
**ACTS
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JOINT RESOLUTIONS
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ACTS and JOINT RESOLUTIONS

**OF THE
GENERAL ASSEMBLY
OF THE
STATE of SOUTH CAROLINA**

2016 REGULAR SESSION

Volume II

**Second Part
of Eightieth Volume of Statutes at Large**

(The Acts and Joint Resolutions of 2016
Constitute the Second Part)

**Passed at the regular session which was begun
and held at the City of Columbia on the 12th
day of January, A.D., 2016, and was
adjourned on the 15th day of
June, A.D., 2016**

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JAMES H. HARRISON
CODE COMMISSIONER

Agent's Name Printed

Agent's Address

Agent's Telephone Number

This document was acknowledged before me on

(Date)

by _____.

(Name of Agent)

_____ (Seal, if any)

Signature of Notary _____

My commission expires: _____

[This document prepared by:

_____]

Reporter's Comment

This section protects persons who in good faith accept a power of attorney which on its face complies with the execution requirements of Section 62-8-105. The purpose of this section is to protect a third person that in good faith accepts a power of attorney which appears on its face to be valid when the third person accepting the power of attorney is without knowledge that it contains a forged signature or a latent defect in the execution. The Act places the risk that a power of attorney is invalid upon the principal and the agent rather than the person that accepts the power of attorney. This approach promotes acceptance of powers of attorney, which is essential to their effectiveness as an alternative to guardianship. The national survey conducted by the Joint Editorial Board for Uniform Trust and Estate Acts (see Prefatory Note) found that a majority of respondents had difficulty obtaining acceptance of powers of attorney. Sixty-three percent reported occasional difficulty and seventeen percent reported frequent difficulty. Linda S. Whitton, National Durable Power of Attorney Survey Results and Analysis, National Conference of Commissioners on Uniform State Laws 12-13 (2002), available at <http://www.law.upenn.edu/bll/ulc/dpoaa/surveyoct2002.htm>.

This section permits a person to rely in good faith on the validity of the power of attorney, the validity of the agent's authority, and the propriety of the agent's exercise of authority, unless the person has actual knowledge to the contrary (subsection (b)). Although a person is not required to investigate whether a power of attorney is valid or the agent's exercise of authority proper, subsection (c) permits a person to request an agent's certification of any factual matter (see Subsection (f) for a sample certification form) and an opinion of counsel when there is concern that the power of attorney may not be effective in accordance with Section 6-8-109. If the power of attorney contains, in whole or part, language other than English, an English translation may also be requested. Further protection is provided in subsection (e) for persons that conduct activities through employees. Subsection (e) states that, for purposes of Sections 62-8-119 and 62-8-120, a person is without actual knowledge of a fact if the employee conducting the transaction is without actual knowledge of the fact.

Section 62-8-120. (a) Except as otherwise provided in subsection (b):

(1) a person shall either accept an acknowledged power of attorney as defined in Section 62-8-119 or request a certification, a translation, or an opinion of counsel as defined in Section 62-8-119(c) no later than seven business days after presentation of the power of attorney for acceptance;

(2) if a person requests a certification, a translation, or an opinion of counsel pursuant to Section 62-8-119, the person shall accept the power of attorney no later than five business days after receipt of the certification, translation, or opinion of counsel; and

(3) a person may not require an additional or different form of power of attorney for authority granted in the power of attorney presented.

(b) A person is not required to accept an acknowledged power of attorney if:

(1) the person is not otherwise required to engage in a transaction with the principal in the same circumstances;

(2) engaging in a transaction with the agent or the principal in the same circumstances would be inconsistent with federal law;

(3) the person has actual knowledge of the termination of the agent's authority or of the power of attorney before exercise of the power;

(4) a request for a certification, a translation, or an opinion of counsel pursuant to Section 62-8-119(d) is refused;

(5) the person in good faith believes that the power is not valid or that the agent does not have the authority to perform the act requested, whether or not a certification, a translation, or an opinion of counsel pursuant to Section 62-8-119 has been requested or provided;

(6) the person makes, or has actual knowledge that another person has made, a report to the appropriate state agency stating a good faith belief that the principal may be subject to physical or financial abuse, neglect, exploitation, or abandonment by the agent or a person acting for or with the agent; or

(7) the power does not contain the following provision or substantially the following provision:

‘No person who may act in reliance upon the representation of my agent for the scope of authority granted to the agent shall incur any liability to me or to my estate as a result of permitting the agent to exercise this authority, nor is any person who deals with my agent responsible to determine or ensure the proper application of funds or property.’

(c) A person that refuses in violation of this section to accept an acknowledged power of attorney is subject to:

(1) a court order mandating acceptance of the power of attorney; and

(2) liability for reasonable attorney’s fees and costs incurred in an action or proceeding that confirms the validity of the power of attorney or mandates acceptance of the power of attorney.

Reporter’s Comment

As a complement to Section 62-8-119, this section enumerates the bases for legitimate refusals of a power of attorney as well as sanctions for refusals that violate the act. Like Section 62-8-119, this section does not apply to powers of attorney that are not properly executed. Subsection (b) provides the bases upon which an acknowledged power of attorney may be refused without liability. Subsection (b)(6) permits refusal of an otherwise apparently valid power of attorney that does not meet any of the other bases for refusal if the person in good faith believes that the principal is subject to abuse by the agent or someone acting in concert with the agent. A refusal under this subsection is protected if the person makes, or knows another person has made, a report to the governmental agency authorized to protect the welfare of the principal. Subsection (b)(7) allows a person to refuse to accept an acknowledged power of attorney unless it contains the same or similar exculpatory language set forth in that subsection.

Unless a basis exists in subsection (b) for refusing an acknowledged power of attorney, subsection (a) requires that, within seven business days after the power of attorney is presented, a person must either accept the power of attorney or request a certification, a translation, or an opinion of counsel pursuant to Section 62-8-119. If a request under Section 62-8-119 is made, the person must decide to accept or reject the power of attorney no later than five business days after receipt of the requested document (subsection (a)(2)). Provided no basis exists for refusing the power of attorney, subsection (a)(3) prohibits a person from requesting an additional or different form of power of attorney for authority granted in the power of attorney presented.

Subsection (c) provides that a person that refuses an acknowledged power of attorney in violation of this section is subject to a court order mandating acceptance and to reasonable attorney's fees and costs incurred in the action to confirm the validity of the power of attorney or to mandate acceptance.

Section 62-8-121. Unless displaced by a provision of this article, the principles of law and equity supplement this article.

Reporter's Comment

The Uniform Act is supplemented by common law, including the common law of agency, where provisions of the Act do not displace relevant common law principles. The common law of agency is articulated in the Restatement of Agency and includes contemporary and evolving rules of decision developed by the courts in exercise of their power to adapt the law to new situations and changing conditions. The common law also includes the traditional and broad equitable jurisdiction of the court, which this Act in no way restricts.

The statutory text of the South Carolina Uniform Power of Attorney Act is also supplemented by these comments, which, like the comments to any Uniform Act, may be relied on as a guide for interpretation. See *Acierno v. Worthy Bros. Pipeline Corp.*, 656 A.2d 1085, 1090 (Del. 1995) (interpreting Uniform Commercial Code); *Yale University v. Blumenthal*, 621 A.2d 1304, 1307 (Conn. 1993) (interpreting Uniform Management of Institutional Funds Act); 2B Norman Singer, *Southerland Statutory Construction* § 52.5 (6th ed. 2000).

Section 62-8-122. This part does not supersede another law applicable to financial institutions or other entities, and the other law controls if inconsistent with this part.

Reporter's Comment

This section addresses concerns of representatives from the banking and insurance industries that there may be regulations that govern those entities that conflict with provisions of this act. Although no specific conflicts were identified during the drafting process, this section provides that in the event a law applicable to a financial institution or other entity is inconsistent with this act, the other law will supersede this act to the extent of the inconsistency. This concern about inconsistency with the requirements of other law is already substantially addressed in Section 62-8-120, which provides, in pertinent part, that a person is not required to accept a power of attorney if, "the person is not otherwise required to engage in a transaction with the principal in the same circumstances," or "engaging in a transaction with the agent or the principal in the same circumstances would be inconsistent with federal law."

Section 62-8-123. The remedies under this article are not exclusive and do not abrogate any right or remedy under the law of this State other than this article.

Reporter's Comment

The remedies under the Act are not intended to be exclusive with respect to causes of action that may accrue in relation to a power of attorney. The Act applies to many persons, individual and entity (see Section 62-8-102(6) (defining "person" for purposes of the Act)), that may serve as agents or that may be asked to accept a power of attorney. Likewise, the Act applies to many subject areas (see the following Sections) over which principals may delegate authority to agents. Remedies under other laws which govern such persons and subject matters should be considered by aggrieved parties in addition to remedies available under this Act. See, e.g., Section 62-8-117 Reporter's Comment.

Part 2

Reporter's General Comment

Part 2 of the act provides the default statutory construction for authority granted in a power of attorney. Sections 62-8-204 through 62-8-217 describe authority with respect to various subject matters. These descriptions may be incorporated by specific reference in the power of attorney to the sections which the principal desires to incorporate. Incorporation is accomplished by providing a citation to the

section in which the authority is described (Section 62-8-202). A principal may also modify any authority incorporated by reference (Section 62-8-202(c)). Section 62-8-203 supplements Sections 62-8-204 through 62-8-217 by providing general terms of construction that apply to all grants of authority under those sections unless otherwise indicated in the power of attorney.

Part 2 includes a section that provides a default rule for the parameters of gift making authority (Section 62-8-217) and identifies specific acts that may be authorized only by an express grant in the power of attorney (Section 62-8-201(a)). Express authorization for the acts listed in Section 62-8-201(a) is required because of the risk those acts pose to the principal's property and estate plan. The purpose of Section 62-8-201(a) is to make clear that authority for these acts may not be inferred from a grant of general authority.

Section 62-8-201. (a) Notwithstanding anything contained in Sections 62-8-204 through 62-8-217, an agent under a power of attorney may do the following on behalf of the principal or with the principal's property only if the power of attorney expressly grants the agent the authority and exercise of the authority is not otherwise prohibited by another agreement or instrument to which the authority or property is subject:

- (1) create, amend, revoke, or terminate a trust, pursuant to Section 62-7-602A;
- (2) make a gift;
- (3) create or change rights of survivorship;
- (4) create or change a beneficiary designation;
- (5) delegate authority granted under the power of attorney;
- (6) waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan;
- (7) exercise fiduciary powers that the principal has authority to delegate;
- (8) disclaim property, including a power of appointment;
- (9) access a safe deposit box or vault leased by the principal;
- (10) exercise a power of appointment in favor of someone other than the principal;
- (11) reject, renounce, disclaim, release, or consent to a reduction in or modification of a share in or payment from an estate, trust, or other beneficial interest; or
- (12) deal with commodity futures contracts and call or put options on stocks or stock indexes.

(b) Notwithstanding a grant of authority to do an act described in subsection (a), unless the power of attorney otherwise provides, only an agent who is an ancestor, spouse, or descendant of the principal, may exercise authority under a power of attorney to create in the agent, or in an individual to whom the agent owes a legal obligation of support, an interest in the principal's property, whether by gift, right of survivorship, beneficiary designation, disclaimer, or otherwise.

(c) Except as to those acts enumerated in subsection (a) and subject to subsections (b), (d), and (e), if a power of attorney grants to an agent authority to do all acts that a principal could do, the agent has the general authority described in Sections 62-8-204 through 62-8-216.

(d) Unless the power of attorney otherwise provides, a grant of authority to make a gift is subject to Section 62-8-217.

(e) Except as to those acts enumerated in subsection (a) and subject to subsections (b) and (d), if the acts over which authority is granted in a power of attorney are similar or overlap, the broadest authority controls.

(f) Authority granted in a power of attorney is exercisable with respect to property that the principal has when the power of attorney is executed or acquires later, whether or not the property is located in this State and whether or not the authority is exercised or the power of attorney is executed in this State.

(g) An act performed by an agent pursuant to a power of attorney has the same effect and inures to the benefit of and binds the principal and the principal's successors in interest as if the principal had performed the act.

