Auditor, and the external joint audit firm contracted by the State Auditor to ensure that the STO creates procedures and reporting that meets the cash and investment reconciliation requirements of the State. All offices must participate in meetings and provide information and analyses as requested by the independent third-party firm. If an office is aware of any current outstanding reconciling item(s), the office must report the item(s) to the independent third-party firm retained by the Department of Administration.

(C) Procurements by the Department of Administration made pursuant to this proviso are exempt from the purchasing procedures of the South Carolina Procurement Code in Chapter 35, Title 11. Upon determination of the relevant subject matter experience, the Department of Administration shall contract directly with the independent third-party firm to perform the required services.

(D) No later than December 31st of the current fiscal year, the third-party firm will provide verification to the President of the

Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee that the processes and reporting meet the reconciliation requirements of the State and that the processes and reporting have been adopted for use by the STO, the Comptroller General's Office, the Office of the State Auditor, and the external joint auditing firm contracted by the Office of the State Auditor.

117.211. *(GP: Media Reliability Monitoring) For the current fiscal year, a state agency may not use state funds to contract with an advertising agency or other contractor who acts as or uses the services of media reliability monitors. The term "media reliability monitor" means any contractor whose primary or principal function is to rate or rank news and information services for the factual accuracy of their content, whether the content is published online, in print, by audio, or digitally, or by broadcasting via radio, television, cable, streaming service, or any other way news is delivered to the public; or to provide ratings or a subjective evaluation of news and information services regarding misinformation, bias, adherence to journalistic standards, or ethics. The term includes, but is not limited to, organizations that engage in fact checking. The term does not include any contractor that rates media outlets for audience size, viewership, and demographic information; or that monitors media outlets for the purpose of compiling press or video clippings or aggregating news sources for the purpose of public relations and public awareness.*

117.212. *(GP: Higher Education Annual Business Association Report) (A) With the funds appropriated in this act, every public institution of higher education, as defined by Section 59-103-5, shall establish and maintain a secure electronic reporting system for each employee to disclose annually any business with which he is associated. All employees, including full-time, part-time, temporary, and contractual shall report through the secure system. Employees must report on any business, trade, profession, membership, appointment, elected position, or other commercial activity conducted by the employee for compensation, other than the employee's official duties with the institution.*

(B) Each employee shall submit this disclosure through the reporting system by December 31st of the current fiscal year. The disclosure shall include: any business with which he is associated; the name of the business; and a general description of the type of work or services performed for the business.

(C) Each institution shall ensure that the reporting system maintains the confidentiality and security of all submitted information and shall adopt policies and procedures necessary to implement and enforce the requirements of this provision, including those addressing noncompliance. A copy of these policies and procedures shall be provided to the Chairmen of the Senate Education Committee and House Education and Public Works Committee upon their adoption and upon any subsequent amendments.

(D) Nothing in this provision shall be construed to prohibit an employee from engaging in any outside business activities unless otherwise restricted by state law or institutional policy.

117.213. *(GP: Good Faith AED Use) For the current fiscal year, a person who, in good faith and gratuitously, renders emergency care or treatment through the use of an automated external defibrillator is entitled to the immunity from civil liability provided in Section 44-76-40, and such immunity shall apply regardless of whether the person has received prior training; provided, however, the person acts without gross negligence, recklessness, or wilful misconduct.*

117.214. *(GP: Pharmacy Benefit Managers Study Committee) (A) There is created the Pharmacy Benefit Managers Study Committee to examine the role, practices, and impact of pharmacy benefit managers (PBMs) operating in South Carolina.*

(B) The study committee shall be comprised of six members as follows: three members appointed by the Speaker of the House of Representatives and three members appointed by the President of the Senate. The Speaker and the President of the Senate shall each designate one of their appointees to serve as co-chairs of the committee.

(C) The General Assembly shall provide staffing and administrative support to the committee. Members of the committee shall receive no compensation but may receive per diem and mileage as provided by law for members of boards, commissions, and committees.

(D) The Department of Insurance, the SC Public Employee Benefit Authority, and other agencies as necessary shall provide documentation and data as requested by the study committee.

(E) The committee's work shall include, but not be limited to, the following:

(1) a review of current PBM practices in South Carolina and nationally, including spread pricing, rebate retention and passthrough, direct and indirect remuneration (DIR) fees, clawbacks, formulary management, and steering practices;

(2) an analysis of the impact of PBM practices on prescription drug costs for patients, employers, state employee health plans, Medicaid, and other public programs;

(3) an assessment of the effects of PBM practices on pharmacies, including independent, rural, and community pharmacies, with respect to reimbursement rates, financial viability, and patient access to medications;

(4) an evaluation of the effectiveness of existing state laws and regulations governing PBMs, including any gaps in transparency, oversight, or enforcement;

(5) a comparison of PBM regulatory frameworks in other states and any best practices or model legislation that could be adapted for South Carolina; and

(6) specific legislative, regulatory, or policy recommendations to increase transparency, reduce overall prescription drug costs, protect patient access, ensure fair reimbursement to pharmacies, and promote competition in the PBM marketplace.

(F) The committee shall submit a written report of its findings and recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Banking and Insurance Committee, and the Chairman of the House Labor, Commerce and Industry Committee no later than January 15, 2027.

117.215. *(GP: Petroleum Pipeline Companies) The provisions of Section 58-9-2030, as granted under Section 58-7-10 and Chapter 2, Title 28, do not apply to private, for-profit petroleum pipeline companies, including publicly traded for-profit companies, that are not identified within this title as a public utility. These provisions are extended until June 30, 2027.*

SECTION 118 - X910 - STATEWIDE REVENUE

118.1. (SR: Year End Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, ~~2026~~ *2027*. State agencies are required to submit all current fiscal year input documents and all electronic workflow for accounts payable transactions to the Office of Comptroller General by July 14, ~~2026~~ *2027*. Appropriations for Permanent Improvements, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority and Joint Bond Review Committee, toward the accomplishment of the purposes for which the

appropriations were provided. Appropriations for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority, toward the accomplishment of the purposes for which the appropriations were provided.

118.2. (SR: Titling of Real Property) It is the intent of the General Assembly to establish a comprehensive central property and office facility management process to plan for the needs of state government agencies and to achieve maximum efficiency and economy in the use of state owned or state leased real properties. The Department of Administration is directed to identify all state owned properties whether titled in the name of the state or an agency or department, and all agencies and departments of state government are upon request to provide the department all documents related to the title and acquisition of the real properties that are occupied or used by the agency or titled in the name of the agency. Except for any properties where the department determines title should not be in the name of the State because the properties are subject to reverter clauses or other restraints on the property, or where the department determines the state would be best served by not receiving title, and with the exception of properties, highways and roadways owned by the Department of Transportation, title of any property held by or acquired by a state agency or department shall be titled in the name of the state under the control of the Department of Administration. Titling in the name of the state shall not affect the operation or use of real property by an agency.

This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the South Carolina Division of Public Railways; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Midlands Technical College Enterprise Campus Authority, the Trident Technical College Enterprise Campus Authority; the Area Commission of Tri-County Technical College; and the Charleston Naval Complex Redevelopment Authority.

With respect to any past or future acquisition of real property, the application of this provision and prior comparable titling provisions to the South Carolina Department of Natural Resources and real property under its ownership or control is subject to the exemption adopted by the South Carolina Budget and Control Board on March 21, 2006.

This provision is comprehensive and supersedes any conflicting provisions concerning title and acquisition and disposition of state owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

The Department of Administration is directed to provide to the Department of Education, funds equal to the amount realized from the sale of the Greenville Halton Road Bus Shop property for school bus maintenance shop relocations, construction, and shop equipment.

118.3. (SR: Contingency Reserve Fund) (A) There is created in the State Treasury a fund separate and distinct from the general fund of the State, the Capital Reserve Fund, and all other funds entitled the Contingency Reserve Fund. All general fund revenues accumulated in a fiscal year in excess of general appropriations and supplemental appropriations must be credited to this fund. Revenues credited to this fund in a fiscal year may be appropriated by the General Assembly. Upon determination by the Comptroller General as to the amount to be deposited in the Contingency Reserve Fund, the Comptroller General shall notify the Board of Economic Advisors and the board shall recognize that amount as surplus funds. Revenues in this fund may be appropriated only for the purposes provided in subsection (B).

(B)(1) If the balance in the general reserve fund established pursuant to Section 36, Article III of the Constitution of this State and Section 11-11-310 of the 1976 Code is less than the required balance, there must be appropriated to it all amounts in the Contingency Reserve Fund up to the total necessary to replenish the general reserve fund. This amount does not replace or supplant the minimum replenishment amount otherwise required to be made to the general reserve fund.

(2) After the appropriation of amounts required pursuant to item (1) of this subsection, any remaining balance may be appropriated by the General Assembly as it deems appropriate.

118.4. (SR: Increased Enforced Collections Carry Forward) Unexpended funds appropriated pursuant to Proviso 90.16 in Part IB of Act 291 of 2010 may be carried forward from the prior fiscal year into the current fiscal year and shall be expended for the same purposes.

118.5. (SR: Health Care Maintenance of Effort Funding) The revenue collected from the fifty cent cigarette surcharge and deposited into the South Carolina Medicaid Reserve Fund established by Act 170 of 2010 and any other funds deposited into the fund shall be deemed appropriated for use by the Department of Health and Human Services for the Medicaid program. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

118.6. (SR: Prohibits Public Funded Lobbyists) All state agencies and institutions are prohibited from using general fund appropriations to compensate employees who engage in lobbying on behalf of the state agency or institution. The State Ethics Commission shall require state agencies and institutions that report lobbying activities to the commission to certify that the lobbying activities were not funded by general fund appropriations.

All state agencies and institutions are prohibited from entering into contracts using general fund appropriations to provide lobbying services to the agency or institution.

118.7. (SR: Admissions Tax) For the current fiscal year, up to one hundred fourteen thousand dollars in admissions tax revenue collected annually from all events held at a NASCAR sanctioned motor speedway or racetrack that hosts at least one race each year featuring the preeminent NASCAR cup series must be rebated to the motorsports entertainment complex facility in the current fiscal year to keep a NASCAR race at the motorsports entertainment complex facility. In addition, any sports facility that hosts at least one preeminent Women's Tennis Association-sanctioned tournament or any sports facility that operates as the home venue for a professional soccer team that participates in the United Soccer Leagues, second division or higher, must be rebated to the facility half of its admissions tax revenue for the fiscal year and used by that facility for marketing the events held at the facility.

118.8. (SR: Agency Deficit Notice) The Comptroller General or the Executive Budget Office shall: (1) provide written notice to each member of the General Assembly when it makes a report concerning an agency, department, or institution that is expending authorized appropriations at a rate which predicts or projects a general fund deficit for the agency, department, or institution; and (2) make monthly progress reports concerning an agency's, department's, or institution's plan to reduce or eliminate the deficit.