Reporter's Comment

This section distinguishes between grants of specific authority that require express language in a power of attorney and grants of general authority that do not require express language. Subsection (a) enumerates the acts that require an express grant of specific authority and which may not be inferred from a grant of general authority. This approach follows South Carolina case law. See, e.g., *Fender v. Fender*, 285 S.C. 260, 329 S.E.2d 430 (1985). The rationale for requiring a grant of specific authority to perform the acts enumerated in subsection (a) is the risk those acts pose to the principal's property and estate plan. Although risky, such authority may nevertheless be necessary or advisable to effectuate the principal's property management and estate planning objectives, including tax considerations, special needs, and government benefits. Ideally, these are matters about which the principal will seek advice before granting authority to an agent and about

which the agent would seek advice before exercising the authority granted to the agent.

As with any authority incorporated by reference in a power of attorney, the principal may enlarge or restrict the default parameters set by the Act.

With respect to other acts listed in subsection (a), this Act contemplates that the principal will specify any special instructions in the power of attorney to further define or limit the authority granted. For example, if a principal grants authority to create or change rights of survivorship (subsection (a)(3)) or beneficiary designations (subsection (a)(4)), the principal may choose to restrict that authority to specifically identified property interests, accounts, or contracts or to specific persons, such as the principal's spouse or descendants. Principals should carefully consider not only whether to authorize any of the acts listed in subsection (a), but also whether to limit the scope of such actions.

Subsection (b) contains an additional safeguard for the principal. It establishes as a default rule that an agent who is not an ancestor, spouse, or descendant of the principal may not exercise authority to create, in the agent or in an individual the agent is legally obligated to support, an interest in the principal's property. For example, a non-relative agent with gift making authority could not make a gift to the agent or a dependent of the agent without the principal's express authority in the power of attorney. In contrast, a spouse-agent with express gift-making authority could implement the principal's expectation that annual family gifts be continued without additional authority in the power of attorney.

Notwithstanding a grant of authority to perform any of the enumerated acts in subsection (a), an agent is bound by the mandatory fiduciary duties set forth in Section 62-8-114(a) as well as the default duties that the principal has not modified. If the principal's expectations for the performance of authorized acts potentially conflict with those duties, then clarification of the principal's expectations, modification of the default duties, or both, may be advisable. See Section 62-8-114 Reporter's Comment.

Authority for acts and subject matters other than those listed in Section 62-8-201(a) may be granted either through incorporation by reference (see Section 62-8-202) or, if the principal wishes to grant comprehensive general authority, by a grant of authority to do all the acts that a principal could do. A broad grant of general authority is interpreted under the Act as including all of the subject matters and authority described in Sections 62-8-204 through 62-8-216 (see subsection (c)).

Section 62-8-202. (a) An agent has authority described in this part if the power of attorney cites the section in which the authority is described.

(b) A reference in a power of attorney citing one or more of Sections 62-8-204 through 62-8-217 incorporates the entire section as if it were set out in full in the power of attorney.

(c) The power of attorney may modify authority incorporated by reference or may grant authority to an agent as provided in the power of attorney.

Reporter's Comment

This section provides that a reference to the section number or numbers incorporates the entire statutory section referenced as if it were set out in full in the power of attorney. Subsection (c) provides that a principal may modify any authority incorporated by reference and may grant different or additional authority than that provided by specifying the authority so granted in the power of attorney. The intent of the Act is to allow a principal to grant authority to an agent by reference to specific sections of the Act, which are then incorporated into the document, but not to limit other powers that the principal may grant to an agent, such as the powers described in Section 62-8-201.

Section 62-8-203. Except as otherwise provided in the power of attorney, by executing a power of attorney that incorporates by reference one or more of Sections 62-8-204 through 62-8-217, a principal also authorizes the agent, with respect to that subject, to:

(1) demand, receive, and obtain by litigation or otherwise, money or another thing of value to which the principal is, may become, or claims to be entitled, and conserve, invest, disburse, or use anything so received or obtained for the purposes intended;

(2) contract in any manner with any person, on terms agreeable to the agent, to accomplish a purpose of a transaction and perform, rescind, cancel, terminate, reform, restate, release, or modify the contract or another contract made by or on behalf of the principal;

(3) execute, acknowledge, seal, deliver, file, or record an instrument or communication the agent considers desirable to accomplish a purpose of a transaction, including creating at any time a schedule listing some or all of the principal's property and attaching it to the power of attorney;

(4) initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to a claim existing in favor of or against the principal or intervene in litigation relating to the claim;

(5) seek on the principal's behalf the assistance of a court or other governmental agency to carry out an act authorized in the power of attorney;

(6) engage, compensate, and discharge an attorney, accountant, discretionary investment manager, expert witness, or other advisor, even though they are associated with the agent to advise or assist the agent in the performance of the agent's administrative duties and to act upon their recommendation without independent investigation and, instead of acting personally, to employ one or more agents to perform an act of administration, whether or not discretionary;

(7) prepare, execute, and file a record, report, or other document to safeguard or promote the principal's interest under a statute or regulation;

(8) communicate with a representative or employee of a government or governmental subdivision, agency, or instrumentality, on behalf of the principal;

(9) access communications intended for, and communicate on behalf of the principal, whether by mail, electronic transmission, telephone, or other means, access the principal's files electronically, and obtain the principal's user names and passwords; and

(10) do any lawful act with respect to the subject and all property related to the subject.

Reporter's Comment

This section describes incidental types of authority that accompany all authority granted to an agent under each of Sections 62-8-204 through 62-8-217, unless this incidental authority is modified in the power of attorney. The actions authorized in this section are of the type often necessary for the exercise or implementation of authority over the subjects described in Sections 62-8-204 through 62-8-217, Paragraph (10), which states that an agent is authorized to "do any lawful act with respect to the subject and all property related to the subject," emphasizes that a grant of general authority is intended to be comprehensive unless otherwise limited by the Act or the power of attorney. Paragraphs (8) and (9) clarify that this comprehensive authority includes authorization to communicate with government employees on behalf of the principal, to access communications intended for the principal, and to communicate on behalf of the principal using all modern means of communication. Paragraph (6) allows flexibility in the choice of the listed professionals and advisors. Paragraph 9 ensures that the agent is allowed to obtain the principal's user names and passwords.

Section 62-8-204. Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to real property authorizes the agent to:

(1) demand, buy, lease, receive, accept as a gift or as security for an extension of credit, or otherwise acquire or reject an interest in real property or a right incident to real property;

(2) sell; exchange; convey with or without covenants, representations, or warranties; quitclaim; release; surrender; retain title for security; encumber; partition; consent to partitioning; subject to an easement or covenant; subdivide; apply for zoning or other governmental permits; plat or consent to platting; develop; grant an option concerning; lease; sublease; contribute to an entity in exchange for an interest in that entity; or otherwise grant or dispose of an interest in real property or a right incident to real property;

(3) pledge or mortgage an interest in real property or right incident to real property as security to borrow money or pay, renew, or extend the time of payment of a debt of the principal or a debt guaranteed by the principal;

(4) release, assign, satisfy, or enforce by litigation or otherwise a mortgage, deed of trust, conditional sale contract, encumbrance, lien, or other claim to real property which exists or is asserted;

(5) manage or conserve an interest in real property or a right incident to real property owned or claimed to be owned by the principal, including:

(A) insuring against liability or casualty or other loss;

(B) obtaining or regaining possession of or protecting the interest or right by litigation or otherwise;

(C) paying, assessing, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with them; and

(D) purchasing supplies, hiring assistance or labor, and making repairs or alterations to the real property;

(6) use, develop, alter, replace, remove, erect, or install structures or other improvements upon real property in or incident to which the principal has, or claims to have, an interest or right;

(7) participate in a reorganization with respect to real property or an entity that owns an interest in or right incident to real property and receive, and hold, and act with respect to stocks and bonds or other property received in a plan of reorganization, including:

(A) selling or otherwise disposing of them;

(B) exercising or selling an option, right of conversion, or similar right with respect to them; and

(C) exercising any voting rights in person or by proxy;

(8) change the form of title of an interest in or right incident to real property; and

(9) dedicate to public use, with or without consideration, easements or other real property in which the principal has, or claims to have, an interest.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney.

Section 62-8-205. Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to tangible personal property authorizes the agent to:

(1) demand, buy, receive, accept as a gift or as security for an extension of credit, or otherwise acquire or reject ownership or possession of tangible personal property or an interest in tangible personal property;

(2) sell; exchange; convey with or without covenants, representations, or warranties; quitclaim; release; surrender; create a security interest in; grant options concerning; lease; sublease; or, otherwise dispose of tangible personal property or an interest in tangible personal property;

(3) grant a security interest in tangible personal property or an interest in tangible personal property as security to borrow money or pay, renew, or extend the time of payment of a debt of the principal or a debt guaranteed by the principal;

(4) release, assign, satisfy, or enforce by litigation or otherwise, a security interest, lien, or other claim on behalf of the principal, with respect to tangible personal property or an interest in tangible personal property;

(5) manage or conserve tangible personal property or an interest in tangible personal property on behalf of the principal, including:

(A) insuring against liability or casualty or other loss;

(B) obtaining or regaining possession of or protecting the property or interest, by litigation or otherwise;

(C) paying, assessing, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with taxes or assessments;

(D) moving the property from place to place;

(E) storing the property for hire or on a gratuitous bailment; and

(F) using and making repairs, alterations, or improvements to the property;

(6) change the form of title of an interest in tangible personal property; and

(7) take possession and order the removal and shipment of property of the principal from a post, warehouse, depot, dock, or other place of storage or safekeeping, either governmental or private, and execute and deliver a release, voucher, receipt, bill of lading, shipping ticket, certificate, or other instrument for that purpose.

Reporter's Comment

If a power of attorney specifically cites this section, then the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney. Paragraph (7), found in Section 214 of the Uniform Power of Attorney Act, has been added to the South Carolina version of this section to place it with the other powers related to tangible personal property.

Section 62-8-206. Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to stocks and bonds, authorizes the agent to:

(1) buy, sell, and exchange stocks and bonds;

(2) establish, continue, modify, or terminate an account with respect to stocks and bonds;

(3) pledge stocks and bonds as security to borrow, pay, renew, or extend the time of payment of a debt of the principal;

(4) receive certificates and other evidences of ownership with respect to stocks and bonds; and

(5) exercise voting rights with respect to stocks and bonds in person or by proxy, enter into voting trusts, and consent to limitations on the right to vote.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or

limited by the power of attorney. "Stocks and bonds" is a defined term in the Act. See Section 62-8-102(13).

Section 62-8-207. Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to commodities and options authorizes the agent to:

- (1) buy, sell, exchange, assign, settle, and exercise commodity futures contracts and call or put options on stocks or stock indexes traded on a regulated option exchange; and
- (2) establish, continue, modify, and terminate option accounts.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney.

Section 62-8-208. Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to banks and other financial institutions authorizes the agent to:

- (1) continue, modify, and terminate an account or other banking arrangement made by or on behalf of the principal;
- (2) establish, modify, and terminate an account or other banking arrangement with a bank, trust company, savings and loan association, credit union, thrift company, brokerage firm, or other financial institution selected by the agent;
- (3) contract for services available from a financial institution, including renting a safe deposit box or space in a vault;
- (4) withdraw, by check, order, electronic funds transfer, or otherwise, money or property of the principal deposited with or left in the custody of a financial institution;
- (5) receive statements of account, vouchers, notices, and similar documents from a financial institution and act with respect to them;
- (6) borrow money and pledge as security personal property of the principal necessary to borrow money or pay, renew, or extend the time of payment of a debt of the principal or a debt guaranteed by the principal;
- (7) make, assign, draw, endorse, discount, guarantee, and negotiate promissory notes, checks, drafts, and other negotiable or nonnegotiable paper of the principal or payable to the principal or the principal's order, transfer money, receive the cash or other proceeds of those transactions,

and accept a draft drawn by a person upon the principal and pay it when due;

(8) receive for the principal and act upon a sight draft, warehouse receipt, or other document of title whether tangible or electronic, or other negotiable or nonnegotiable instrument;

(9) apply for, receive, and use letters of credit, credit and debit cards, electronic transaction authorizations, and traveler's checks from a financial institution and give an indemnity or other agreement in connection with letters of credit; and

(10) consent to an extension of the time of payment with respect to commercial paper or a financial transaction with a financial institution.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney. The power of attorney may also modify the powers in accordance with Section 62-8-201. The section differs from the Uniform Power of Attorney Act in that paragraph (6) relating to safety deposit boxes has been deleted because those powers are found in Sections 34-19-10, et seq.

Section 62-8-209. Subject to Section 62-8-201 and the terms of a document or an agreement governing an entity or an entity ownership interest, and unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to operation of an entity or business authorizes the agent to:

(1) operate, buy, sell, enlarge, reduce, or terminate an ownership interest;

(2) perform a duty or discharge a liability and exercise in person or by proxy a right, power, privilege, or option that the principal has, may have, or claims to have;

(3) enforce the terms of an ownership agreement;

(4) initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to which the principal is a party because of an ownership interest;

(5) exercise in person or by proxy, or enforce by litigation or otherwise, a right, power, privilege, or option the principal has or claims to have as the holder of stocks and bonds;

(6) initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to which the principal is a party concerning stocks and bonds;

(7) with respect to an entity or business owned solely by the principal:

(A) continue, modify, renegotiate, extend, and terminate a contract made by or on behalf of the principal with respect to the entity or business before execution of the power of attorney;

(B) determine the:

- (i) location of its operation;
- (ii) nature and extent of its business;
- (iii) methods of manufacturing, selling, merchandising, financing, accounting, and advertising employed in its operation;
- (iv) amount and types of insurance carried; and
- (v) mode of engaging, compensating, and dealing with its employees and accountants, attorneys, or other advisors;

(C) change the name or form of organization under which the entity or business is operated and enter into an ownership agreement with other persons to take over all or part of the operation of the entity or business; and

(D) demand and receive money due or claimed by the principal or on the principal's behalf in the operation of the entity or business and control and disburse the money in the operation of the entity or business;

(8) put additional capital into an entity or business in which the principal has an interest;

(9) join in a plan of reorganization, consolidation, conversion, domestication, or merger of the entity or business;

(10) sell or liquidate all or part of an entity or business;

(11) establish the value of an entity or business under a buy-out agreement to which the principal is a party;

(12) prepare, sign, file, and deliver reports, compilations of information, returns, or other papers with respect to an entity or business and make related payments; and

(13) pay, compromise, or contest taxes, assessments, fines, or penalties and perform another act to protect the principal from illegal or unnecessary taxation, assessments, fines, or penalties, with respect to an entity or business, including attempts to recover, in any manner permitted by law, money paid before or after the execution of the power of attorney.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney. This section encompasses all modern business and entity forms, including limited liability companies, limited

liability partnerships, and entities that may be organized other than for a business purpose.

Section 62-8-210. Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to insurance and annuities authorizes the agent to:

(1) continue, pay the premium or make a contribution on, modify, exchange, rescind, release, or terminate a contract procured by or on behalf of the principal which insures or provides an annuity to either the principal or another person, whether or not the principal is a beneficiary under the contract;

(2) procure new, different, and additional contracts of insurance and annuities for the principal and the principal's spouse, children, and other dependents, and select the amount, type of insurance or annuity, and mode of payment;

(3) pay the premium or make a contribution on, modify, exchange, rescind, release, or terminate a contract of insurance or annuity procured by the agent;

(4) apply for and receive a loan secured by a contract of insurance or annuity;

(5) surrender and receive the cash surrender value on a contract of insurance or annuity;

(6) exercise an election;

(7) exercise investment powers available under a contract of insurance or annuity;

(8) change the manner of paying premiums on a contract of insurance or annuity;

(9) change or convert the type of insurance or annuity with respect to which the principal has or claims to have authority described in this section;

(10) apply for and procure a benefit or assistance under a statute or regulation to guarantee or pay premiums of a contract of insurance on the life of the principal;

(11) collect, sell, assign, hypothecate, borrow against, or pledge the interest of the principal in a contract of insurance or annuity;

(12) select the form and timing of the payment of proceeds from a contract of insurance or annuity; and

(13) pay, from proceeds or otherwise, compromise or contest, and apply for refunds in connection with, a tax or assessment levied by a taxing authority with respect to a contract of insurance or annuity or its proceeds or liability accruing by reason of the tax or assessment.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney. Under Section 62-8-201(a)(4), an agent does not have authority to "create or change a beneficiary designation" unless that authority is specifically granted to the agent pursuant to Section 62-8-201(a). The authority granted under Paragraph (2) of Section 62-8-210 is more limited, allowing an agent to only "procure new, different, and additional contracts of insurance and annuities for the principal and the principal's spouse, children, and other dependents." A principal who grants authority to an agent under Section 62-8-210 should therefore carefully consider whether a specific grant of authority to create or change beneficiary designations is also desirable.

Section 62-8-211. (a) In this section, 'estate, trust, or other beneficial interest' means a trust, probate estate, guardianship, conservatorship, escrow, or custodianship or a fund from which the principal is, may become, or claims to be, entitled to a share or payment.

(b) Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to estates, trusts, and other beneficial interests authorizes the agent to:

(1) accept, receive, receipt for, sell, assign, pledge, or exchange a share in or payment from an estate, trust, or other beneficial interest;

(2) demand or obtain money or another thing of value to which the principal is, may become, or claims to be, entitled by reason of an estate, trust, or other beneficial interest, by litigation or otherwise;

(3) exercise for the benefit of the principal a presently exercisable general power of appointment held by the principal;

(4) initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to ascertain the meaning, validity, or effect of a deed, will, declaration of trust, or other instrument or transaction affecting the interest of the principal;

(5) initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to remove, substitute, or surcharge a fiduciary;

(6) conserve, invest, disburse, or use anything received for an authorized purpose; and

(7) transfer an interest of the principal in real property, stocks and bonds, accounts with financial institutions or securities intermediaries,

insurance, annuities, and other property to the trustee of a revocable trust created by the principal as settlor.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney. This section clarifies that an agent's authority includes authority to exercise, for the benefit of the principal, a presently exercisable general power of appointment held by the principal (subsection (b)(3)). "Presently exercisable general power of appointment" is defined for purposes of the Act in Section 62-8-102(8).

Section 62-8-212. Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to claims and litigation authorizes the agent to:

(1) assert and maintain before a court or administrative agency a claim, claim for relief, cause of action, counterclaim, offset, recoupment, or defense, including an action to recover property or other thing of value, recover damages sustained by the principal, eliminate or modify tax liability, or seek an injunction, specific performance, or other relief;

(2) bring an action to determine adverse claims or intervene or otherwise participate in litigation;

(3) seek an attachment, garnishment, order of arrest, or other preliminary, provisional, or intermediate relief and use an available procedure to effect or satisfy a judgment, order, or decree;

(4) make or accept a tender, offer of judgment, or admission of facts, submit a controversy on an agreed statement of facts, consent to examination, and bind the principal in litigation;

(5) submit to alternative dispute resolution, settle, and propose or accept a compromise;

(6) waive the issuance and service of process upon the principal, accept service of process, appear for the principal, designate persons upon whom process directed to the principal may be served, execute and file or deliver stipulations on the principal's behalf, verify pleadings, seek appellate review, procure and give surety and indemnity bonds, contract and pay for the preparation and printing of records and briefs, receive, execute, and file or deliver a consent, waiver, release, confession of judgment, satisfaction of judgment, notice, agreement, or other instrument in connection with the prosecution, settlement, or defense of a claim or litigation;

(7) act for the principal with respect to bankruptcy or insolvency, whether voluntary or involuntary, concerning the principal or some other person, or with respect to a reorganization, receivership, or application for the appointment of a receiver or trustee which affects an interest of the principal in property or other thing of value;

(8) pay a judgment, award, or order against the principal or a settlement made in connection with a claim or litigation; and

(9) receive money or other thing of value paid in settlement of or as proceeds of a claim or litigation.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney.

Section 62-8-213. (a) Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to personal and family maintenance authorizes the agent to:

(1) perform the acts necessary to maintain the customary standard of living of the principal, the principal's spouse, and the following individuals, whether living when the power of attorney is executed or later born:

(A) individuals legally entitled to be supported by the principal; and

(B) the individuals whom the principal has customarily supported or indicated the intent to support;

(2) make periodic payments of child support and other family maintenance required by a court or governmental agency or an agreement to which the principal is a party;

(3) provide living quarters for the individuals described in subsection (a)(1) by:

(A) purchase, lease, or other contract; or

(B) paying the operating costs, including interest, amortization payments, repairs, improvements, and taxes, for premises owned by the principal or occupied by those individuals;

(4) provide normal domestic help, usual vacations and travel expenses, and funds for shelter, clothing, food, appropriate education, including postsecondary and vocational education, and other current living costs for the individuals described in item (1);

(5) pay expenses for necessary health care and custodial care on behalf of the individuals described in subsection (a)(1);

(6) act as the principal's personal representative pursuant to the Health Insurance Portability and Accountability Act, Sections 1171 through 1179 of the Social Security Act, 42 U.S.C. Section 1320d, as amended, and applicable regulations, in making decisions related to the past, present, or future payment for the provision of health care consented to by the principal or anyone authorized under the law of this State to consent to health care on behalf of the principal;

(7) continue a provision made by the principal for automobiles or other means of transportation, including registering, licensing, insuring, and replacing them, for the individuals described in subsection (a)(1);

(8) maintain credit and debit accounts for the convenience of the individuals described in subsection (a)(1) and open new accounts;

(9) continue payments incidental to the membership or affiliation of the principal in a religious institution, club, society, order, or other organization or to continue contributions to those organizations; and

(10) enter into financial arrangements and agreements for the admission and care of the principal with an assisted living facility, nursing home, hospital, rehabilitative or respite facility, in home or other care providers, including hiring and firing home health care and other providers of services to the principal.

(b) Authority with respect to personal and family maintenance is neither dependent upon, nor limited by, authority that an agent may or may not have with respect to gifts pursuant to this article.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney. Subsection (a)(1) specifies who qualifies to benefit from payments for personal and family maintenance.

Subsection (a)(6) qualifies the agent to act as the principal's "personal representative" for purposes of the Health Insurance Portability and Accountability Act (HIPAA) so that the agent can communicate with health care providers to pay medical bills. See 45 C.F.R. § 164.502(g)(1)-(2) (2006) (providing that for purposes of disclosing an individual's protected health information, "a covered entity must . . . treat a personal representative as the individual"). Subsection (a)(6) does not, however, empower the agent to make health-care decisions for the principal. See Section 62-8-103 Reporter's Comment (discussing that decision-making for financial management and health care are often interdependent and referring to the rule in Section 62-8-114(b)(5) for an agent under this Act to cooperate with the principal's health-care decision-maker).

Subsection (b) provides that authority under this section is neither dependent upon, nor limited by, authority that an agent may or may not have with respect to making gifts. Although payments made for the benefit of persons under this section may in fact be subject to gift tax treatment, subsection (b) clarifies that the authority for personal and family maintenance payments by an agent emanates from this section rather than Section 62-8-217. This is an important distinction because the Act requires a grant of specific authority under Section 62-8-201(a) to authorize gift making, and the default provisions of Section 62-8-217 limit the amounts and methods of those gifts. The authority to make payments under this section is not constrained by either of these provisions.

The South Carolina Act adds Subsection (a)10, which clarifies the powers an agent has with regard to arranging for the principal's health care.

Section 62-8-214. (a) In this section, 'benefits from governmental programs or civil or military service' means a benefit, program, or assistance provided under a statute or regulation including Social Security, Medicare, and Medicaid.

(b) Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to benefits from governmental programs or civil or military service authorizes the agent to:

(1) execute vouchers in the name of the principal for allowances and reimbursements payable by the United States or a foreign government or by a state or subdivision of a state to the principal, including allowances and reimbursements for transportation of the individuals described in Section 62-8-213(a)(1), and for shipment of their household effects;

(2) enroll in, apply for, select, reject, change, amend, or discontinue, on the principal's behalf, a benefit or program;

(3) prepare, file, and maintain a claim of the principal for a benefit or assistance, financial or otherwise, to which the principal may be entitled under a statute or regulation;

(4) initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation concerning a benefit or assistance the principal may be entitled to receive under a statute or regulation; and

(5) receive the financial proceeds of a claim described in item (4) and conserve, invest, disburse, or use for a lawful purpose anything so received.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney. While this section incorporates most of the Uniform Power of Attorney Act provisions, subsection (b)(2) of the uniform act, relating to removal and shipment of personal property, has been moved to Section 62-8-205, which lists powers relating to tangible personal property.