118.9. (SR: Tax Relief Reserve Fund) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December 31, ~~2025~~ *2026*, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund. These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief Reserve Fund shall be retained and carried forward to be used for the same purpose.

118.10. (SR: Tax Deduction for Consumer Protection Services) (A) In addition to the deductions allowed in Section 12-6-1140, there is allowed a deduction in computing South Carolina taxable income of an individual the actual costs, but not exceeding three hundred dollars for an individual taxpayer, and not exceeding one thousand dollars for a joint return or a return claiming dependents, incurred by a taxpayer in the taxable year to purchase a monthly or annual contract or subscription for identity theft protection and identity theft resolution services. The deduction allowed by this item may not be claimed by an individual if the individual deducted the same actual costs as a business expense or if the taxpayer is enrolled in the identity theft protection and identity theft resolution services offered free of charge by the State of South Carolina. For purposes of this item, "identity theft protection" means products and services designed to prevent an incident of identify fraud or identity theft in order to protect the privacy of a person's personal identifying information, as defined in Section 16-13-510(D), by precluding a third party from gaining unauthorized acquisition of another's personal identifying information to obtain financial resources or other products, benefits or services; and identity theft resolution services means products and services designed to assist persons whose personal identifying information, as defined by Section 16-13-510(D), was obtained by a third party, whereby minimizing the effects of the identity fraud or identity theft incident and restoring the person's identity to pre-theft status.

(B) The deduction provided in subsection (A) is only allowed for taxpayers that filed a return with the Department of Revenue for any taxable year after 1997 and before 2013, whether by paper or electronic transmission, or any person whose personally identifiable information was contained on the return of another eligible person, including minor dependents.

(C) By March fifteenth of each year, the department shall issue a report to the Governor and the General Assembly detailing the number of taxpayers claiming the deduction allowed by this item in the most recent tax year for which there is an accurate figure, and the total monetary value of the deductions claimed pursuant to this item in that same year.

(D) The department shall prescribe the necessary forms to claim the deduction allowed by this section. The department may require the taxpayer to provide proof of the actual costs and the taxpayer's eligibility.

118.11. (SR: Tobacco Settlement) (A) To the extent funds are available from payments received on behalf of the State by the Tobacco Settlement Revenue Management Authority from the Tobacco Master Settlement Agreement (MSA) in the current fiscal year, the State Treasurer is authorized and directed, after transferring funds sufficient to cover the operating expenses of the Authority, to transfer the remaining funds as follows:

(1) $1,253,000 to the Attorney General's Office for Diligent Enforcement and Arbitration Litigation; $450,000 to the State Law Enforcement Division for Diligent Enforcement; and $325,000 to the Department of Revenue for Diligent Enforcement, all to enforce Chapter 47 of Title 11, the Tobacco Escrow Fund Act;

(2) The Attorney General's Office shall maintain a balance of $1,253,000 in a fund for future tobacco arbitration. Attorney General funds in excess of $1,253,000 may be utilized for information technology expenses and building infrastructure upgrades. These funds may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose; and

(3) The remaining balance shall be transferred to a restricted account authorized solely for use by the Department of Health and Human Services for the Medicaid program. Earnings on this fund must be credited to the fund and balances may be carried forward from the prior fiscal year for the same purpose.

(B) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for the current fiscal year.

118.12. (SR: One Dollar Appropriations) Funds appropriated in the amount of one dollar by this act shall not be disbursed. The Comptroller General shall adjust the affected agency's chart of accounts accordingly, if necessary.

118.13. (SR: Non-recurring Litigation Recovery Revenue) During the current fiscal year, if there is a recovery or an award in any litigation managed by the State through a party other than the Attorney General, or if a state tax audit results in a collection, any funds received in excess of twenty-five million dollars that are not likely to continue as recurring revenue and would have otherwise been credited to the General Fund shall be credited to the Litigation Recovery Account. The amount credited to this Litigation Recovery Account pursuant to this provision is deemed non-recurring revenue and must be expended only in the manner prescribed by law.

118.14. (SR: Farm Aid) There is created the "South Carolina Farm Aid Fund". This fund is separate and distinct from the general fund of the State and all other funds. Earnings on this fund must be credited to it. Revenues credited to this fund in a fiscal year must be used in that fiscal year to operate a grant program that provides financial assistance to farmers.

To be eligible for a grant, the person must have:

(1) experienced a verifiable loss of agricultural commodities of at least thirty percent as a result of the flooding occurring in the aftermath of Hurricanes Michael and Florence for which:

(a) the Governor declared a state of emergency in the State for the county in which the farm is located; and

(b) the United States Secretary of Agriculture issued a Secretarial Disaster Declaration for the county in which the farm is located;

(2) a farm number issued by the Farm Service Agency;

(3) signed an affidavit, under penalty of perjury, certifying that each fact of the loss presented by the person is accurate; and

(4) a signed affidavit, under penalty of perjury, certifying that no federal funds have been received for these specific disasters, and in the event that federal funds are received, the person will return all state monies received under this program.

The Department of Agriculture shall administer the grant program authorized by this proviso. The Department of Revenue shall assist the Department of Agriculture in the administration of the grant program by providing auditing services, accounting services, and review and oversight of all financial aspects of the grant program. There is created the Farm Aid Advisory Board to make recommendations to the department regarding the duties of the department in administering the grant program. The Commissioner of Agriculture, or his designee, shall serve ex officio, as chairman of the board. Also, the Director of the Department of Revenue, or his designee, the Vice President for Public Service and Agriculture of Clemson Public Service Activities, or his designee, and the Vice President for Land Grant Services of South Carolina State Public Service Activities, or his designee, shall serve on the board. The following additional members shall be appointed to the board:

(1) the Commissioner of Agriculture shall appoint one member representing the South Carolina Farm Bureau;

(2) the Commissioner of Agriculture shall appoint one member representing a farm credit association;

(3) the Director of the Department of Revenue shall appoint one member representing the crop insurance industry; and

(4) the Director of the Department of Revenue shall appoint one member who is an agricultural commodities producer.

By July twentieth of the current fiscal year, the board shall hold its initial meeting to recommend an application process by which a person with a loss resulting from the flooding occurring in the aftermath of Hurricanes Michael and Florence may apply for a grant. Upon adoption of an application process, the Department of Agriculture shall provide the Chairman of the House Ways and Means

Committee and the Chairman of the Senate Finance Committee with a written copy of its application process within ten days after its adoption. A person shall apply not later than forty-five days after the adoption of the application process. The department must ensure every person interested in applying for a grant has access to adequate resources to submit his application in a timely manner, and upon request, the department must assist a person with the preparation of his application.

Each grant awarded by the department may not exceed twenty percent of the person's verifiable loss of agricultural commodities. However, a person, including any grant made to a related person, may not receive grants aggregating more than one hundred thousand dollars. Also, a person, including any grant made to a related person, may not receive grants that when combined with losses covered by insurance, exceed one hundred percent of the actual loss. If a grant is made to a related person, the amount to be included in the limits set by this proviso must be the amount of the grant multiplied by the person's ownership interest in the related person. However, a person who shares an ownership interest with another person or entity may not be refused a grant solely because the other person or related person has otherwise received the maximum grant amount, but in this case, the person's grant amount is limited by the person's ownership interest.

If the total amount of grants allowed pursuant to this proviso exceeds the monies in the fund, then each person's grant must be reduced proportionately.

To determine loss, the department:

(1) must measure the person's cumulative total loss of all affected agricultural commodities for the year in which the flooding occurred against the person's expected production of all agricultural commodities affected by the flooding occurring in the aftermath of Hurricanes Michael and Florence;

(2) shall use the person's applicable actual production history yield, as determined by the Federal Crop Insurance Corporation, to determine loss for insured agricultural commodities. In determining loss for uninsured agricultural commodities, the department shall use the most recent year's county price and county yield, as applicable, as determined by the National Agriculture Statistics Service, United States Department of Agriculture; and

(3) may require any documentation or proof it considers necessary to efficiently administer the grant program, including the ownership structure of each entity and the social security numbers of each owner. Minimally, in order to verify loss, the department shall require the submission of dated, signed, and continuous records. These records may include, but are not limited to, commercial receipts, settlement sheets, warehouse ledger sheets, pick records, load summaries, contemporaneous measurements, truck scale tickets, contemporaneous diaries, appraisals, ledgers of income, income statements of deposit slips, cash register tape, invoices for custom harvesting, u-pick records, and insurance documents.

Grant awards must be used for agricultural production expenses and losses due to the flooding which demonstrate an intent to continue the agricultural operation; however, awards may not be used to purchase new equipment. The department shall develop guidelines and procedures to ensure that funds are expended in the manner outlined in grant applications, and may require any documentation it determines necessary to verify the appropriate use of grant awards including receipts.

If the department determines that a person who received a grant provided inaccurate information, then the person shall refund the entire amount of the grant. If the department determines that a person who received a grant used the funds for ineligible expenses, then the person must refund the amount of the ineligible expenses. If the person does not refund the appropriate amount, the Department of Revenue shall utilize the provisions of the Setoff Debt Collection Act to collect the money from the person.

The department shall coordinate the exchange of information between the USDA and the Department of Revenue to identify any person that received a Farm Aid grant for the flooding occurring in the aftermath of Hurricanes Michael and Florence and also received federal aid relief for the same disaster. Any person that is determined to have received grant funds from both the state and federal government, must immediately repay the state grant they received.

If the department determines that a person knowingly provided false information to obtain a grant pursuant to this proviso or knowingly used funds for ineligible expenses, the person shall be subject to prosecution pursuant to Section 16-13-240.

Within forty-five days of the completion of the awarding of grants, but no later than the end of the fiscal year, the Farm Aid Advisory Board is dissolved. Any funds remaining in the fund upon dissolution shall lapse to the general fund.

The department may accept private funds, grants, and property to be used to make financial awards from the grant program.

The Department of Agriculture must administer the grant program authorized by this proviso using existing resources and funds.

If federal funds are allocated for persons that are otherwise eligible for a grant pursuant to this proviso before the current fiscal year begins, then the provisions of this proviso are not effective and no funds may be credited to the South Carolina Farm Aid Fund.

For purposes of this proviso:

(1) "Agricultural commodities" means wheat, cotton, flax, corn, dry beans, oats, barley, rye, tobacco, rice, peanuts, soybeans, sugar beets, sugar cane, tomatoes, grain sorghum, sunflowers, raisins, oranges, sweet corn, dry peas, freezing and canning peas, forage, apples, grapes, potatoes, industrial hemp, timber and forests, nursery crops, citrus, and other fruits and vegetables, nuts, tame hay, native grass, aquacultural species including, but not limited to, any species of finfish, mollusk, crustacean, or other aquatic invertebrate, amphibian, reptile, or aquatic plant propagated or reared in a controlled or selected environment, excluding stored grain.