Section 62-8-215. (a) In this section, 'retirement plan' means a plan or account created by an employer, the principal, or another individual to provide retirement benefits or deferred compensation of which the principal is a participant, beneficiary, or owner, including a plan or account under the following sections of the Internal Revenue Code:

(1) an individual retirement account under Internal Revenue Code 26 U.S.C. Section 408, as amended;

(2) a Roth individual retirement account under Internal Revenue Code 26 U.S.C. Section 408A, as amended;

(3) a deemed individual retirement account under Internal Revenue Code 26 U.S.C. Section 408(q), as amended;

(4) an annuity or mutual fund custodial account under Internal Revenue Code 26 U.S.C. Section 403(b), as amended;

(5) a pension, profit-sharing, stock bonus, or other retirement plan qualified under Internal Revenue Code 26 U.S.C. Section 401(a), as amended;

(6) a plan under Internal Revenue Code 26 U.S.C. Section 457(b), as amended; and

(7) a nonqualified deferred compensation plan under Internal Revenue Code 26 U.S.C. Section 409A, as amended.

(b) Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to retirement plans authorizes the agent to:

(1) select the form and timing of payments under a retirement plan, including election of survivor benefits, and withdraw benefits from a plan;

(2) make a rollover, including a direct trustee-to-trustee rollover, of benefits from one retirement plan to another;

(3) establish a retirement plan in the principal's name;

(4) make contributions to a retirement plan;

(5) exercise investment powers available under a retirement plan;
and

(6) borrow from, sell assets to, or purchase assets from a retirement plan.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney. Under this Act, the authority to waive the principal's right to be a beneficiary of a joint and survivor annuity must be given by a specific grant pursuant to Section 62-8-201(a).

Section 62-8-216. Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to taxes authorizes the agent to:

(1) prepare, sign, and file federal, state, local, and foreign income, gift, payroll, property, Federal Insurance Contributions Act, and other tax returns, claims for refunds, requests for extension of time, petitions regarding tax matters, and other tax-related documents, including receipts, offers, waivers, consents, including consents and agreements pursuant to Internal Revenue Code 26 U.S.C. Section 2032A, as amended, closing agreements, and any power of attorney required by the Internal Revenue Service, including Form 2848 or other taxing authority with respect to a tax year upon which the statute of limitations has not run and the following twenty-five tax years;

(2) pay taxes due, collect refunds, post bonds, receive confidential information, and contest deficiencies determined by the Internal Revenue Service or other taxing authority;

(3) exercise any election available to the principal under federal, state, local, or foreign tax law; and

(4) act for the principal in all tax matters for all periods before the Internal Revenue Service, or other taxing authority.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney.

Section 62-8-217. (a) In this section, a gift 'for the benefit of' a person includes a gift to a trust, an account under the Uniform Transfers to Minors Act, and a tuition savings account or prepaid tuition plan as defined in Internal Revenue Code 26 U.S.C. Section 529, as amended.

(b) Unless the power of attorney otherwise provides and subject to Section 62-8-201, language in a power of attorney granting general authority with respect to gifts authorizes the agent to:

(1) make outright to, or for the benefit of, a person, a gift of any of the principal's property, including by the exercise of a presently exercisable general power of appointment held by the principal, in an amount per donee not to exceed the annual dollar limits of the federal gift tax exclusion pursuant to Internal Revenue Code 26 U.S.C. Section 2503(b), as amended, without regard to whether the federal gift tax exclusion applies to the gift, or if the principal's spouse agrees to consent to a split gift pursuant to Internal Revenue Code 26 U.S.C. 2513, as amended, in an amount per donee not to exceed twice the annual federal gift tax exclusion limit; and

(2) consent, pursuant to Internal Revenue Code 26 U.S.C. Section 2513, as amended, to the splitting of a gift made by the principal's spouse in an amount per donee not to exceed the aggregate annual gift tax exclusions for both spouses.

(3) An agent may make a gift of the principal's property only as the agent determines is consistent with the principal's objectives if actually known by the agent and, if unknown, as the agent determines is consistent with the principal's best interest based on:

(A) the value and nature of the principal's property;

(B) the principal's foreseeable obligations and need for maintenance;

(C) minimization of taxes, including income, estate, inheritance, generation-skipping transfer, and gift taxes;

(D) eligibility for a benefit, a program, or assistance under a statute or regulation; and

(E) the principal's personal history of making or joining in making gifts.

Reporter's Comment

If a power of attorney specifically cites this section, the agent will have the powers listed in this section unless otherwise modified or limited by the power of attorney. This section provides default limitations on an agent's authority to make a gift of the principal's property. Authority to make a gift must be made by a specific grant in a power of attorney (see Section 62-8-201(a)(2)). The mere granting to an agent of authority to make gifts does not, however, grant an agent unlimited authority. The agent's authority is subject to this section unless enlarged or further limited by an express modification in the power of attorney. Without modification, the authority of an agent under

this section is limited to gifts in an amount per donee not to exceed the annual dollar limits of the federal gift tax exclusion, or twice that amount if the principal and the principal's spouse consent to make a split gift.

Subsection (a) of this section clarifies the fact that a gift includes not only outright gifts, but also gifts for the benefit of a person. Subsection (a) provides examples of gifts made for the benefit of a person, but these examples are not intended to be exclusive.

Subsection (b)(3) emphasizes that exercise of authority to make a gift, as with exercise of all authority under a power of attorney, must be consistent with the principal's objectives. If these objectives are not known, then gifts must be consistent with the principal's best interest based on all relevant factors. Subsection (b)(3) provides examples of factors relevant to the principal's best interest, but these examples are illustrative rather than exclusive.

To the extent that a principal's objectives with respect to the making of gifts may potentially conflict with an agent's default duties under the Act, the principal should carefully consider stating those objectives in the power of attorney, or altering the default rules to accommodate the objectives, or both. See Section 62-8-114 Reporter's Comment.

Part 3
Reserved

Part 4

Section 62-8-401. The probate court has concurrent jurisdiction with the circuit courts of this State over all subject matter related to the creation, exercise, construction, and termination of powers of attorney governed by the provisions of this article.

Reporter's Comment

This section incorporates most of former Section 62-5-503. It does not contain the provision for approval of the sale of real and personal property by an attorney-in-fact to avoid the possible misinterpretation under the former section that the deleted provision was a requirement for such a sale rather than a confirmation of jurisdiction. Although in some cases court approval of real or personal property is necessary or appropriate, it is not required in all cases.

Section 62-8-402. This article modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001, et seq., but does not modify, limit, or supersede

Section 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Section 7003(b).

Section 62-8-403. Except as otherwise provided in this article on the effective date of this act:

(a) this article applies to a power of attorney created on or after the effective date of this act;

(b) the procedural provisions of this article apply to a judicial proceeding concerning a power of attorney commenced on or after the effective date of this act;

(c) the applicable law in effect before the effective date of this act applies to a power of attorney created or restated before the effective date of this act;

(d) the procedural provisions of this article apply to a judicial proceeding concerning a power of attorney commenced before the effective date of this act unless the court finds that application of a procedural provision of this act would substantially interfere with the effective conduct of the judicial proceeding or prejudice the rights of a party, in which case that procedural provision does not apply and the applicable procedural provision in effect at the commencement of the judicial proceeding applies; and

(e) an act done before the effective date of this act is not affected by this act.”

South Carolina Statutory Health Care Power of Attorney Act

SECTION 2. Part 5, Article 5, Title 62 of the 1976 Code is amended to read:

“Part 5

Health Care Powers of Attorney

Section 62-5-500. This part may be cited as the ‘South Carolina Statutory Health Care Power of Attorney Act’.

Editor’s Note:

“The South Carolina Uniform Power of Attorney Act (“SCUPOAA”), which is based on the Uniform Power of Attorney Act (“UPOAA”), replaces former South Carolina Probate Code Section 62-5-501 and becomes Article 8 of the South Carolina Probate Code, so its section

numbers will be consistent with the UPOAA's numbering. The SCUPOAA also incorporates the provisions of former South Carolina Probate Code Sections 62-5-502 and 62-5-503.

The provisions of South Carolina's Health Care Power of Attorney statute, formerly found at Section 62-5-504, are now renumbered as Sections 62-5-501 through 62-5-518, without changing the substance of former Section 62-5-504.

The Uniform Veterans Guardianship Act ("UVGA") no longer exists as a uniform law. The corresponding sections of the South Carolina version of the UVGA are repealed, although pertinent provisions are retained by folding them into existing sections of the South Carolina Probate Code (62-1-201, 62-5-404, and 62-5-407) and by adding one section (62-5-436).

Consequently, Title 62, Article 5, Part 5 now covers only health care powers of attorney and Title 62, Article 8 now covers powers of attorney (other than health care powers) that were formerly found in Title 62, Article 5, Part 5."

Section 62-5-501. As used in this part:

(1) 'Agent' or 'health care agent' means an individual designated in a health care power of attorney to make health care decisions on behalf of a principal.

(2) 'Declaration of a desire for a natural death' or 'declaration' means a document executed in accordance with the South Carolina Death with Dignity Act or a similar document executed in accordance with the law of another state.

(3) 'Health care' means a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin. It also includes the provision of intermediate or skilled nursing care; services for the rehabilitation of injured, disabled, or sick persons; and placement in or removal from a facility that provides these forms of care.

(4) 'Health care power of attorney' means a durable power of attorney executed in accordance with this part.

(5) 'Health care provider' means a person, health care facility, organization, or corporation licensed, certified, or otherwise authorized or permitted by the laws of this State to administer health care.

(6) 'Life-sustaining procedure' means a medical procedure or intervention that serves only to prolong the dying process. Life-sustaining procedures do not include the administration of medication or other treatment for comfort care or alleviation of pain. The principal shall indicate in the health care power of attorney whether

the provision of nutrition and hydration through medically or surgically implanted tubes is desired.

(7) 'Permanent unconsciousness' means a medical diagnosis, consistent with accepted standards of medical practice, that a person is in a persistent vegetative state or some other irreversible condition in which the person has no neocortical functioning, but only involuntary vegetative or primitive reflex functions controlled by the brain stem.

(8) 'Nursing care provider' means a nursing care facility or an employee of the facility.

(9) 'Principal' means an individual who executes a health care power of attorney. A principal must be eighteen years of age or older and of sound mind.

(10) 'Separated' means that the principal and his or her spouse are separated pursuant to one of the following:

(a) entry of a pendente lite order in a divorce or separate maintenance action;

(b) formal signing of a written property or marital settlement agreement;

(c) entry of a permanent order of separate maintenance and support or of a permanent order approving a property or marital settlement agreement between the parties.

Section 62-5-502. (a) A health care power of attorney is a durable power of attorney. Statutory provisions that refer to a durable power of attorney or judicial interpretations of the law relating to durable powers of attorney apply to a health care power of attorney to the extent that they are not inconsistent with this part.

(b) This section does not affect the right of a person to execute a durable power of attorney relating to health care pursuant to other provisions of law but which does not conform to the requirements of this section. If a durable power of attorney for health care executed under this part or under the laws of another state does not conform to the requirements of this section, the provisions of this section do not apply to it. However, a court is not precluded from determining that the law applicable to nonconforming durable powers of attorney for health care is the same as the law set forth in this section for health care powers of attorney.

(c) To the extent not inconsistent with this part, the provisions of the Adult Health Care Consent Act apply to the making of decisions by a health care agent and the implementation of those decisions by health care providers.

(d) In determining the effectiveness of a health care power of attorney, mental incompetence is to be determined according to the standards and procedures for inability to consent pursuant to Section 44-66-20(8), except that certification of mental incompetence by the agent may be substituted for certification by a second physician. If the certifying physician states that the principal's mental incompetence precludes the principal from making all health care decisions or all decisions concerning certain categories of health care, and that the principal's mental incompetence is permanent or of extended duration, no further certification is necessary in regard to the stated categories of health care decisions during the stated duration of mental incompetence unless the agent or the attending physician believes the principal may have regained capacity.