(2) "Person" means any individual, trust, estate, partnership, receiver, association, company, limited liability company, corporation, or other entity or group.

(3) "Related person" means any person, joint venture, or entity that has a direct or indirect ownership interest of a person or legal entity.

(4) "Department" means the Department of Agriculture.

118.15. (SR: Expenditure of Federal Funds) Any funds received from the Federal Government that are not allocated directly to a state agency must be expended through the legislative budgeting process.

118.16. (SR: State Ports Authority Projects) Any funds appropriated or authorized for the State Ports Authority by Proviso 118.20 (Nonrecurring Revenue) for the intermodal container transfer facility and waterborne cargo infrastructure must be deposited into a separate and distinct account and shall only be used for costs directly related to those two projects. Funds shall not be used for salaries, bonuses, or any kind of normal administrative costs. Funds shall not be used for personnel expenses not directly related to the implementation of the two projects. In addition, the State Ports Authority shall provide quarterly progress reports on the implementation of each facility to the Joint Bond Review Committee, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. These quarterly reports shall include, but are not limited to, financial results, operating plans, budgets, capital plans, and performance objectives and results for the projects. The Joint Bond Review Committee must review and provide comment on expenditures, and may prescribe the reporting format and such other informational requirements and reports as it deems useful and necessary, to ensure the financial integrity, accountability, and stewardship of the funds and the ongoing operations of the project. To the extent permitted

by federal law, if federal funds become available to the State that can be used for the intermodal container transfer facility or for waterborne cargo infrastructure, those federal funds must first be used to complete the project. Any remaining state funds appropriated for these projects shall be transferred to a restricted account at the Department of Administration.

118.17. (SR: Growing Agribusiness Fund Report) The Department of Agriculture shall prepare a report on the utilization of the Growing Agribusiness Fund that includes the amount of each grant awarded, the recipient of the funds, the date of the grant award, and the qualifications met by the recipient upon review by the Department of Agriculture Infrastructure Incentives Panel. The report shall be submitted quarterly to the Chairmen of the Senate Finance Committee, the House Ways and Means Committee, the Senate Finance Natural Resources and Economic Development Subcommittee, and the House Ways and Means Economic Development Subcommittee. The department is allowed to retain any accrued interest generated from the fund for similar purpose of grant reimbursements.

118.18. (SR: American Rescue Plan Act Reauthorizations) To ensure the State of South Carolina maximizes the use of federal funds authorized through the American Rescue Plan Act, the Director of the Executive Budget Office is authorized to reallocate any unused authorization in a particular enumerated item in Act 244 of 2022 and Act 6 of 2023 to any of the enumerated items in the aforementioned Acts. Any reauthorizations shall only be done to ensure the state maintains compliance with all current and future obligation and expenditure timelines issued by the United States Department of Treasury. Any reauthorizations made by the Executive Budget Office pursuant to this section shall be reported to the Governor, Chairman of the House Ways and Means Committee, and Chairman of the Senate Finance Committee.

118.19. (SR: Homestead Exemption Fund) The source of revenue appropriated in subsection (B) is revenue generated from the following source:

~~$124,319,000~~ *$120,000,000* from the Homestead Exemption Fund.

Any restrictions concerning specific utilization of these funds are suspended for the specified fiscal year. The above agency transfer shall occur no later than thirty days after the close of the books on Fiscal Year ~~2024-25~~ *2025-26* and shall be available for use in Fiscal Year ~~2025-26~~ *2026-27* after September 1, ~~2025~~ *2026*, following the Comptroller General's close of the State's book on Fiscal Year ~~2024-25~~ *2025-26*.

The State Treasurer shall disburse ~~$124,319,000~~ *$120,000,000* to Part IA General Fund to provide ~~income~~ *property* tax relief by September 30, ~~2025~~ *2026*.

118.20. (SR: Nonrecurring Revenue) ~~(A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:~~

~~(1) $332,294,362 from Contingency Reserve Fund;~~

~~(2) $1,226,554,400 from Fiscal Year 2024-25 Projected Surplus;~~

~~(3) $34,054,856 from Litigation Recovery Account;~~

~~(4) $1,643,873 from Fiscal Year 2024-25 Projected Debt Service Lapse;~~

~~(5) $109,752,745 from Fiscal Year 2025-26 Debt Service Appropriated Above Obligations;~~

~~(6) $2,290,000 from Fiscal Year 2024-25 Governor Vetoes;~~

~~(7) $6,254,723 from Excess Statewide Employee Benefits;~~

~~(8) $4,000,000 from Workers' Compensation Commission – Overage of IT Project;~~

~~(9) (5,079,000) for Fiscal Year 2024-25 Incremental Income Tax Reduction; and~~

~~(10) any residual certified unappropriated general fund dollars.~~

~~Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2024-25 and shall be available for use in Fiscal Year 2025-26.~~

~~This revenue is deemed to have occurred and is available for use in Fiscal Year 2025-26 after September 1, 2025, following the Comptroller General's close of the state's books on Fiscal Year 2024-25.~~

~~(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.~~

~~The State Treasurer shall disburse the following appropriations on February 20, 2026, for the purposes stated, with the exception of items (1) and (68)(b) which shall be disbursed by September 30, 2025.~~

~~(1) F010 - General Reserve Fund~~

~~General Reserve Fund Contribution ..... $ 99,695,200;~~

~~(2) H630 - Department of Education~~

~~(a) Education Scholarship Trust Fund ..... $ 15,000,000;~~

~~(b) High Quality Instructional Materials ..... $ 41,585,026;~~

~~(c) School of Workforce Innovation Pilot - Phase 2 ..... $ 5,000,000;~~

~~(3) H620 - First Steps~~

~~Innovation Investments ..... $ 2,500,000;~~

~~(4) H710 - Wil Lou Gray Opportunity School~~

~~(a) Student Recreational ..... $ 125,000;~~

~~(b) Building and Office Maintenance ..... $ 600,000;~~

~~(5) H750 - School for the Deaf and the Blind~~

~~(a) CLRC - Roof Repairs ..... $ 1,000,000;~~

~~(b) Walker Hall Maintenance and Repairs ..... $ 500,000;~~

~~(c) HVAC - Memminger Hall, CLRC, and Dobson House ..... $ 1,000,000;~~

~~(6) L120 - Governor's School for Agriculture at John de la Howe~~

~~(a) De la Howe Hall Site Work ..... $ 2,000,000;~~

~~(b) Campus Security Cameras - Phase 2 ..... $ 400,000;~~

~~(c) Meat Processing Lab and Cannery ..... $ 4,000,000;~~

~~(d) Remodel Hester Cottage ..... $ 600,000;~~

~~(7) H670 - Educational Television Commission~~

~~(a) HVAC Replacement ..... $ 5,000,000;~~

~~(b) Combined Control Room Modernization ..... $ 2,000,000;~~

~~(c) Fire Suppression ..... $ 400,000;~~

~~(d) Facility Security Update ..... $ 1,000,000;~~
~~(8) H640 - Governor's School for Arts and Humanities~~
~~(a) Film Equipment for New Art Program ..... $ 100,000;~~
~~(b) Gallery/Flexible Instructional Space ..... $ 1,000,000;~~
~~(9) H650 - Governor's School for Science and Mathematics~~
~~Replacement of 6 Des Champs HVAC Units for Residence Halls ..... $ 1,850,000;~~
~~(10) H090 - The Citadel~~
~~(a) Engineering Building Replacement ..... $ 12,900,000;~~
~~(b) Renovation of Workforce Housing ..... $ 2,000,000;~~
~~(c) Deas Hall Renovation ..... $ 7,000,000;~~
~~(11) H120 - Clemson University~~
~~(a) NextGen Computing Complex ..... $ 40,000,000;~~
~~(b) Maintenance, Renovation, and Replacement ..... $ 4,000,000;~~
~~(12) H150 - University of Charleston~~
~~Maintenance, Renovation, and Replacement ..... $ 4,000,000;~~
~~(13) H170 - Coastal Carolina University~~
~~Wheelwright Auditorium Renovation ..... $ 4,488,000;~~
~~(14) H180 - Francis Marion University~~
~~(a) Leatherman Science Facility/McNair Science Building Renovation ..... $ 2,000,000;~~
~~(b) Hyman Fine Arts Center Building Renovation ..... $ 5,000,000;~~
~~(c) Highway 327 Crosswalks Project: Securing Safe Passage for FMU Students and Staff ..... $ 750,000;~~
~~(15) H210 - Lander University~~
~~(a) Maintenance, Renovation, and Replacement ..... $ 2,000,000;~~
~~(b) Marion Carnell Learning Center Renovation ..... $ 8,000,000;~~
~~(16) H240 - South Carolina State University~~
~~(a) Replacement of Smith Hammond Middleton Convocation Center ..... $ 5,000,000;~~
~~(b) Renovation of Dr. Maceo O. Nance Hall (Establishment of the New College of Agriculture, Family and Consumer Science) ..... $ 15,000,000;~~
~~(17) H270 - University of South Carolina – Columbia~~
~~(a) Battery Center Facility ..... $ 13,200,000;~~
~~(b) Maintenance Repair and Renovation: Coker College Maintenance Renovation ..... $ 2,000,000;~~
~~(18) H290 - University of South Carolina - Aiken~~
~~Science Building Enhancement and Modernization ..... $ 8,350,000;~~
~~(19) H340 - University of South Carolina - Upstate~~
~~(a) Maintenance, Renovation, and Replacement ..... $ 10,000,000;~~
~~(b) Recreation and Tourism Management Center ..... $ 6,000,000;~~

~~(20) H360 - University of South Carolina - Beaufort~~
~~New Convocation Center ..... $ 9,250,000;~~
~~(21) H370 - University of South Carolina - Lancaster~~
~~Maintenance, Renovation, and Replacement ..... $ 1,320,000;~~
~~(22) H380 - University of South Carolina - Salkehatchie~~
~~Maintenance, Renovation, and Replacement ..... $ 1,400,000;~~
~~(23) H390 - University of South Carolina - Sumter~~
~~(a) Maintenance, Renovation, and Replacement ..... $ 2,000,000;~~
~~(b) Facilities Management Center ..... $ 3,000,000;~~
~~(c) Collaboration Lab ..... $ 5,506,900;~~
~~(24) H400 - University of South Carolina - Union~~
~~Maintenance, Renovation, and Replacement ..... $ 2,000,000;~~
~~(25) H470 - Winthrop University~~
~~(a) Maintenance, Renovation, and Replacement ..... $ 4,000,000;~~
~~(b) Administrative Building Renovation ..... $ 4,620,000;~~
~~(c) Academic Renovations & New Strategic Academic Programs ..... $ 2,309,996;~~
~~(26) H510 - Medical University of South Carolina~~
~~(a) College of Medicine Academic Building ..... $ 25,000,000;~~
~~(b) Southeastern Health AI Consortium ..... $ 6,600,000;~~
~~(c) Lancaster Medical Center Graduate Medical Education (GME) Program ..... $ 5,802,000;~~
~~(27) H590 - State Board for Technical and Comprehensive Education~~
~~(a) SC WINS ..... $ 34,232,473;~~
~~(b) readySC ..... $ 4,000,000;~~
~~(c) Make It In SC ..... $ 1;~~
~~(d) SC Workforce Competitiveness Initiative ..... $ 500,000;~~
~~(e) Aiken Technical College~~
~~(i) Equipment Funding ..... $ 1,818,550;~~
~~(ii) ITC Roof Replacement ..... $ 594,000;~~
~~(iii) Demolition of the 100/200 and 300 buildings ..... $ 606,000;~~
~~(iv) Parking Lot Refurbishment ..... $ 792,000;~~
~~(v) Maintenance, Renovation, and Replacement ..... $ 2,900,000;~~
~~(f) Central Carolina Technical College~~
~~(i) Kershaw Campus Expansion ..... $ 5,000,000;~~
~~(ii) Technical High School Workforce Center ..... $ 15,000,000;~~
~~(iii) Maintenance, Renovation, and Replacement ..... $ 3,500,000;~~
~~(g) Denmark Technical College~~

~~New Building - Cybersecurity, Energy, Healthcare ..... $ 1;~~
~~(h) Florence-Darlington Technical College~~
~~Maintenance, Renovation, and Replacement ..... $ 4,000,000;~~
~~(i) Greenville Technical College~~
~~(i) Center for Industrial Cyber Security and AI ..... $ 16,000,000;~~
~~(ii) Maintenance, Renovation, and Replacement ..... $ 8,000,000;~~
~~(j) Horry-Georgetown Technical College~~
~~(i) Maintenance, Renovation, and Replacement ..... $ 2,000,000;~~
~~(ii) Equip Grand Strand Speir Healthcare Building ..... $ 6,000,000;~~
~~(k) Midlands Technical College~~
~~(i) Advanced Trades Center ..... $ 16,000,000;~~
~~(ii) Maintenance, Renovation, and Replacement ..... $ 12,500,000;~~
~~(l) Orangeburg-Calhoun Technical College~~
~~(i) Health Sciences Building ..... $ 5,086,000;~~
~~(ii) Maintenance, Renovation, and Replacement ..... $ 2,800,000;~~
~~(m) Piedmont Technical College~~
~~Maintenance, Renovation, and Replacement ..... $ 7,000,000;~~
~~(n) Spartanburg Community College~~
~~Maintenance, Renovation, and Replacement ..... $ 9,200,000;~~
~~(o) Technical College of the Lowcountry~~
~~Maintenance, Renovation, and Replacement ..... $ 1,000,000;~~
~~(p) Tri-County Technical College~~
~~(i) Maintenance, Renovation, and Replacement ..... $ 511,666;~~
~~(ii) Forestry Technician Program Facility ..... $ 6,000,000;~~
~~(iii) Diesel Mechanic Training Facility ..... $ 2,500,000;~~
~~(q) Trident Technical College~~
~~Maintenance, Renovation, and Replacement ..... $ 4,271,487;~~
~~(r) Williamsburg Technical College~~
~~Maintenance, Renovation, and Replacement ..... $ 1,000,000;~~
~~(s) York Technical College~~
~~(i) Maintenance, Renovation, and Replacement ..... $ 4,000,000;~~
~~(ii) Trades Program Expansion ..... $ 12,000,000;~~
~~(28) H790 - Department of Archives and History~~
~~(a) SC American Revolution Sestercentennial Commission ..... $ 4,000,000;~~
~~(b) Exhibit Hall and Meeting Space Expansion ..... $ 1,250,000;~~
~~(29) H910 - Arts Commission~~

~~Support Grants for Community Arts Organizations ..... $ 1,000,000;~~
~~(30) H950 - State Museum Commission~~
~~(a) Reimagine the Experience Permanent Gallery Improvement Project ..... $ 20,000,000;~~
~~(b) Security Alarm System & Wayfinding Emergency Public Announcement System ..... $ 300,000;~~
~~(c) Imagery Server Repository and Backup Expansion ..... $ 100,000;~~
~~(31) H960 - Confederate Relic Room and Military Museum Commission~~
~~(a) International Aspect of the American Civil War Exhibit ..... $ 750,000;~~
~~(b) Conrad Wise Chapman Paintings ..... $ 150,000;~~
~~(c) South Carolina Vietnam Veterans' Oral Interviews ..... $ 30,000;~~
~~(d) Main Gallery Exhibits Updates ..... $ 500,000;~~
~~(32) J060 Department of Public Health~~
~~(a) Healthy Moms, Healthy Babies ..... $ 1,600,000;~~
~~(b) Modernizing IT Infrastructure Support Systems ..... $ 10,000,000;~~
~~(33) H730 - Department of Vocational Rehabilitation~~
~~(a) Evaluation VR Center / State Office Repaving ..... $ 150,000;~~
~~(b) ITTC/Rehabilitation Engineering Building Repaving ..... $ 150,000;~~
~~(c) Dorm Building VR Center – Heat Pump Unit Replacement ..... $ 73,750;~~
~~(34) J020 Department of Health and Human Services~~
~~(a) Children's Hospital Collaborative ..... $ 2,000,000;~~
~~(b) Statewide Pediatric Bed Enhancements ..... $ 2,000,000;~~
~~(35) J120 Department of Mental Health~~
~~(a) Berkeley and Orangeburg County Jail-Based Programs ..... $ 800,000;~~
~~(b) Alternative Transportation Program ..... $ 2,500,000;~~
~~(c) Inpatient Services Capital Needs ..... $ 9,370,000;~~
~~(36) J160 Department of Disabilities and Special Needs~~
~~(a) Residential Services ..... $ 5,000,000;~~
~~(b) South Carolina Genomic Medicine Initiative ..... $ 1,000,000;~~
~~(37) L040 - Department of Social Services~~
~~(a) Economic Services System Application Modernization (ESSAM) – DDI Phase ..... $ 18,590,812;~~
~~(b) SNAP Employment and Training Funding ..... $ 400,000;~~
~~(38) L080 - Department of Children's Advocacy~~
~~IT Operations ..... $ 77,000;~~
~~(39) L320 - Housing Finance and Development Authority~~
~~First-time Homebuyers Workforce Housing ..... $ 5,000,000;~~
~~(40) P120 - Forestry Commission~~
~~(a) Mechanic Recruitment and Retention & Vehicle and Supplies ..... $ 63,000;~~

~~(b) Forest Health Capacity ..... $ 52,000;~~
~~(c) Prescribed Fire Capacity ..... $ 1,852,000;~~
~~(41) P160 - Department of Agriculture~~
~~(a) Equipment Replacement ..... $ 1,400,000;~~
~~(b) Regional Farmers Markets ..... $ 2,000,000;~~
~~(42) P200 - Clemson University Public Service Activities~~
~~PSA Planned Maintenance and Critical Infrastructure ..... $ 3,000,000;~~
~~(43) P210 - SC State University Public Service Activities~~
~~(a) Statewide Extension Agribusiness Development ..... $ 650,000;~~
~~(b) Agriculture Innovation Research ..... $ 500,000;~~
~~(c) Business Development Training and Assistance ..... $ 525,000;~~
~~(d) New Beginner Farmer Assistance ..... $ 600,000;~~
~~(e) Future Farm Planning ..... $ 250,000;~~
~~(f) Animal Research & Education Center (AREC) ..... $ 2,500,000;~~
~~(44) P240 - Department of Natural Resources~~
~~(a) Law Enforcement Equipment ..... $ 2,000,000;~~
~~(b) Waterfowl Impoundments Infrastructure Maintenance ..... $ 1,500,000;~~
~~(c) Statewide Flood Inundation Map Modeling ..... $ 1,500,000;~~
~~(d) Field & Regional Building Maintenance & Construction ..... $ 2,000,000;~~
~~(e) State Lakes - High Hazard Dams and Spillway Repair ..... $ 27,755,000;~~
~~(f) Disaster Relief Grant Match Funding ..... $ 13,333,333;~~
~~(g) Waterways Protection Fund (S.367) ..... $ 750,000;~~
~~(45) P280 - Department of Parks, Recreation and Tourism~~
~~(a) Agency Property Development ..... $ 15,000,000;~~
~~(b) Sports Marketing ..... $ 4,000,000;~~
~~(c) Destination Specific Marketing Grants ..... $ 6,000,000;~~
~~(d) Beach Renourishment Grants ..... $ 1,524,000;~~
~~(e) State Park Maintenance and Repairs ..... $ 3,000,000;~~
~~(f) Film Incentives ..... $ 4,000,000;~~
~~(g) SCATR - Regional Promotions ..... $ 1,100,000;~~
~~(h) Tourism Development ..... $ 9,000,000;~~
~~(46) P320 - Department of Commerce~~
~~(a) LocateSC - Site Readiness ..... $ 80,000,000;~~
~~(b) Airport Enhancements ..... $ 80,000,000;~~
~~(c) Irish Trade Commission ..... $ 250,000;~~

~~(46.1) The funds in item (46)(b) shall be distributed to primary commercial airports as defined by the Federal Aviation Administration (FAA) which had a minimum of 100,000 enplanements per calendar year 2023 data available from the FAA. The funds shall be distributed pro-rata based on 2023 FAA data based on fifty percent enplanements and fifty percent cargo with a minimum distribution per eligible airport of two million dollars. Further, the Secretary of Commerce may utilize up to ten million dollars of these funds for the purposes of airport enhancements to further aviation industry economic development at non-primary commercial airports owned by a subdivision of the State of South Carolina.~~