Section 62-5-503. (a) A health care power of attorney must:

- (1) be substantially in the form set forth in Section 62-5-504;
- (2) be dated and signed by the principal or in the principal's name by another person in the principal's presence and by his direction;
- (3) be signed by at least two persons, each of whom witnessed either the signing of the health care power of attorney or the principal's acknowledgment of his signature on the health care power of attorney. Each witness must state in a declaration as set forth in Section 62-5-504 that, at the time of the execution of the health care power of attorney, to the extent the witness has knowledge, the witness is not related to the principal by blood, marriage, or adoption, either as a spouse, lineal ancestor, descendant of the parents of the principal, or spouse of any of them; not directly financially responsible for the principal's medical care; not entitled to a portion of the principal's estate upon his decease under a will of the principal then existing or as an heir by intestate succession; not a beneficiary of a life insurance policy of the principal; and not appointed as health care agent or successor health care agent in the health care power of attorney; and that no more than one witness is an employee of a health care facility in which the principal is a patient, no witness is the attending physician or an employee of the attending physician, or no witness has a claim against the principal's estate upon his decease;
- (4) state the name and address of the agent. A health care agent must be an individual who is eighteen years of age or older and of sound mind. A health care agent may not be a health care provider, or an employee of a provider, with whom the principal has a provider-patient relationship at the time the health care power of attorney is executed, or an employee of a nursing care facility in which the principal resides, or

a spouse of the health care provider or employee, unless the health care provider, employee, or spouse is a relative of the principal.

(b) The validity of a health care power of attorney is not affected by the principal's failure to initial any of the choices provided in Section 4, 6, or 7 of the Health Care Power of Attorney form or to name successor agents. If the principal fails to indicate either of the statements in Section 7 concerning provision of artificial nutrition and hydration, the agent does not have authority to direct that nutrition and hydration necessary for comfort care or alleviation of pain be withheld or withdrawn.

Section 62-5-504. A health care power of attorney executed on or after January 1, 2007, must be substantially in the following form:

INFORMATION ABOUT THIS DOCUMENT

THIS IS AN IMPORTANT LEGAL DOCUMENT. BEFORE SIGNING THIS DOCUMENT, YOU SHOULD KNOW THESE IMPORTANT FACTS:

1. THIS DOCUMENT GIVES THE PERSON YOU NAME AS YOUR AGENT THE POWER TO MAKE HEALTH CARE DECISIONS FOR YOU IF YOU CANNOT MAKE THE DECISION FOR YOURSELF. THIS POWER INCLUDES THE POWER TO MAKE DECISIONS ABOUT LIFE-SUSTAINING TREATMENT. UNLESS YOU STATE OTHERWISE, YOUR AGENT WILL HAVE THE SAME AUTHORITY TO MAKE DECISIONS ABOUT YOUR HEALTH CARE AS YOU WOULD HAVE.

2. THIS POWER IS SUBJECT TO ANY LIMITATIONS OR STATEMENTS OF YOUR DESIRES THAT YOU INCLUDE IN THIS DOCUMENT. YOU MAY STATE IN THIS DOCUMENT ANY TREATMENT YOU DO NOT DESIRE OR TREATMENT YOU WANT TO BE SURE YOU RECEIVE. YOUR AGENT WILL BE OBLIGATED TO FOLLOW YOUR INSTRUCTIONS WHEN MAKING DECISIONS ON YOUR BEHALF. YOU MAY ATTACH ADDITIONAL PAGES IF YOU NEED MORE SPACE TO COMPLETE THE STATEMENT.

3. AFTER YOU HAVE SIGNED THIS DOCUMENT, YOU HAVE THE RIGHT TO MAKE HEALTH CARE DECISIONS FOR YOURSELF IF YOU ARE MENTALLY COMPETENT TO DO SO. AFTER YOU HAVE SIGNED THIS DOCUMENT, NO TREATMENT MAY BE GIVEN TO YOU OR STOPPED OVER YOUR OBJECTION

IF YOU ARE MENTALLY COMPETENT TO MAKE THAT DECISION.

4. YOU HAVE THE RIGHT TO REVOKE THIS DOCUMENT, AND TERMINATE YOUR AGENT'S AUTHORITY, BY INFORMING EITHER YOUR AGENT OR YOUR HEALTH CARE PROVIDER ORALLY OR IN WRITING.

5. IF THERE IS ANYTHING IN THIS DOCUMENT THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK A SOCIAL WORKER, LAWYER, OR OTHER PERSON TO EXPLAIN IT TO YOU.

6. THIS POWER OF ATTORNEY WILL NOT BE VALID UNLESS TWO PERSONS SIGN AS WITNESSES. EACH OF THESE PERSONS MUST EITHER WITNESS YOUR SIGNING OF THE POWER OF ATTORNEY OR WITNESS YOUR ACKNOWLEDGMENT THAT THE SIGNATURE ON THE POWER OF ATTORNEY IS YOURS.

THE FOLLOWING PERSONS MAY NOT ACT AS WITNESSES:

A. YOUR SPOUSE, YOUR CHILDREN, GRANDCHILDREN, AND OTHER LINEAL DESCENDANTS; YOUR PARENTS, GRANDPARENTS, AND OTHER LINEAL ANCESTORS; YOUR SIBLINGS AND THEIR LINEAL DESCENDANTS; OR A SPOUSE OF ANY OF THESE PERSONS.

B. A PERSON WHO IS DIRECTLY FINANCIALLY RESPONSIBLE FOR YOUR MEDICAL CARE.

C. A PERSON WHO IS NAMED IN YOUR WILL, OR, IF YOU HAVE NO WILL, WHO WOULD INHERIT YOUR PROPERTY BY INTESTATE SUCCESSION.

D. BENEFICIARY OF A LIFE INSURANCE POLICY ON YOUR LIFE.

E. THE PERSONS NAMED IN THE HEALTH CARE POWER OF ATTORNEY AS YOUR AGENT OR SUCCESSOR AGENT.

F. YOUR PHYSICIAN OR AN EMPLOYEE OF YOUR PHYSICIAN.

G. A PERSON WHO WOULD HAVE A CLAIM AGAINST ANY PORTION OF YOUR ESTATE (PERSONS TO WHOM YOU OWE MONEY).

IF YOU ARE A PATIENT IN A HEALTH FACILITY, NO MORE THAN ONE WITNESS MAY BE AN EMPLOYEE OF THAT FACILITY.

7. YOUR AGENT MUST BE A PERSON WHO IS 18 YEARS OF AGE OR OLDER AND OF SOUND MIND. IT MAY NOT BE YOUR DOCTOR OR ANY OTHER HEALTH CARE PROVIDER THAT IS NOW PROVIDING YOU WITH TREATMENT; OR AN EMPLOYEE OF YOUR DOCTOR OR PROVIDER; OR A SPOUSE OF THE DOCTOR, PROVIDER, OR EMPLOYEE; UNLESS THE PERSON IS A RELATIVE OF YOURS.

8. YOU SHOULD INFORM THE PERSON THAT YOU WANT HIM OR HER TO BE YOUR HEALTH CARE AGENT. YOU SHOULD DISCUSS THIS DOCUMENT WITH YOUR AGENT AND YOUR PHYSICIAN AND GIVE EACH A SIGNED COPY. IF YOU ARE IN A HEALTH CARE FACILITY OR A NURSING CARE FACILITY, A COPY OF THIS DOCUMENT SHOULD BE INCLUDED IN YOUR MEDICAL RECORD.

HEALTH CARE POWER OF ATTORNEY

(S.C. STATUTORY FORM)

1. DESIGNATION OF HEALTH CARE AGENT

I, _____, hereby appoint:

(Principal)

(Agent's Name) _____

(Agent's Address) _____

Telephone: home: _____ work: _____ mobile: _____ as my agent to make health care decisions for me as authorized in this document.

Successor Agent: If an agent named by me dies, becomes legally disabled, resigns, refuses to act, becomes unavailable, or if an agent who is my spouse is divorced or separated from me, I name the following as successors to my agent, each to act alone and successively, in the order named:

A. First Alternate Agent:

Address: _____

Telephone: home: _____ work: _____ mobile: _____

B. Second Alternate Agent:

Address: _____

Telephone: home: _____ work: _____ mobile: _____

Unavailability of Agent(s): If at any relevant time the agent or successor agents named here are unable or unwilling to make decisions concerning my health care, and those decisions are to be made by a guardian, by the Probate Court, or by a surrogate pursuant to the Adult Health Care Consent Act, it is my intention that the guardian, Probate Court, or surrogate make those decisions in accordance with my directions as stated in this document.

2. EFFECTIVE DATE AND DURABILITY

By this document I intend to create a durable power of attorney effective upon, and only during, any period of mental incompetence, except as provided in Paragraph 3 below.

3. HIPAA AUTHORIZATION

When considering or making health care decisions for me, all individually identifiable health information and medical records may be released without restriction to my health care agent(s) and/or my alternate health care agent(s) named above including, but not limited to, (i) diagnostic, treatment, other health care, and related insurance and financial records and information associated with any past, present, or future physical or mental health condition including, but not limited to, diagnosis or treatment of HIV/AIDS, sexually transmitted disease(s), mental illness, and/or drug or alcohol abuse and (ii) any written opinion relating to my health that such health care agent(s) and/or alternate health care agent(s) may have requested. Without limiting the generality of the foregoing, this release authority applies to all health information and medical records governed by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. 1320d and 45 C.F.R. 160-164; is effective whether or not I am mentally competent; has no

expiration date; and shall terminate only in the event that I revoke the authority in writing and deliver it to my health care provider.

4. AGENT'S POWERS

I grant to my agent full authority to make decisions for me regarding my health care. In exercising this authority, my agent shall follow my desires as stated in this document or otherwise expressed by me or known to my agent. In making any decision, my agent shall attempt to discuss the proposed decision with me to determine my desires if I am able to communicate in any way. If my agent cannot determine the choice I would want made, then my agent shall make a choice for me based upon what my agent believes to be in my best interests. My agent's authority to interpret my desires is intended to be as broad as possible, except for any limitations I may state below.

Accordingly, unless specifically limited by the provisions specified below, my agent is authorized as follows:

A. To consent, refuse, or withdraw consent to any and all types of medical care, treatment, surgical procedures, diagnostic procedures, medication, and the use of mechanical or other procedures that affect any bodily function, including, but not limited to, artificial respiration, nutritional support and hydration, and cardiopulmonary resuscitation.

B. To authorize, or refuse to authorize, any medication or procedure intended to relieve pain, even though that use may lead to physical damage, addiction, or hasten the moment of, but not intentionally cause, my death.

C. To authorize my admission to or discharge, even against medical advice, from a hospital, nursing care facility, or similar facility or service.

D. To take another action necessary to making, documenting, and assuring implementation of decisions concerning my health care, including, but not limited to, granting a waiver or release from liability required by a hospital, physician, nursing care provider, or other health care provider; signing any documents relating to refusals of treatment or the leaving of a facility against medical advice, and pursuing any legal action in my name, and at the expense of my estate to force compliance with my wishes as determined by my agent, or to seek actual or punitive damages for the failure to comply.

E. The powers granted above do not include the following powers or are subject to the following rules or limitations:

5. ORGAN DONATION (INITIAL ONLY ONE)

My agent may ___; may not ___ consent to the donation of all or any of my tissue or organs for purposes of transplantation.

6. EFFECT ON DECLARATION OF A DESIRE FOR A NATURAL DEATH (LIVING WILL)

I understand that if I have a valid Declaration of a Desire for a Natural Death, the instructions contained in the Declaration will be given effect in any situation to which they are applicable. My agent will have authority to make decisions concerning my health care only in situations to which the Declaration does not apply.

7. STATEMENT OF DESIRES CONCERNING LIFE-SUSTAINING TREATMENT

With respect to any Life-Sustaining Treatment, I direct the following:

(INITIAL ONLY ONE OF THE FOLLOWING 3 PARAGRAPHS)

A. ___ GRANT OF DISCRETION TO AGENT. I do not want my life to be prolonged nor do I want life-sustaining treatment to be provided or continued if my agent believes the burdens of the treatment outweigh the expected benefits. I want my agent to consider the relief of suffering, my personal beliefs, the expense involved and the quality as well as the possible extension of my life in making decisions concerning life-sustaining treatment.

OR

B. ___ DIRECTIVE TO WITHHOLD OR WITHDRAW TREATMENT. I do not want my life to be prolonged and I do not want life-sustaining treatment:

1. if I have a condition that is incurable or irreversible and, without the administration of life-sustaining procedures, expected to result in death within a relatively short period of time; or

2. if I am in a state of permanent unconsciousness.