~~(47) P400 - SC Conservation Bank~~

~~(a) Conservation Grant Funding ..... $ 25,000,000;~~

~~(b) Working Ag Lands Grant Funding ..... $ 8,000,000;~~

~~(c) State Resource Agency Strategic Land Acquisition ..... $ 20,000,000;~~

~~(48) P450 - Rural Infrastructure Authority~~

~~(a) Rural Infrastructure Fund ..... $ 12,000,000;~~

~~(b) Statewide Water and Sewer Fund ..... $ 15,000,000;~~

~~(49) P500 - Department of Environmental Services~~

~~(a) Electrical Utilities Permitting ..... $ 4,700;~~

~~(b) PFAS Pilot Program ..... $ 350,000;~~

~~(50) B040 - Judicial Department~~

~~Case Management System Modernization ..... $ 25,000,000;~~

~~(51) E200 - Attorney General's Office~~

~~(a) Crime Victim Assistance SAVS Program ..... $ 19,452,149;~~

~~(b) Legal Fees ..... $ 6,000,000;~~

~~(52) E210 - Prosecution Coordination Commission~~

~~Agency Operations ..... $ 16,375;~~

~~(53) D100 - State Law Enforcement Division~~

~~(a) Agency Operating ..... $ 1,000,000;~~

~~(b) Personnel Equipment ..... $ 500,000;~~

~~(c) Agency IT Operating ..... $ 1,000,000;~~

~~(54) K050 - Department of Public Safety~~

~~(a) School Safety Program ..... $ 8,324,448;~~

~~(b) Law Enforcement Equipment ..... $ 1,000,000;~~

~~(c) 9-1-1 IVR costs for SCDPS Implementation ..... $ 1,000,000;~~

~~(d) Radio Replacement Life Cycling ..... $ 500,000;~~

~~(e) DMV Headquarters Ground Floor HVAC Renovation ..... $ 2,400,000;~~

~~(55) N040 - Department of Corrections~~

~~(a) Cell Phone Interdiction ..... $ 3,500,000;~~

~~(b) Prison Industries Operating Costs ..... $ 1,000,000;~~

~~(c) Security Equipment Replacement ..... $ 500,000;~~
~~(d) Deferred Maintenance ..... $ 2,500,000;~~
~~(56) N080 - Department of Probation, Parole and Pardon Services~~
~~(a) IT Modernization ..... $ 750,000;~~
~~(b) Agency Fleet Cost ..... $ 350,000;~~
~~(57) N120 - Department of Juvenile Justice~~
~~IT Ongoing Security Assessment and Remediation ..... $ 1,300,000;~~
~~(58) R200 - Department of Insurance~~
~~Safe Homes Program ..... $ 3,000,000;~~
~~(59) R600 - Department of Employment and Workforce~~
~~(a) Statewide Education & Workforce Development Portal ..... $ 10,300,000;~~
~~(b) Graduation Alliance ..... $ 1,000,000;~~
~~(60) U120 - Department of Transportation~~
~~(a) Bridge Modernization ..... $200,000,000;~~
~~(b) Off-State Litter ..... $ 1,000,000;~~
~~(c) Hurricane Helene ..... $ 35,000,000;~~
~~(61) U150 - Infrastructure Bank Board~~
~~Act 37 Adjustments ..... $ 1,300,000;~~
~~(62) U300 - Division of Aeronautics~~
~~Airport Safety and Development ..... $ 5,000,000;~~
~~(63) A010 - The Senate~~
~~Operating Expenses ..... $ 500,000;~~
~~(64) A050 - House of Representatives~~
~~Operating Expenses ..... $ 5,000,000;~~
~~(65) A170 - Legislative Services Agency~~
~~Enterprise Software System ..... $ 8,000,000;~~
~~(66) A200 - Legislative Audit Council~~
~~Government Efficiency RFP Review ..... $ 10,000;~~
~~(67) D300 - Office of Resilience~~
~~(a) Disaster Relief and Resilience Reserve Fund Replenishment ..... $ 40,000,000;~~
~~(b) MUSC Charleston Medical District Elevated Walkway ..... $ 18,000,000;~~
~~(c) Data Collection/Coordination ..... $ 1,000,000;~~
~~(d) Watershed Coordination & Planning ..... $ 5,000,000;~~
~~(68) D500 - Department of Administration~~
~~(a) Modernized IT Service Management Platform ..... $ 9,000,000;~~
~~(b) Independent Compliance Consultant ..... $ 1,800,000;~~

~~(c) State-Owned Buildings Security Upgrades ..... $ 2,929,318;~~
~~(d) State Facilities Master Planning ..... $ 725,000;~~
~~(69) E240 - Adjutant General's Office~~
~~(a) Armory Revitalization ..... $ 2,000,000;~~
~~(b) SCEMD - Safeguarding Tomorrow Revolving Loan Fund ..... $ 1,000,000;~~
~~(c) SCEMD - SC Public Assistance Program ..... $ 3,000,000;~~
~~(d) Graniteville Land Purchase ..... $ 185,000;~~
~~(e) SCEMD - Declared Disasters Relief ..... $ 1;~~
~~(f) Wireless Network support to NG Armories and key facilities ..... $ 1,963,800;~~
~~(70) E260 - Department of Veterans' Affairs~~
~~(a) Military Enhancement Fund ..... $ 5,000,000;~~
~~(b) E. Roy Stone State Veteran Home Facility Maintenance Improvements ..... $ 2,000,000;~~
~~(71) E280 - Election Commission~~
~~(a) State Matching Funds for 2023 HAVA Grant ..... $ 200,000;~~
~~(b) Statewide voting system upgrade ..... $ 10,970,755;~~
~~(c) Annual Election Costs ..... $708,000; and~~
~~(72) E550 - State Fiscal Accountability~~
~~Authority SCPro Procurement Module ..... $ 3,200,000.~~

~~(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.~~

~~(D) For the purpose of all items in this provision, funds shall not be disbursed until verification that receiver's organization is registered as a business, nonprofit, or charitable organization with the South Carolina Secretary of State's office. This requirement does not apply to governmental entities or entities created by statute. Upon receipt and verification of all requirements in this act, the funds shall be transferred directly to the grant recipients within ten business days.~~

~~(E) For the purpose of this provision, the Executive Budget Office may authorize the transfer of items among state agencies upon request of the agencies after in consultation with the Senate Finance Committee and House Ways and Means Committee.~~

118.21. *(SR: Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:*

(1) $725,892,730 from Contingency Reserve Fund;
(2) $600,781,836 from Fiscal Year 2025-26 Projected Surplus;
(3) $3,972,661 from Litigation Recovery Account;
(4) $2,261,872 from Fiscal Year 2025-26 Projected Debt Service Lapse;
(5) $2,779,854 from Excess Statewide Employee Benefits; and
(6) any residual certified unappropriated general fund dollars.

Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2025-26 and shall be available for use in Fiscal Year 2026-27.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2026-27 after September 1, 2026, following the Comptroller General's close of the state's books on Fiscal Year 2025-26.

(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

The State Treasurer shall disburse the following appropriations by September 30, 2026, for the purposes stated, with the exception of item (71)(b) which shall be disbursed by July 17, 2026.

(1) F010 General Reserve Fund
General Reserve Contribution $144,779,082;
(2) Income Tax Rate Reduction 6.0% to 5.21% (Act 110 of 2026) ..... $ 16,207,000;
(3) X220 Aid to Fire Districts Formula ..... $ 47,417,319;
(4) H630 Department of Education
(a) Rural and Charter Capital Funding ..... $ 50,000,000;
(b) School Bus Lease/Purchase ..... $ 14,000,000;
(5) H750 School for the Deaf and the Blind
(a) Grounds Maintenance Equipment Replacement ..... $ 300,000;
(b) Student Activities Center Improvements ..... $ 75,000;
(6) L120 Governor's School for Agriculture at John de la Howe
Resurfacing Campus Roads and Building New Sidewalks ..... $ 2,000,000;
(7) H670 Educational Television Commission
Tower Monitoring and Analysis System ..... $ 400,000;
(8) H640 Governor's School for Arts and Humanities
Campus Access/Security Controls Replacement ..... $ 250,000;
(9) H030 Commission on Higher Education
Higher Education Excellence Enhancement Program (HEEEP) ..... $ 1;
(10) H090 The Citadel
Duckett Hall Renovation ..... $ 7,000,000;
(11) H120 Clemson University
Clemson University Public Safety ..... $ 1,786,000;
NextGen Computing Complex ..... $ 7,500,000;
(12) H150 University of Charleston
(a) Deferred Maintenance and Critical Capital Projects ..... $ 1;
(b) New School of Business Building ..... $ 5,000,000;

(13) H170 Coastal Carolina University
(a) Lib Jackson Student Union ... $ 4,000,000;
(b) Underwater Autonomous Vehicle ... $ 1;
(14) H180 Francis Marion University
(a) HVAC Upgrades ... $ 1;
(b) HVAC Upgrades and Campus Infrastructure ... $ 4,000,000;
(c) Rogers Library Renovation ... $ 2,500,000;
(15) H210 Lander University
Maintenance, Renovation, and Replacement ... $ 7,000,000;
(16) H240 South Carolina State University
(a) Police Department and Security Enhancements ... $ 10,000,000;
(b) Public Safety Building Replacement ... $ 1;
(c) Replacement of Smith Hammond Middleton Convocation/Academic Center ... $ 5,000,000;
(d) Soldier's Hall ROTC Replacement ... $ 1;
(17) H270 University of South Carolina - Columbia
(a) Information Technology Infrastructure and Security ... $ 1;
(b) Institute of Geopolitics, Innovation, and Global Competition ... $ 500,000;
(c) Pharmacy Building on Health Sciences Campus ... $ 15,000,000;
(d) Savannah River National Laboratory Collaboration ... $ 1;
(18) H290 University of South Carolina - Aiken
(a) Deferred Maintenance and Critical Capital Projects ... $ 7,000,000;
(b) Penland Building Façade and Welcome Center ... $ 1;
(19) H340 University of South Carolina - Upstate
(a) Academic Health Sciences and Nursing Construction ... $ 8,000,000;
(b) Convocation Center ... $ 1;
(c) Regional Hospitality and Tourism ... $ 1;
(20) H360 University of South Carolina - Beaufort
(a) Convocation Center and Athletics Complex ... $ 1;
(b) Deferred Maintenance and Critical Capital Projects ... $ 1,000,000;
(c) USCB Nursing Education & Simulation Center ... $ 3,500,000;
(21) H370 University of South Carolina - Lancaster
(a) Maintenance, Renovation, and Replacement ... $ 1,500,000;
(b) Security Call Boxes and Cameras ... $ 150,000;
(22) H380 University of South Carolina - Salkehatchie
Deferred Maintenance and Upgrades ... $ 1,250,000;
(23) H390 University of South Carolina - Sumter