OR

C. ___ DIRECTIVE FOR MAXIMUM TREATMENT. I want my life to be prolonged to the greatest extent possible, within the standards of accepted medical practice, without regard to my condition, the chances I have for recovery, or the cost of the procedures.

8. STATEMENT OF DESIRES REGARDING TUBE FEEDING

With respect to Nutrition and Hydration provided by means of a nasogastric tube or tube into the stomach, intestines, or veins, I wish to make clear that in situations where life-sustaining treatment is being withheld or withdrawn pursuant to Paragraph 7:

(INITIAL ONLY ONE OF THE FOLLOWING 3 PARAGRAPHS):

A. ___ GRANT OF DISCRETION TO AGENT. I do not want my life to be prolonged by tube feeding if my agent believes the burdens of tube feeding outweigh the expected benefits. I want my agent to consider the relief of suffering, my personal beliefs, the expense involved, and the quality as well as the possible extension of my life in making this decision.

OR

B. ___ DIRECTIVE TO WITHHOLD OR WITHDRAW TUBE FEEDING. I do not want my life prolonged by tube feeding.

OR

C. ___ DIRECTIVE FOR PROVISION OF TUBE FEEDING. I want tube feeding to be provided within the standards of accepted medical practice, without regard to my condition, the chances I have for recovery, or the cost of the procedure, and without regard to whether other forms of life-sustaining treatment are being withheld or withdrawn.

IF YOU DO NOT INITIAL ANY OF THE STATEMENTS IN PARAGRAPH 8, YOUR AGENT WILL NOT HAVE AUTHORITY TO DIRECT THAT NUTRITION AND HYDRATION NECESSARY FOR COMFORT CARE OR ALLEVIATION OF PAIN BE WITHDRAWN.

9. ADMINISTRATIVE PROVISIONS

A. I revoke any prior Health Care Power of Attorney and any provisions relating to health care of any other prior power of attorney.

B. This power of attorney is intended to be valid in any jurisdiction in which it is presented.

BY SIGNING HERE I INDICATE THAT I UNDERSTAND THE CONTENTS OF THIS DOCUMENT AND THE EFFECT OF THIS GRANT OF POWERS TO MY AGENT.

I sign my name to this Health Care Power of Attorney on this ___ day of _____, 20 __. My current home address is:

Principal's Signature: _____

Print Name of Principal: _____

I declare, on the basis of information and belief, that the person who signed or acknowledged this document (the principal) is personally known to me, that he/she signed or acknowledged this Health Care Power of Attorney in my presence, and that he/she appears to be of sound mind and under no duress, fraud, or undue influence. I am not related to the principal by blood, marriage, or adoption, either as a spouse, a lineal ancestor, descendant of the parents of the principal, or spouse of any of them. I am not directly financially responsible for the principal's medical care. I am not entitled to any portion of the principal's estate upon his decease, whether under any will or as an heir by intestate succession, nor am I the beneficiary of an insurance policy on the principal's life, nor do I have a claim against the principal's estate as of this time. I am not the principal's attending physician, nor an employee of the attending physician. No more than one witness is an employee of a health care facility in which the principal is a patient. I am not appointed as Health Care Agent or Successor Health Care Agent by this document.

Witness No. 1

Signature: _____ Date: _____

Print Name: _____ Telephone: _____

Address: _____

Witness No. 2

Signature: _____ Date: _____

Print Name: _____ Telephone: _____

Address: _____

(This portion of the document is optional and is not required to create a valid health care power of attorney.)

STATE OF SOUTH CAROLINA
COUNTY OF _____

The foregoing instrument was acknowledged before me by Principal on _____, 20 _____

Notary Public for South Carolina
My Commission Expires: _____

Section 62-5-505. A health care agent has, in addition to the powers set forth in the health care power of attorney, the following specific powers to:

- (1) have access to the principal's medical records and information to the same extent that the principal would have access, including the right to disclose the contents to others;
- (2) contract on the principal's behalf for placement in a health care or nursing care facility or for health care related services, without the agent incurring personal financial liability for the contract;
- (3) hire and fire medical, social service, and other support personnel responsible for the principal's care;
- (4) have the same health care facility or nursing care facility visitation rights and privileges of the principal as are permitted to immediate family members or spouses.

Section 62-5-506. (a) The agent is not entitled to compensation for services performed under the health care power of attorney, but the agent is entitled to reimbursement for all reasonable expenses incurred as a

result of carrying out the health care power of attorney or the authority granted by this section.

(b) The agent's consent to health care or to the provision of services to the principal does not cause the agent to be liable for the costs of the care or services.

Section 62-5-507. If a principal has been diagnosed as pregnant, life-sustaining procedures may not be withheld or withdrawn pursuant to the health care power of attorney during the course of the principal's pregnancy. This subsection does not otherwise affect the agent's authority to make decisions concerning the principal's obstetrical and other health care during the course of the pregnancy.

Section 62-5-508. A health care provider or nursing care provider having knowledge of the principal's health care power of attorney has a duty to follow directives of the agent that are consistent with the health care power of attorney to the same extent as if they were given by the principal. If it is uncertain whether a directive is consistent with the health care power of attorney, the health care provider, nursing care provider, agent, or other interested person may apply to the probate court for an order determining the authority of the agent to give the directive.

Section 62-5-509. An agent acting pursuant to a health care power of attorney shall make decisions concerning the principal's health care in accordance with the principal's directives in the health care power of attorney and with any other statements of intent by the principal that are known to the agent and are not inconsistent with the directives in the health care power of attorney. If a principal has a valid Declaration of a Desire for a Natural Death pursuant to Chapter 77, Title 44, then the declaration must be given effect in any situation to which it is applicable. The agent named in the health care power of attorney has authority to make decisions only in situations to which the declaration does not apply. However, nothing in this section prevents the principal or a person designated by the principal in the declaration from revoking the declaration pursuant to Section 44-77-80.

Section 62-5-510. (a) A person who relies in good faith upon a person's representation that he is the person named as agent in a health care power of attorney is not subject to civil or criminal liability or disciplinary action for recognizing the agent's authority.

(b) A health care provider or nursing care provider who in good faith relies on a health care decision made by an agent or successor agent is

not subject to civil or criminal liability or disciplinary action on account of relying on the decision.

(c) An agent who in good faith makes a health care decision pursuant to a health care power of attorney is not subject to civil or criminal liability on account of the substance of the decision.

Section 62-5-511. (a) The principal may appoint one or more successor agents in the health care power of attorney in the event an agent dies, becomes legally disabled, resigns, refuses to act, is unavailable, or, if the agent is the spouse of the principal, becomes divorced or separated from the principal. A successor agent will succeed to all duties and powers given to the agent in the health care power of attorney.

(b) If no agent or successor agent is available, willing, and qualified to make a decision concerning the principal's health care, the decision must be made according to the provisions of and by the person authorized by the Adult Health Care Consent Act.

(c) All directives, statements of personal values, or statements of intent made by the principal in the health care power of attorney must be treated as exercises of the principal's right to direct the course of his health care. Decisions concerning the principal's health care made by a guardian, by the probate court, or by a surrogate pursuant to the Adult Health Care Consent Act, must be made in accordance with the directions stated in the health care power of attorney.

Section 62-5-512. (a) A health care power of attorney may be revoked in the following ways:

(1) by a writing, an oral statement, or any other act constituting notification by the principal to the agent or to a health care provider responsible for the principal's care of the principal's specific intent to revoke the health care power of attorney; or

(2) by the principal's execution of a subsequent health care power of attorney or the principal's execution of a subsequent durable power of attorney pursuant to Section 62-5-501, if the durable power of attorney states an intention that the health care power of attorney be revoked or if the durable power of attorney is inconsistent with the health care power of attorney.

(b) A health care provider who is informed of or provided with a revocation of a health care power of attorney immediately must record the revocation in the principal's medical record and notify the agent, the attending physician, and all other health care providers or nursing care providers who are responsible for the principal's care.

Section 62-5-513. (a) The execution and effectuation of a health care power of attorney does not constitute suicide for any purpose.

(b) A person may not be required to sign a health care power of attorney in accordance with this section as a condition for coverage under an insurance contract or for receiving medical treatment or as a condition of admission to a health care or nursing care facility.

(c) Nothing in this section may be construed to authorize or approve mercy killing or to permit any affirmative or deliberate act or omission to end life other than to permit the natural process of dying.

(d) The absence of a health care power of attorney by an adult patient does not give rise to a presumption of his intent to consent to or refuse death prolonging procedures. Nothing in this section impairs other legal rights or legal responsibilities which a person may have to effect the provision or the withholding or withdrawal of life-sustaining procedures in a lawful manner.

Section 62-5-514. If a person coerces or fraudulently induces another person to execute a health care power of attorney, falsifies or forges a health care power of attorney, or wilfully conceals, cancels, obliterates, or destroys a revocation of a health care power of attorney, and the principal dies as a result of the withdrawal or withholding of treatment pursuant to the health care power of attorney, that person is subject to prosecution in accordance with the criminal laws of this State.

Section 62-5-515. Nothing in this part prohibits a person from informing another person of the existence of this part, delivering to another person a copy of this part or a form for a health care power of attorney, or counseling another person in good faith concerning the execution of a health care power of attorney.

Section 62-5-516. (a) If a person wilfully conceals, cancels, defaces, obliterates, or damages a health care power of attorney without the principal's consent, or falsifies or forges a revocation of a health care power of attorney, or otherwise prevents the implementation of the principal's wishes as stated in a health care power of attorney, that person breaches a duty owed to the principal and is responsible for payment of any expenses or other damages incurred as a result of the wrongful act.

(b) A physician or health care facility electing for any reason not to follow an agent's instruction that life-sustaining procedures be withheld or withdrawn as authorized in the health care power of attorney shall

make a reasonable effort to locate a physician or health care facility that will follow the instruction and has a duty to transfer the patient to that physician or facility. If a nurse or other employee of a health care provider or nursing care provider gives notice that the employee does not wish to participate in the withholding or withdrawal of life-sustaining procedures as directed by an agent, a reasonable effort shall be made by the physician and the health care provider or nursing care provider to effect the withholding or withdrawal of life-sustaining procedures without the participation of the employee.

Section 62-5-517. (a) A document or writing containing the following provisions is deemed to comply with the requirements of this part:

- (1) the name and address of the person who meets the requirements of Section 62-5-503 and is authorized to make health care related decisions if the principal becomes mentally incompetent;
- (2) the types of health care related decisions that the health care agent is authorized to make;
- (3) the signature of the principal;
- (4) the signature of at least two persons who witnessed the principal's signature and who meet the requirements of Section 62-5-503; and
- (5) the attestation of a notary public.

(b) Additionally, a document that meets the above requirements and also provides expressions of the principal's intentions or wishes with respect to the following health care issues authorizes the health care agent to act in accordance with these provisions:

- (1) organ donations;
 - (2) life-sustaining treatment;
 - (3) tube feeding;
 - (4) other kinds of medical treatment that the principal wishes to have or not to have;
 - (5) comfort and treatment issues;
 - (6) provisions for interment or disposal of the body after death;
- and
- (7) any written statements that the principal may wish to have communicated on his behalf.

Section 62-5-518. The validity of a durable power of attorney that authorizes an attorney to make health care decisions regarding the principal which is properly executed pursuant to this part before or after

the effective date of this act is not affected by the amendments contained in this act.”

Severability

SECTION 3. If any 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 section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 4. This act takes effect January 1, 2017.

Ratified the 6th day of June, 2016.

Approved the 9th day of June, 2016.

No. 280

(R309, H4765)

AN ACT TO AMEND SECTION 12-6-5060, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD THE SOUTH CAROLINA ASSOCIATION OF HABITAT FOR HUMANITY AFFILIATES; AND TO AMEND SECTION 12-6-3750, RELATING TO TAX CREDITS FOR PROCESSING DONATED DEER FOR CHARITABLE DISTRIBUTION, SO AS TO CHANGE THE AMOUNT OF THE CREDIT FROM FIFTY DOLLARS TO SEVENTY-FIVE DOLLARS.

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

Income tax contributions to Habitat for Humanity

SECTION 1. Section 12-6-5060(A) of the 1976 Code is amended to read:

“(A) Each taxpayer required to file a state individual income tax return may contribute to the War Between the States Heritage Trust Fund established pursuant to Section 51-18-115, the Nongame Wildlife and Natural Areas Program Fund established pursuant to Section 50-1-280, the Children’s Trust Fund of South Carolina established pursuant to Section 63-11-910, the Eldercare Trust Fund of South Carolina established pursuant to Section 43-21-160, the First Steps to School Readiness Fund established pursuant to Section 63-11-1750, the South Carolina Military Family Relief Fund established pursuant to Article 3, Chapter 11, Title 25, the Donate Life South Carolina established pursuant to Section 44-43-1310, the Veterans’ Trust Fund of South Carolina established pursuant to Chapter 21, Title 25, the South Carolina Litter Control Enforcement Program (SCLCEP) and used by the Governor’s Task Force on Litter only for the SCLCEP Program, the South Carolina Law Enforcement Assistance Program (SCLEAP) and used as provided in Section 23-3-65, the South Carolina Department of Parks, Recreation and Tourism for use in the South Carolina State Park Service in the manner the General Assembly provides, the South Carolina Forestry Commission for use in the state forest system, the South Carolina Department of Natural Resources for use in its programs and operations, K-12 public education for use in the manner the General Assembly provides by law, South Carolina Conservation Bank Trust Fund established pursuant to Section 48-59-60, the Financial Literacy Trust Fund established pursuant to Section 59-29-510, or the South Carolina Association of Habitat for Humanity Affiliates, by designating the contribution on the return. The contribution may be made by reducing the income tax refund or by remitting additional payment by the amount designated.”

Income tax credits for donated deer

SECTION 2. A. Section 12-6-3750(A) of the 1976 Code is amended to read:

“(A) There is allowed a nonrefundable credit against taxes imposed by this chapter for a meat packer, butcher, or processing plant licensed

or permitted by this State or the United States Department of Agriculture that, during the tax year for which the credit is claimed, had a valid contract with any nonprofit organization to process deer for donation to any charitable organization engaged in distributing food to the needy. No portion of the donated deer may be used by a commercial enterprise. The amount of the credit is seventy-five dollars for each carcass processed and donated. The credit must be claimed in the year earned and may not be carried to any other taxable year.”

B. This section applies to income tax years beginning after 2015.

Time effective

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

Ratified the 17th day of June, 2016.

Approved the 22nd day of June, 2016.

No. 281

(R310, H5140)

AN ACT TO AMEND SECTION 59-1-425, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPENING DATE FOR THE PUBLIC SCHOOL YEAR, SO AS TO MAKE GRAMMATICAL CHANGES; AND TO AMEND SECTION 59-18-325, AS AMENDED, RELATING TO CERTAIN ASSESSMENTS OF VARIOUS PUBLIC SCHOOL STUDENTS BASED ON GRADE LEVEL, SO AS TO REVISE VARIOUS ASSESSMENTS USED, MANNER OF PROCUREMENT, IMPLEMENTATION, AND ADMINISTRATION OF THESE ASSESSMENTS, AMONG OTHER THINGS.

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

Public school calendar, grammatical changes

SECTION 1. Section 59-1-425(A) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(A) A local school district board of trustees of the State has the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term is one hundred ninety days annually and must consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months. However, beginning with the 2007-2008 school year, the opening date for students must not be before the third Monday in August, except for schools operating on a year-round modified school calendar. Three days must be used for collegial professional development based upon the educational standards as required by Section 59-18-300. The professional development must address, at a minimum, academic achievement standards including strengthening teachers’ knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools and the remaining five days may be used for teacher planning, academic plans, and parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.”

Student assessments, procurement, administration, transitional report card

SECTION 2. Section 59-18-325(C) of the 1976 Code, as added by Act 200 of 2014, is amended to read:

“(C) To maintain a comprehensive and cohesive assessment system that signals a student’s preparedness for the next educational level and ultimately culminates in a clear indication of a student’s preparedness for postsecondary success in a college or career and to satisfy federal and state accountability purposes, the State Department of Education shall procure and maintain a summative assessment system.

(1) The summative assessment must be administered to all students in grades three through eight. The summative assessment must assess students in English/language arts and mathematics, including those students as required by the federal Individuals with Disabilities Education Act and by Title I of the Elementary and Secondary Education Act. For purposes of this subsection, ‘English/language arts’ includes English, reading, and writing skills as required by existing state standards. The assessment must be a rigorous, achievement assessment that measures student mastery of the state standards, that provides timely reporting of results to educators, parents, and students, and that measures

each student's progress toward college and career readiness. Therefore, the assessment or assessments must meet all of the following minimum requirements:

(a) compares performance of students in South Carolina to other students' performance on comparable standards in other states with the ability to link the scales of the South Carolina assessment to the scales from other assessments measuring those comparable standards;

(b) be a vertically scaled, benchmarked, standards-based system of summative assessments;

(c) measures a student's preparedness for the next level of their educational matriculation and individual student performance against the state standards in English/language arts, reading, writing, mathematics, and student growth;

(d) documents student progress toward national college and career readiness benchmarks derived from empirical research and state standards;

(e) establishes at least four student achievement levels;

(f) includes various test questions including, but not limited to, multiple choice, constructed response, and selected response, that require students to demonstrate their understanding of the content;

(g) be administered to all students in a computer-based format except for students with disabilities as specified in the student's IEP or 504 plan, and unless the use of a computer by these students is prohibited due to the vendor's restrictions on computer-based test security, in which case the paper version must be made available; and

(h) assists school districts and schools in aligning assessment, curriculum, and instruction.

(2)(a) Beginning in the 2017-2018 school year, each school district shall administer the statewide summative assessment, with the exception of alternate assessments, for grades three through eight during the last twenty days of school as determined by the district's regular instructional calendar, not including make-up days. If an extension to the twenty-day time period is needed, the school district or charter school may submit a request for an extension to the State Board of Education before December first of the school year for which the waiver is requested. The request must clearly document the scope and rationale for the extension. The request also must be accompanied by an action plan showing how the district or charter school will be able to comply with the twenty-day time frame for the following school year.

(b) Statewide summative testing for each student may not exceed eight days each school year, with the exception of students with disabilities as specified in their IEPs or 504 plans.

(c) The State Board of Education shall promulgate regulations outlining the procedures to be used during the testing process to ensure test security, including procedures for make-up days, and to comply with federal and state assessment requirements where necessary.

(d) In the event of school closure due to extreme weather or other disruptions, or significant school or district technology disruptions that impede computer-based assessment administration, the school district or charter school may submit a request to the department to provide a paper-based administration to complete testing within the last twenty days of school. The request must clearly document the scope and cause of the disruption.

(3) The department must procure and administer assessments in English/language arts and mathematics in grades three through eight, and administer assessments in science and social studies to all students in grades four through eight.

(4)(a) For the 2016-2017, 2017-2018, and 2018-2019 school years, the department is responsible for ensuring the procurement and administration of the ACT Plus Writing assessment. Following the 2018-2019 school year, the department shall procure and administer a standardized national test that meets the requirements of subsection (A) that documents student progress toward national college and career readiness benchmarks derived from empirical research, and is widely accepted by higher education institutions for admissions purposes. The department is responsible for continuing to procure and administer the WorkKeys assessments.

(b) For the 2016-2017, 2017-2018, and 2018-2019 school years, all public high schools and, where necessary, career centers, annually shall administer the WorkKeys assessment and the ACT Plus Writing college readiness assessment procured by the department to all eleventh grade students. Following the 2018-2019 school year, all public high schools and, where necessary, career centers, annually shall administer the college readiness and WorkKeys assessments procured by the department to all eleventh grade students. For the purposes of this section, 'eleventh grade students' means students in the third year of high school after their initial enrollment in the ninth grade.

(c) Valid accommodations must be provided according to the students' IEP/504 plan. If a student also chooses to use the results of the college readiness assessment for post secondary admission or placement, the student, his parent, or his guardian must indicate that choice in compliance with the testing vendor's deadline to ensure that the student may receive allowable accommodations consistent with the IEP or 504 plan that may yield a college reportable score.

(5) If funds are available, the State shall provide a two-year college or four-year college readiness assessment or the WorkKeys assessment to twelfth grade students who did not meet benchmarks on the eleventh grade assessment for college and career readiness at no cost to the students.

(6) Formative assessments must continue to be adopted, selected, and administered pursuant to Section 59-18-310.

(7) Within thirty days after providing student performance data to the school districts as required by law, the department must provide to the Education Oversight Committee student performance results on assessments authorized in this subsection and end-of-course assessments in a format agreed upon by the department and the Oversight Committee. The Education Oversight Committee must use the results of these assessments in school years 2014-2015, 2015-2016, and 2016-2017 to report on student academic performance in each school and district pursuant to Section 59-18-900. The committee may not determine state ratings for schools or districts, pursuant to Section 59-18-900, using the results of the assessments required by this subsection until after the conclusion of the 2016-2017 school year; provided, however, state ratings must be determined by the results of these assessments beginning in the 2017-2018 school year. The Oversight Committee also must develop and recommend a single accountability system that meets federal and state accountability requirements by the Fall of 2017. While developing the single accountability system that will be implemented in the 2017-2018 school year, the Education Oversight Committee shall determine the format of a transitional report card released to the public in the Fall of 2016 and 2017 that will also identify underperforming schools and districts. These transitional reports will, at a minimum, include the following: (1) school, district, and statewide student assessment results in reading and mathematics in grades three through eight; (2) high school and district graduation rates; and (3) measures of student college and career readiness at the school, district, and statewide level. These transitional reports will inform schools and districts, the public, and the Department of Education of school and district general academic performance and assist in identifying potentially underperforming schools and districts and in targeting technical assistance support and interventions in the interim before ratings are issued.

(8) When standards are subsequently revised, the Department of Education, the State Board of Education, and the Education Oversight Committee shall approve assessments pursuant to Section 59-18-320.”

Time effective

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

Ratified the 17th day of June, 2016.

Approved the 22nd day of June, 2016.

No. 282

(R306, H3184)

AN ACT TO AMEND SECTION 8-13-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE ETHICS COMMISSION'S AUTHORITY TO LEVY ENFORCEMENT AND ADMINISTRATIVE FEES, SO AS TO AUTHORIZE THE LEGISLATIVE ETHICS COMMITTEES TO LEVY ENFORCEMENT AND ADMINISTRATIVE FEES; TO AMEND SECTION 8-13-310, AS AMENDED, RELATING TO THE COMPOSITION OF THE STATE ETHICS COMMISSION, SO AS TO RECONSTITUTE THE STATE ETHICS COMMISSION; TO AMEND SECTION 8-13-320, AS AMENDED, RELATING TO THE DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, SO AS TO CITE ADDITIONAL LEGAL AUTHORITY AUTHORIZING THE STATE ETHICS COMMISSION TO INITIATE AND RECEIVE COMPLAINTS AND TO PROVIDE THAT THE FILER OF A GROUNDLESS COMPLAINT MAY BE ORDERED TO REIMBURSE THE COMMISSION FOR COSTS ASSOCIATED WITH THE INVESTIGATION AND DISPOSITION OF THE COMPLAINT, TO AUTHORIZE COMMISSION STAFF TO PARTICIPATE IN FACTS SUFFICIENCY DETERMINATIONS, TO REVISE THE PROCEDURES BY WHICH THE COMMISSION, UPON ITS OWN MOTION, MAY FILE A VERIFIED ETHICS COMPLAINT, TO REVISE THE COMMISSION'S REQUIRED ACTIONS AND TREATMENT OF COMPLAINT INFORMATION FOLLOWING A DISMISSAL OR A FINDING OF PROBABLE CAUSE, TO REVISE THE PROCEDURES BY WHICH THE COMMISSION DETERMINES PROBABLE CAUSE; TO PROVIDE THAT COMMISSION HEARINGS

MUST BE OPEN TO THE PUBLIC, AND TO REVISE THE PROCEDURES BY WHICH THE COMMISSION ISSUES FORMAL ADVISORY OPINIONS; BY ADDING SECTION 8-13-322 SO AS TO PROHIBIT ANYONE WHO IS THE SUBJECT OF A PENDING ETHICS INVESTIGATION OR OPEN COMPLAINT FROM CONTACTING OR ATTEMPTING TO CONTACT, EITHER DIRECTLY OR INDIRECTLY, A MEMBER OF THE STATE ETHICS COMMISSION OR A LEGISLATIVE ETHICS COMMITTEE; TO AMEND SECTION 8-13-530, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE LEGISLATIVE ETHICS COMMITTEES, SO AS TO REVISE THE COMMITTEES' FUNCTIONS AND RESPONSIBILITIES AND TO REQUIRE THE LEGISLATIVE ETHICS COMMITTEES TO REFER CERTAIN ETHICS COMPLAINTS TO THE STATE ETHICS COMMISSION FOR INVESTIGATION; BY ADDING SECTION 8-13-535 SO AS TO ESTABLISH PROCEDURES FOR THE LEGISLATIVE ETHICS COMMITTEES TO ISSUE FORMAL ADVISORY OPINIONS; TO AMEND SECTION 8-13-540, AS AMENDED, RELATING TO THE MANNER IN WHICH THE LEGISLATIVE ETHICS COMMITTEES CONDUCT INVESTIGATIONS AND HEARINGS, SO AS TO ESTABLISH PROCEDURES FOR FORWARDING CERTAIN ETHICS COMPLAINTS TO THE STATE ETHICS COMMISSION FOR DISPOSITION AND TO MAKE OTHER CONFORMING CHANGES; AND TO AMEND SECTION 8-13-550, RELATING TO THE CONSIDERATION OF AN ETHICS COMMITTEE REPORT BY THE HOUSE OF REPRESENTATIVES OR SENATE, SO AS TO ELIMINATE THE CONFIDENTIALITY EXCEPTION FOR PRIVATE REPRIMANDS.