(a) Deferred Maintenance and Critical Capital Projects ..... $ 750,000;
(b) Health, Wellness, and Athletics Center ..... $ 1;
(24) H400 University of South Carolina - Union
(a) Construction of Gymnasium/Convocation/Civic Center ..... $ 1;
(b) Deferred Maintenance and Critical Capital Projects ..... $ 1,250,000;
(c) Historic Preservation - Dawkins House ..... $ 800,000;
(25) H470 Winthrop University
(a) Administrative Building Renovation ..... $ 1;
(b) Deferred Maintenance and Critical Capital Projects ..... $ 1,000,000;
(c) Winthrop Lake Dam Renovation ..... $ 2,500,000;
(26) H590 State Board for Technical and Comprehensive Education
(a) readySC ..... $ 15,000,000;
(b) South Carolina Workforce Industry Needs Scholarship (SCWINS) ..... $ 76,404,908;
(c) Aiken Technical College
(i) Building D Renovation (1200 Building) ..... $ 1;
(ii) Maintenance, Renovation and Replacement ..... $ 1,144,138;
(d) Technical College of the Lowcountry
(i) Maintenance, Renovation, and Replacement ..... $ 1,297,219;
(ii) Renovate Buildings 2 and 6 Exteriors ..... $ 1;
(e) Northeastern Technical College
(i) Cheraw Campus Maintenance ..... $ 1;
(ii) Maintenance, Renovation, and Replacement ..... $ 802,258;
(f) Denmark Technical College
(i) Maintenance, Renovation and Replacement ..... $ 355,488;
(ii) Renovation of Industrial Tech Building 200 and 300 ..... $ 1;
(g) Florence-Darlington Technical College
(i) Darlington Campus ..... $ 2,500,000;
(ii) Maintenance, Renovation, and Replacement ..... $ 1;
(h) Greenville Technical College
(i) Center for Industrial Cybersecurity and Artificial Intelligence ..... $ 6,500,000;
(ii) New Dental Education Building ..... $ 1;
(i) Horry-Georgetown Technical College
(i) Acquisition of Real Property, land/building Georgetown ..... $ 1;
(ii) Maintenance, Renovation, and Replacement ..... $ 3,855,939;
(j) Midlands Technical College
(i) Building Renovation and Upfit for Advanced Manufacturing Programs ..... $ 6,000,000;

(ii) New addition to AMCS Building ..... $ 1;
(k) Orangeburg-Calhoun Technical College
(i) Advanced Manufacturing Building ..... $ 1;
(ii) Maintenance, Renovation, and Replacement ..... $ 1,169,085;
(l) Piedmont Technical College
Technical Innovation Center Greenwood County ..... $ 6,500,000;
(m) Spartanburg Community College
(i) Biles Campus Property Acquisition ..... $ 1;
(ii) Maintenance, Renovation, Replacement, and Acquisition ..... $ 7,000,000;
(n) Central Carolina Technical College
(i) Broad Street Technical High School ..... $ 1;
(ii) Maintenance, Renovation and Replacement ..... $ 1,592,042;
(iii) Renovation of AMTTC ..... $ 1;
(o) Tri-County Technical College
(i) Maintenance, Renovation, and Replacement ..... $ 1;
(ii) Transportation/Logistics/Utilities Center ..... $ 7,000,000;
(p) Trident Technical College
(i) Maintenance, Renovation, and Replacement ..... $ 5,000,000;
(ii) Thornley Campus Buildings 700/800 Defense Sector Advance Manufacturing - SCIEAT ..... $ 1;
(q) Williamsburg Technical College
(i) Auditorium/Community Center ..... $ 1,000,000;
(ii) Maintenance, Renovation, and Replacement ..... $ 378,167;
(r) York Technical College
(i) Maintenance, Renovation, and Replacement ..... $ 2,695,926;
(ii) Welding Renovations Building D (Phase 2) ..... $ 1;
(27) H790 Department of Archives and History
(a) SC American Revolution Sestercentennial Commission ..... $ 2,500,000;
(b) SCDAH Exhibit Hall and Meeting Space Expansion ..... $ 2,000,000;
(28) H910 Arts Commission
Arts Industry and Creative Workforce Support ..... $ 500,000;
(29) H950 State Museum Commission
(a) New HVAC Monitoring System ..... $ 1;
(b) Reimagine the Experience ..... $ 5,000,000;
(c) Security Upgrades ..... $ 1;
(d) WiFi Expansion ..... $ 1;
(30) H960 Confederate Relic Room and Military Museum Commission

Expansion of Relic Room ..... $ 1,448,000;

(31) J060 Department of Public Health

(a) Building Bright Beginnings For South Carolina Families ..... $ 2,536,890;

(b) Olmstead Act (Act 3 of 2025) ..... $ 577,157;

(32) H730 Department of Vocational Rehabilitation

(a) Beaufort VR Center Repaving ..... $ 168,750;

(b) Muscular Development Center Reroofing ..... $ 112,500;

(c) State Office Building - Replacement of VAV Boxes ..... $ 147,500;

(33) J020 Department of Health and Human Services

Children's Hospital Collaborative (Pr 33.31) ..... $ 4,500,000;

(34) J080 Department of Behavioral Health and Developmental Disabilities

(a) Alternative Transportation Program ..... $ 1,500,000;

(b) Greenwood Genetics - Alzheimer's Initiative ..... $ 800,000;

(c) Information Technology and Cyber Security Modernization ..... $ 1;

(d) OIDD Community Owned Homes ..... $ 4,000,000;

(35) L040 Department of Social Services

(a) ESSAM ..... $ 10,000,000;

(b) Healthy Bucks ..... $ 5,000,000;

(36) L240 Commission for the Blind

Association for the Blind and Visually Impaired ..... $ 361,450;

(37) L080 Department of Children's Advocacy

(a) Children's Trust Federal Match ..... $ 750,000;

(b) New Hire Equipment ..... $ 1;

(c) South Carolina Network of Children's Advocacy Centers ..... $ 1,250,000;

(38) L320 Housing Finance and Development Authority

Made It Home! ..... $ 5,000,000;

(39) P120 Forestry Commission

(a) BMP Road Mat Cost Share Program ..... $ 1;

(b) Firefighting Air Water Tanker Contract ..... $ 2,000,000;

(c) Information Technology ..... $ 560,000;

(40) P160 Department of Agriculture

(a) Growing Agribusiness Fund ..... $ 20,000,000;

(b) Microbiological Testing Equipment ..... $ 1;

(41) P200 Clemson University Public Service Activities

Infrastructure and Safety Upgrades ..... $ 5,000,000;

(42) P210 SC State University Public Service Activities

(a) Animal Research & Education Center (AREC) ..... $ 2,500,000;
(b) Camp Daniels Health and Wellness Center ..... $ 2,500,000;
(43) P240 Department of Natural Resources
(a) Agency Equipment ..... $ 5,000,000;
(b) Conservation Districts ..... $ 2,000,000;
(c) Field and Regional Buildings ..... $ 2,000,000;
(d) Fish Hatchery Renovations ..... $ 2,000,000;
(e) Lake Paul Wallace Dam and Other High Hazard Dams ..... $ 10,000,000;
(f) Law Enforcement Equipment and Uniforms ..... $ 1,000,000;
(g) Statewide Flood Inundation Mapping Project - Final Phase ..... $ 3,000,000;
(h) Technology Equipment Replacement Cycle ..... $ 1,000,000;
(i) Waterfowl Area Enhancements ..... $ 1,500,000;
(44) P280 Department of Parks, Recreation and Tourism
(a) Beach Renourishment Grants ..... $ 10,000,000;
(b) Destination Specific Tourism Marketing Grants ..... $ 1;
(c) Leisure Market Expansion ..... $ 1;
(d) New Welcome Centers Inflationary Construction Costs ..... $ 6,000,000;
(e) Palmetto Trail ..... $ 1,000,000;
(f) Play it Forward State Park Request ..... $ 10,000,000;
(g) Sports Marketing Grants ..... $ 1,000,000;
(h) Venues at Arsenal Hill Construction Project ..... $ 2,500,000;
(45) P320 Department of Commerce
(a) Closing Fund ..... $ 1,000,000;
(b) LocateSC ..... $ 5,000,000;
(c) Repay Intra-Agency Loan ..... $ 1,000,000;
(d) Rural Development ..... $ 5,000,000;
(e) SC Manufacturing Extension Partnership ..... $ 1,500,000;
(46) P400 SC Conservation Bank
(a) Agriculture - Farm Conservation Grants ..... $ 5,000,000;
(b) Land Conservation ..... $ 20,000,000;
(c) State Resource Agency Strategic Land Acquisition for DNR ..... $ 25,000,000;
(d) State Resource Agency Strategic Land Acquisition for Forestry Commission ..... $ 20,000,000;
(47) P450 Rural Infrastructure Authority
(a) Rural Infrastructure Fund ..... $ 6,000,000;
(b) Statewide Water & Sewer Fund ..... $ 6,000,000;
(48) P500 Department of Environmental Services

(a) Fleet Vehicle Replacement ..... $ 2,000,000;
(b) Pinewood Site Custodial Trust ..... $ 2,500,000;
(49) B040 Judicial Department
(a) Case Management System Modernization ..... $ 10,000,000;
(b) Rural County Courthouse Stabilization Fund ..... $ 1;
(50) E200 Attorney General's Office
(a) Attorney Fees ..... $ 1,750,000;
(b) Building Lease Increase ..... $ 550,000;
(c) Cyber Vault Storage Support for Ransomware Protection ..... $ 2,650,000;
(51) E210 Prosecution Coordination Commission
(a) Building Lease Increase ..... $ 1;
(b) Solicitor Technology and Digital Storage ..... $ 1;
(52) E230 Commission on Indigent Defense
Public Defender Technology and Digital Storage ..... $ 1;
(53) D100 State Law Enforcement Division
(a) AI Investigative Tool ..... $ 1;
(b) Aviation Hangar Construction ..... $ 2,000,000;
(c) Beverage Enforcement (H. 3924) ..... $ 1,037,670;
(d) BWC Replacement ..... $ 1;
(e) Higher Education Campus Mapping Data Program ..... $ 1,000,000;
(f) Inflationary Increases in Operating Costs ..... $ 1;
(g) Logistics Security Initiative ..... $ 4,000,000;
(h) Service Contract 800MHz Expansion ..... $ 3,500,000;
(i) Workers' Compensation and Insurance Reserve Fund Rate Increases ..... $ 1;

(53.1) With funds appropriated in item (53)(g) for the Logistics Security Initiative, the South Carolina Law Enforcement Division may contract with the United States Department of Homeland Security's preferred contractors.

(54) K050 Department of Public Safety
(a) Building Maintenance ..... $ 750,000;
(b) Law Enforcement Equipment ..... $ 1;
(c) Radio Replacement Life Cycle ..... $ 1,000,000;
(d) Radio System Operation and Maintenance ..... $ 1;
(e) Telecommunications Consoles Upgrades ..... $ 4,000,000;
(55) N200 Law Enforcement Training Council
(a) Building Maintenance ..... $ 252,810;
(b) East Dorm Restrooms Renovation and HVAC Replacement ..... $ 841,036;
(56) N040 Department of Corrections

(a) Broad River Complex - New Secure Housing Unit ..... $ 5,000,000;
(b) Deferred Maintenance ..... $ 12,000,000;
(c) Inflationary Increases in Operating Costs ..... $ 1;
(d) Vehicle and Equipment Maintenance ..... $ 4,000,000;

(57) N080 Department of Probation, Parole and Pardon Services
(a) Digital Fingerprinting Contract Renewal ..... $ 2,065,830;
(b) Operating - IT Needs ..... $ 1,000,000;

(58) N120 Department of Juvenile Justice
(a) Deferred Maintenance ..... $ 2,500,000;
(b) Inflationary Increases in Operating Costs ..... $ 1;

(59) L460 Commission For Community Advancement & Engagement
(a) Agency Rebranding ..... $ 250,000;
(b) Small Business Grants Program ..... $ 500,000;

(60) R060 Office of Regulatory Staff
10 Year Energy Action Plan ..... $ 750,000;

(61) R360 Department of Labor, Licensing and Regulation
Technology Shared Services Implementation ..... $ 2,578,357;

(62) R400 Department of Motor Vehicles
Branch Office Security Upgrades ..... $ 4,000,000;

(63) R600 Department of Employment and Workforce
(a) Graduation Alliance ..... $ 1,000,000;
(b) Technology Shared Services Implementation ..... $ 887,000;

(64) U120 Department of Transportation
(a) Bridge Modernization ..... $ 50,000,000;
(b) Interstate Acceleration ..... $ 1;
(c) Litter - Off Interstate ..... $ 5,000,000;
(d) Road Buyback Program ..... $ 12,500,000;

(65) U200 County Transportation Funds
CTC Acceleration $200,000,000;

(66) U300 Division of Aeronautics
(a) Airport Development Program ..... $ 25,000,000;
(b) Main Building Maintenance ..... $ 1,600,000;

(66.1) Of the funds appropriated in item (66)(a) for the Airport Development Program, no less than 75% shall be granted to commercial airports for major runway improvement projects.

(67) A050 House of Representatives
Operating and Security Upgrades ..... $ 1;

(68) A170 Legislative Services Agency
(a) Data Center Power Backup ... $ 600,000;
(b) Enterprise Software Systems ... $ 8,000,000;
(c) Other Operating Expenses ... $ 500,000;
(69) D050 Governor's Office - Executive Control of the State
Administration Transition Costs ... $ 1,000,000;
(70) D300 Office of Resilience
(a) Bridge Box Flood Monitoring Program ... $ 1,000,000;
(b) Captain Sam's Spit Settlement ... $ 1;
(c) Office Facility, Insurance, System of Record Software, Travel, and Contracted Security Guard $ 200,000;
(d) River Debris Assessment ... $ 3,600,000;
(e) Statewide Mitigation Projects ... $ 10,000,000;
(71) D500 Department of Administration
(a) Office of Statewide Data ... $ 4,000,000;
(b) State House Security ... $ 15,000,000;
(72) D250 Office of Inspector General
Investigative Capacity and Compliance Personnel ... $ 38,156;
(73) E240 Adjutant General's Office
(a) SCEMD - Emergency Management Performance Grant Supplement ... $ 5,000,000;
(b) SCEMD - FEMA Match for Federally Declared Disasters ... $ 1;
(c) SCEMD - SC Public Assistance Program ... $ 5,000,000;
(d) SCEMD - State EOC Construction ... $ 5,000,000;
(e) State Guard - Repairs to Dominion Building ... $ 565,000;
(74) E260 Department of Veterans' Affairs
Military Enhancement Fund ... $ 3,000,000;
(75) E280 Election Commission
(a) HAVA Grant Match ... $ 54,545;
(b) Statewide Voting System Upgrade ... $ 10,587,378;
(76) E550 State Fiscal Accountability Authority
SCPro - SCEIS Procurement Module ... $ 9,500,000;
(77) F270 SFAA - State Auditor's Office
Moving Expenses ... $ 100,000;
(78) H630 Department of Education
(a) Greenwood School District 50 - CTE Funding ... $ 887,900;
(b) Lexington/Richland County - Apprenticeship Pipeline Partnership - Lex-Rich School District 5 $ 250,000;
(c) Spartanburg County - Daniel Morgan Technology Center ... $ 5,000,000;

(79) H090 The Citadel
Cadet Parking Lot Safety and Access ..... $ 100,000;
(80) H790 Department of Archives and History
(a) Cherokee County Historic Preservation ..... $ 750,000;
(b) Greenville County - McCullough House Renovation ..... $ 500,000;
(c) Newberry County - Rosenwald School - Senior Care & Renovation ..... $ 20,000;
(d) Old Exchange Building ..... $ 250,000;
(e) Town of Eastover - Eastover Historic Revitalization & Community Development Initiative ..... $ 500,000;
(81) H870 State Library
Town of Santee - Santee Library ..... $ 250,000;
(82) H910 Arts Commission
(a) Arts Center of Coastal Carolina Renovations ..... $ 1,000,000;
(b) Columbia Museum of Art - Capital Request for Accreditation Compliance ..... $ 500,000;
(83) J060 Department of Public Health
(a) Charleston County - EMS Headquarters ..... $ 1,000,000;
(b) Lancaster County- Mobile Health & Recovery Unit ..... $ 150,000;
(c) Marion County - Health Department ..... $ 285,950;
(d) Oconee County - Oconee Memorial Hospital ..... $ 1,000,000;
(84) J080 Department of Behavioral Health and Developmental Disabilities
(a) Aiken-Barnwell Mental Health - Property Acquisition ..... $ 100,000;
(b) City of Charleston - Homeless Initiative ..... $ 100,000;
(c) Richland County - Mental Health Assistance at Alvin S. Glenn ..... $ 120,000;
(85) L060 Department on Aging
City of Bishopville - Vehicles for Senior Meal Deliveries ..... $ 33,000;
(86) P160 Department of Agriculture
(a) City of York - Project Green Landing ..... $ 2,000,000;
(b) Department of Agriculture - Soybean Board Federal Checkoff Funds Interest ..... $ 227,468;
(87) P280 Department of Parks, Recreation and Tourism
(a) Anderson County - Chris Taylor Park - Walking Track, Bridge, & Boardwalk Reconstruction .. $ 997,000;
(b) Anderson County - McFall's Landing Renovations ..... $ 1,080,000;
(c) Berkley County - Live Oak Complex ..... $ 3,500,000;
(d) City of Charleston - IAAM Marketing Support Funding ..... $ 500,000;
(e) City of Charleston - Infrastructure and Community Projects ..... $ 650,000;
(f) City of Clemson - Abernathy Park Enhancement Project ..... $ 2,000,000;
(g) City of Conway - Historic Railroad Trestle Conversion to ADA
Accessible Pedestrian extension of Riverwalk ..... $ 1,500,000;

(h) City of Conway - Restoration of the Century Theatre ..... $ 1,200,000;
(i) City of Dillon - Recreation Upgrades ..... $ 250,000;
(j) City of Hartsville - The Center Theater Renovation ..... $ 250,000;
(k) City of Isle of Palms - Beach Access Improvement ..... $ 250,000;
(l) City of Isle of Palms Public Greenspace at Isle of Palms Marina ..... $ 150,000;
(m) City of Loris - Loris Youth Club ..... $ 200,000;
(n) City of Mullins - Gapway Park Baseball Concession ..... $ 275,000;
(o) City of Orangeburg - Recreation Facility HVAC Upgrade ..... $ 250,000;
(p) City of Orangeburg - Recreation Opportunities ..... $ 50,000;
(q) City of Sumter - Heritage Park ..... $ 500,000;
(r) City of Sumter - Millcreek Park ..... $ 400,000;
(s) City of Sumter - Swan Lake & Park Enhancements ..... $ 500,000;
(t) City of Westminster - Westminster Recreational Fields ..... $ 2,000,000;
(u) Edisto Island Community Recreation Area - Edisto Island Youth Recreation ..... $ 1,000,000;
(v) Georgetown County - Murrells Inlet Landing Ramp Replacement ..... $ 1,500,000;
(w) Georgetown County - Wacca Wach Boat Landing Parking Area Resurfacing & ADA Access ..... $ 130,000;
(x) Greenville Arena Special Purpose District - Renovations ..... $ 5,000,000;
(y) Horry County - Michael Morris Graham Rec Center ..... $ 500,000;
(z) Marion County - Britton's Neck Community Park ..... $ 462,000;
(aa) Marion County - Community Center ..... $ 1,500,000;
(bb) Richland County - Recreation Commission - Trenholm Park Renovation Project ..... $ 1,250,000;
(cc) Rock Hill City - Armory Park Restrooms ..... $ 100,000;
(dd) Town of Barnwell - Barnwell ADA Restroom and Safety Upgrades Lake Brown ..... $ 250,000;
(ee) Town of Chapin - Park Development ..... $ 37,500;
(ff) Town of Cowpens - Downtown Revitalization ..... $ 500,000;
(gg) Town of McBee - Recreation Upgrade ..... $ 300,000;
(hh) Town of Prosperity - McNeary Street Beautification ..... $ 43,000;
(ii) Town of Ware Shoals - Katherine Hall Parking Lot Rehabilitation ..... $ 75,000;

(88) P320 Department of Commerce

(a) City of Columbia - Congaree Riverfront District ..... $ 5,000,000;
(b) Williamsburg County - Phase 2 Retrofitting Multi-Purpose Industrial Building ..... $ 500,000;

(89) P500 Department of Environmental Services

(a) Abbeville County - Calhoun Falls Water Meter Replacements ..... $ 150,000;
(b) Berkley County - Saint Stephen Wastewater Infrastructure ..... $ 1,000,000;
(c) Calhoun County - Sanitary Sewer Improvements ..... $ 563,000;
(d) City of Aiken - Waterline Infrastructure Replacement ..... $ 1,000,000;

(e) City of Belton - Water System Improvements ... $ 500,000;
(f) City of Cayce Avenues Drainage Project ... $ 1,000,000;
(g) City of Charleston - Brockman Drive Drainage Improvement ... $ 100,000;
(h) City of Columbia - The Station at Congaree Point ... $ 3,750,000;
(i) City of Darlington - Water, Sewer and Storm Water Operations Facility ... $ 500,000;
(j) City of Isle of Palms - Stormwater and Drainage Infrastructure ... $ 1,000,000;
(k) City of Travelers Rest - Storm Water Infrastructure ... $ 500,000;
(l) Greenville County - Redevelopment Authority - Infrastructure Development and Engineering ... $ 150,000;
(m) Greenville Water - Greenville Water Watershed Protection and Restoration Program ... $ 500,000;
(n) Laurens County Water & Sewer - Gray Court Sewer Project ... $ 4,000,000;
(o) Town of Blacksburg - Hwy 5 Water Line Extension ... $ 700,000;
(p) Town of Blacksburg - Jumping Branch Water Line Extension ... $ 600,000;
(q) Town of Clover - Water System Infrastructure Rehabilitation ... $ 1,500,000;
(r) Town of Edisto Beach - Drainage Improvements ... $ 300,000;
(s) Town of Greeleyville - Water Meters Improvement Project ... $ 264,420;
(t) Town of James Island - Bay Front Drainage Improvements ... $ 500,000;
(u) Town of Lamar - Wastewater Treatment Plant Sewer System Infrastructure Upgrades ... $ 500,000;
(v) Town of Lane - Water Meter Project ... $ 285,000;
(w) Town of Norway - Water/Wastewater ... $ 1,200,000;
(x) Town of Pageland - Elevated Water Tower ... $ 1,000,000;
(y) Town of Whitmire - Water Main Replacement ... $ 500,000;

(90) K050 Department of Public Safety

(a) Chester County - Land Purchase for Detention/Law Enforcement ... $ 1,500,000;
(b) City & County of Newberry - Joint Public Safety Complex ... $ 787,000;
(c) City of Campobello - New City Complex ... $ 700,000;
(d) City of Florence - Florence Police Capital Improvements ... $ 538,500;
(e) City of Greenville - Real Time Crime Center (RTCC) ... $ 1,005,000;
(f) City of Johnsonville - Police Vehicles ... $ 65,000;
(g) City of Manning - Town Improvements ... $ 500,000;
(h) Fairfield County - Sheriff's Office K-9 Unit ... $ 100,000;
(i) Florence County Sheriff's Office - FCSO Drug Lab Equipment Update ... $ 50,000;
(j) Newberry County - Sheriff's Department Records Keeping Technology Upgrade ... $ 500,000;
(k) Oconee County - Sheriff's Department Equipment ... $ 240,000;
(l) Pickens County - Sheriff's Office Equipment ... $ 239,595;
(m) Saluda County Detention Center ... $ 500,000;
(n) Town of Andrews - Andrews Public Safety Complex ... $ 1,000,000;

(o) Town of Pamplico - 10-Year Fleet Dashboard Camera For Patrol Fleet ... $ 128,000;
(p) Town of Pamplico - Safety Initiative ... $ 12,000;
(q) Town of Summerville - Public Safety Campus ... $ 1,200,000;
(r) Town of Timmonsville - Radio System Upgrades for Police Department ... $ 31,716;
(s) Williamsburg County - Public Safety Improvements ... $ 205,000;
(t) York County - Renovate Moss Justice Detention Center ... $ 4,000,000;

(91) R060 Office of Regulatory Staff

Anderson County - Utility Relocation ... $ 300,000;

(92) R360 Department of Labor, Licensing and Regulation

(a) Aiken County - Fire Tanker & Ambulance ... $ 725,000;
(b) Antioch Volunteer Fire Department - Tanker Fire Truck ... $ 442,257;
(c) Berkley County - Moncks Corner RFD PEBA Settlement ... $ 73,329;
(d) Boiling Springs Fire District - Replacement of Self-Contained Breathing Apparatus (SCBA) ... $ 300,000;
(e) Boiling Springs Fire District - Self-Contained Breathing Apparatus Air Compressor and Fill System ... $ 80,962;
(f) Boiling Springs Fire District - Turnout Gear and SCBA Decontamination Washer ... $ 47,582;
(g) City of Columbia - Air Drone First Responder Expansion ... $ 700,000;
(h) City of Florence - Florence Fire Department Fire Engine ... $ 1,000,000;
(i) City of Greenwood Fire Department ... $ 800,000;
(j) City of Greer - City Projects/Fire & Police Training Facility ... $ 2,000,000;
(k) City of Hartsville - Hartsville Fire Department Radios ... $ 250,000;
(l) City of Travelers Rest - Fire Airpacks ... $ 270,962;
(m) Colleton County - SCBA Equipment ... $ 1,500,000;
(n) Dorchester County Fire Rescue ... $ 2,000,000;
(o) Fountain Inn - Canebrake Fire Department Water Tanker ... $ 502,000;
(p) Lake Cunningham Fire District (Greenville) Critical Fire Station ... $ 1,200,000;
(q) Lincolnville Volunteer Fire Department Equipment ... $ 1,000,000;
(r) Lugoff Fire District of Kershaw County - Training Facility ... $ 1,000,000;
(s) Oakdale Volunteer Fire Department Replacement Fires Station ... $ 250,000;
(t) Palmetto Rural Fire Department - Equipment ... $ 370,800;
(t) Richland County - Columbia/RC Fire Stations ... $ 500,000;
(u) River Falls Fire Department - Upgrade Fire Equipment ... $ 135,000;
(v) Tigerville Fire Department - Upgrade Rescue Equipment ... $ 34,000;
(w) Town of Arcadia Lakes - Extra Duty Deputies ... $ 94,900;
(x) Town of Cameron - Fire Department SCBA's ... $ 96,000;
(y) Union County - Buffalo Volunteer Fire District ... $ 30,000;

(z) Union County - Jonesville Fire Station 500 Parking Lot ..... $ 36,000;
(aa) Wade Hampton Fire & Sewer District - Replacement of Structural Firefighting Turnout Gear. $ 193,041;
(bb) Wade Hampton Fire & Sewer District – Self-Contained Breathing Apparatus (SCBA) Air Cylinders ..... $ 120,416;

(93) U120 Department of Transportation
(a) Anderson County - EVP Systems Program ..... $ 400,000;
(b) CARTA - Bust Stop Amenities ..... $ 100,000;
(c) Charleston County Public Works - Fleming Rd. Sidewalk & Wappoo Rd. MUP ..... $ 150,000;
(d) Chester City - Parking Lot and Utility Work Downtown ..... $ 100,000;
(e) City of North Augusta - West Martintown Road/Knobcone Avenue Intersection Improvement ... $ 1,000,000;
(f) Marine Transportation System for Beaufort and Jasper Counties ..... $ 3,000,000;
(g) Regional Rural Transportation Transit - Bamberg, Barnwell, Allendale Counties ..... $ 500,000;
(h) Town of Bluffton - Boundary Street Improvements ..... $ 1,000,000;
(i) Town of Clover - Pedestrian Infrastructure/Sidewalk Repairs ..... $ 2,000,000;
(j) Town of Lexington - Hope Ferry Road at Sunset Blvd (US-378) Intersection Improvements ..... $ 2,000,000;
(k) Traffic Mitigation in Easley - Pickens County CTC ..... $ 2,500,000;
(l) Williamsburg County - Soccee Bridge Restoration ..... $ 300,000;

(94) U300 Division of Aeronautics
Greenville Downtown Airport - Corporate and Individual Hangar Development Areas ..... $ 4,000,000;

(95) D300 Office of Resilience
(a) City of Columbia - Neighborhood Revitalization & Weatherization Program ..... $ 1,000,000;
(b) Georgetown County - Murrells Inlet Dredging ..... $ 2,000,000;
(c) Orangeburg County - Storm Shelter & Alternate Emergency Generators ..... $ 750,000;
(d) Shutes Folly Castle Pinckney Resiliency ..... $ 1,250,000;

(96) D500 Department of Administration
(a) Allendale County - Allendale County Government Building AC and Roofing ..... $ 200,000;
(b) Anderson County - CTC Matching Funds ..... $ 1,000,000;
(c) Anderson County - Pelzer Lower Mill Mitigation Infrastructure Planning ..... $ 240,000;
(d) Barnwell County - Armory Renovations ..... $ 500,000;
(e) Berkley County - Coroner's Office Morgue Addition ..... $ 630,000;
(f) City of Orangeburg - Storm Cleanup ..... $ 250,000;
(g) City of Walhalla - Walhalla Core Function Equipment ..... $ 2,000,000;
(h) Town of Cameron - Abandoned Home/Lot Cleanup ..... $ 100,000;
(i) Town of Honea Path - City Hall Renovations ..... $ 500,000;
(j) Town of Iva - Community Facilities Repair and Renovation ..... $ 150,000;
(k) Town of Nichols - Community Equipment ..... $ 349,000;

(l) Town of St. Stephens - Paving for Multi-Purpose Building ..... $ 100,000;
and
(m) Union County - New County Animal Shelter and Recycling Center ..... $ 1,500,000.

(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

(D) For the purpose of all items in this provision, funds shall not be disbursed until verification that receiver's organization is registered as a business, nonprofit, or charitable organization with the South Carolina Secretary of State's office. This requirement does not apply to governmental entities or entities created by statute. Upon receipt and verification of all requirements in this act, the funds shall be transferred directly to the grant recipients within ten business days.

(E) For the purpose of this provision, the Executive Budget Office may authorize the transfer of items among state agencies upon request of the agencies after in consultation with the Senate Finance Committee and House Ways and Means Committee.

118.22. *(SR: Admissions Tax) For purposes of the admissions tax imposed pursuant to Sections 12-21-2410 and 12-21-2420, and notwithstanding any administrative interpretation, advisory opinion or revenue ruling of the Department of Revenue to the contrary, the term "paid admissions" shall be limited solely to the stated price of the ticket for the right or privilege to enter a place of amusement. The measure of the tax shall not include any separate or additional charges, regardless of whether such charges are mandatory or a condition of purchase including, but not limited to, service fees, convenience fees, processing fees, delivery fees, handling charges, credit card or payment processing fees, or fees associated with memberships or subscriptions required to purchase tickets. Any such charges shall be deemed incidental to the admission and not subject to the admissions tax.*

118.23. *(SR: Sales Tax Assessments–Contract for Services) Notwithstanding any administrative interpretation, advisory opinion, or revenue ruling of the Department of Revenue to the contrary, sales tax assessments shall not apply to amounts paid for contracts for services entered into by the State, or political subdivisions thereof, for Emergency Services IP Network, also known as ESInet, in support of Next Generation 911 in South Carolina.*

118.24. *(SR: Sales Tax Assessments–Insurance Products) Notwithstanding any administrative interpretation, advisory opinion, or revenue ruling of the Department of Revenue to the contrary, sales tax assessments shall not apply to insurance products purchased separately for a product purchased and which sales tax was collected. Any such products shall be deemed incidental and separate to the purchase and not subject to sales tax.*

118.25. *(SR: ARPA Funds) (A) To ensure that the State of South Carolina maximizes the use of federal funds authorized through the American Rescue Plan Act (ARPA), beginning July 15 of the current fiscal year, the Director of the Department of Administration is authorized to reallocate any unused authorization in a particular enumerated item in Act 239 of 2022, Act 244 of 2022, Act 6 of 2023, or any other act through which ARPA funds were appropriated to any enumerated item of the aforementioned acts for which approved reimbursements exceed the authorization. The Director shall reallocate any unused authorization according to the following prioritization:*

(1) Department of Public Health;
(2) Department of Transportation;
(3) Department of Environmental Services;
(4) Office of Regulatory Staff;

(5) Office of Resilience; and

(6) Rural Infrastructure Authority.

(B) Applicants for Water and Sewer Infrastructure grants administered by the Rural Infrastructure Authority may exceed ten million dollars per project or application.

END OF PART IB

All acts or parts of acts inconsistent with any of the provisions of Part IA or Part IB of this act are suspended for Fiscal Year 2026-27.

If any part, 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 part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other parts, sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Except as otherwise specifically provided, this act takes effect July 1, 2026.

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