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

State Ethics Commission, legislative ethics committees, authority to levy enforcement or administrative fees

SECTION 1. Section 8-13-130 of the 1976 Code, as added by Act 353 of 2008, is amended to read:

“Section 8-13-130. The State Ethics Commission, Senate Ethics Committee, and House of Representatives Ethics Committee may levy an enforcement or administrative fee on a person who is found in

violation, or who admits to a violation, pursuant to Title 2 or Title 8. The fee must be used to reimburse the commission, the appropriate legislative Ethics Committee, or combination thereof, for costs associated with the investigation and hearing of a violation. The costs associated include:

- (1) the investigator's time;
- (2) mileage, meals, and lodging;
- (3) the prosecutor's time;
- (4) the hearing panel's travel, per diem, and meals;
- (5) administrative time;
- (6) subpoena costs to include witness fees and mileage; and
- (7) miscellaneous costs such as postage and supplies.

These fees and costs are in addition to any fines as otherwise provided by law.”

State Ethics Commission reconstituted

SECTION 2. Section 8-13-310 of the 1976 Code, as last amended by Act 279 of 2012, is further amended to read:

“Section 8-13-310. (A)(1) There is created the State Ethics Commission composed of eight members who must be appointed in the following manner:

(a) four members must be appointed by the Governor, no more than two of whom are members of the appointing Governor's political party;

(b) two members must be selected by the Senate, one upon the recommendation of the members of the majority political party in the Senate and one upon the recommendation of the members of the largest minority political party in the Senate;

(c) two members must be selected by the House of Representatives, one upon the recommendation of the members of the majority political party in the House and one upon the recommendation of the members of the largest minority political party in the House.

Each member must be appointed with the advice and consent of the General Assembly.

(2) The terms of the members serving on the State Ethics Commission as of March 30, 2017, shall end on March 31, 2017. A member who is serving at that time and who has not completed a full five-year term may be reappointed pursuant to this subsection. The initial appointments for service to begin on April 1, 2017, must be made as follows:

(a) two members appointed by the Governor must be appointed for a three-year term;

(b) two members appointed by the Governor must be appointed for a five-year term;

(c) one member appointed by the Senate upon the recommendation of the members of the majority political party in the Senate shall serve a three-year term;

(d) one member appointed by the Senate upon the recommendation of the members of the largest minority political party of the Senate must be appointed for a five-year term;

(e) one member appointed by the House upon the recommendation of the members of the majority political party of the House of Representatives must be appointed for a five-year term; and

(f) one member appointed by the House upon the recommendation of the members of the largest minority political party of the House of Representatives must be appointed for a three-year term.

The initial members who have served terms that are less than five years are eligible to be reappointed for one full five-year term.

(B) The qualifications the appointing authorities shall consider for the appointees include, but are not limited to:

- (a) constitutional qualifications;
- (b) ethical fitness;
- (c) character;
- (d) mental stability;
- (e) experience; and
- (f) judicial temperament.

(C)(1) In addition to other information that may be requested, candidates for appointment must provide the following information to the appointing authority, which must be shared with the General Assembly during the confirmation process:

(a) the candidate's membership in any civic, charitable, or social groups within the previous four years;

(b) a contribution made by the candidate to a candidate for Governor, Lieutenant Governor, or a member of the General Assembly within the previous four years; and

(c) a contribution, as defined in Section 8-13-1300(7), made by the candidate within the previous four years to a candidate as defined in Section 8-13-100(5).

(2) The appointing authorities shall make their appointments based on merit. However, in making appointments to the commission, the appointing authorities shall ensure that race, color, gender, national origin, and other demographic factors are considered to ensure the

geographic and political balance of the appointments, and shall strive to assure that the membership of the commission will represent, to the greatest extent possible, all segments of the population of the State.

(3) The following are not eligible to serve on the State Ethics Commission:

- (a) a member of the General Assembly;
- (b) a former member of the General Assembly within eight years following the termination of his service in the General Assembly;
- (c) a family member, as defined by Section 8-13-100(15), of a member of the General Assembly or the Governor, Lieutenant Governor, or other statewide elected official;
- (d) a person who made a campaign contribution, as defined by Section 8-13-1300(7), within the previous four years to the Governor who appointed the person to serve on the State Ethics Commission, as well as that Governor's Lieutenant Governor;
- (e) a person who registered as a lobbyist within four years of being appointed to the State Ethics Commission;
- (f) a person who is under the jurisdiction of the State Ethics Commission, House of Representatives Ethics Committee, or Senate Ethics Committee.

(D) The terms of the members are for five years. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. Members of the commission who serve less than a full five-year term may be reappointed for one full five-year term. Members of the commission who have completed a full five-year term are not eligible for reappointment. A member shall not serve on the commission in hold-over status after the member's term expires. An appointee shall not serve on the commission, even in interim capacity, until he has been confirmed by the General Assembly.

(E) The commission shall elect a chairman, vice chairman, and such other officers as it considers necessary. Five members of the commission shall constitute a quorum. The commission must adopt a policy concerning the attendance of its members at commission meetings. The commission meets at the call of the chairman or a majority of its members. Members of the commission, while serving on business of the commission, receive per diem, mileage, and subsistence as provided by law for members of state boards, committees, and commissions.

(F)(1) A commission member appointed by the Governor may be removed from office by the Governor for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity pursuant to Section 1-3-240.

(2) A commission member appointed by the Senate may be removed for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity upon a vote of two-thirds of the membership of the Senate.

(3) A commission member appointed by the House of Representatives may be removed for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity upon a vote of two-thirds of the membership of the House of Representatives.”

State Ethics Commission, actions upon initiation or receipt of complaint, groundless complaints

SECTION 3. Section 8-13-320(9) of the 1976 Code, as last amended by Act 245 of 2008, is further amended to read:

“(9) to initiate or receive complaints and make investigations, as provided in item (10), or as provided in Section 8-13-540, as appropriate, of statements filed or allegedly failed to be filed under the provisions of this chapter and Chapter 17, Title 2 and, upon complaint by an individual, of an alleged violation of this chapter or Chapter 17, Title 2 by a public official, public member, or public employee. Any person charged with a violation of this chapter or Chapter 17, Title 2 is entitled to the administrative hearing process contained in this section or in Article 5 of this chapter, as appropriate.

(a) The commission may commence an investigation on the filing of a complaint by an individual or by the commission, as provided in item (10)(d), upon a majority vote of the total membership of the commission.

(b)(1) No complaint may be accepted by the commission concerning a candidate for elective office during the fifty-day period before an election in which he is a candidate. During this fifty-day period, any person may petition the court of common pleas alleging the violations complained of and praying for appropriate relief by way of mandamus or injunction, or both. Within ten days, a rule to show cause hearing must be held, and the court must either dismiss the petition or direct that a mandamus order or an injunction, or both, be issued. A violation of this chapter by a candidate during this fifty-day period must be considered to be an irreparable injury for which no adequate remedy at law exists. The institution of an action for injunctive relief does not relieve any party to the proceeding from any penalty prescribed for violations of this chapter. The court must award reasonable attorney’s

fees and costs to the nonpetitioning party if a petition for mandamus or injunctive relief is dismissed based upon a finding that the:

(i) petition is being presented for an improper purpose such as harassment or to cause delay;

(ii) claims, defenses, and other legal contentions are not warranted by existing law or are based upon a frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; and

(iii) allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after reasonable opportunity for further investigation or discovery.

(2) Action on a complaint filed against a candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the commission at least thirty days before the election must be postponed until after the election.

(c) If an alleged violation is found to be groundless by the commission, the entire matter must be stricken from public record. If the commission finds that the complaining party wilfully filed a groundless complaint, the finding must be reported to the Attorney General. The wilful filing of a groundless complaint is a misdemeanor and, upon conviction, a person must be fined not more than one thousand dollars or imprisoned not more than one year. In lieu of the criminal penalty provided by this item, a civil penalty of not more than one thousand dollars may be assessed against the complainant upon proof, by a preponderance of the evidence, that the filing of the complaint was wilful and without just cause or with malice. In addition to any civil or criminal penalties, the filer of the groundless complaint may be ordered to reimburse the commission for the commission's costs associated with the investigation and disposition of the complaint.

(d) Action may not be taken on a complaint filed more than four years after the violation is alleged to have occurred unless a person, by fraud or other device, prevents discovery of the violation. The Attorney General may initiate an action to recover a fee, compensation, gift, or profit received by a person as a result of a violation of the chapter no later than one year after a determination by the commission that a violation of this chapter has occurred;"

Actions when complaint does not allege facts sufficient to constitute a violation

SECTION 4. Section 8-13-320(10)(b) of the 1976 Code, as last amended by Act 76 of 2003, is further amended to read:

“(b) If the commission, its executive director, or staff designated by the commission, determines that the complaint does not allege facts sufficient to constitute a violation, the commission must dismiss the complaint and notify the complainant and respondent. The entire matter must be stricken from public record unless the respondent, by written authorization to the State Ethics Commission, waives the confidentiality of the existence of the complaint and authorizes the release of information about the disposition of the complaint.”

Actions when complaint does allege facts sufficient to constitute a violation

SECTION 5. Section 8-13-320(10)(c) of the 1976 Code is amended to read:

“(c) If the commission, its executive director, or staff designated by the commission determines that the complaint alleges facts sufficient to constitute a violation, an investigation may be conducted of the alleged violation.”

State Ethics Commission, authority to file a complaint upon its own motion

SECTION 6. Section 8-13-320(10)(d) of the 1976 Code is amended to read:

“(d) If the commission, upon the receipt of any information, finds probable cause to believe that a violation of the chapter has occurred, it may, upon its own motion and an affirmative vote of six or more members of the commission, file a verified complaint, in writing, that states the name of the person alleged to have committed a violation of this chapter and the particulars of the violation. The commission shall forward a copy of the complaint, a general statement of the applicable law with respect to the complaint, and a statement explaining the due process rights of the respondent including, but not limited to, the right to counsel to the respondent within ten days of the filing of the complaint.”

State Ethics Commission, actions following dismissal or finding of probable cause

SECTION 7. Section 8-13-320(10)(g) of the 1976 Code, as last amended by Act 1 of 2011, is further amended to read:

“(g) All investigations, inquiries, hearings, and accompanying documents are confidential and only may be released pursuant to this section.

(i) After a dismissal following a finding of probable cause, except for dismissal pursuant to item (10)(b), or a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the following documents become public record: the complaint, the response by the respondent, and the notice of dismissal.

(ii) After a finding of probable cause, except for a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the following documents become public record: the complaint, the response by the respondent, and the notice of hearing. If a hearing is held on the matter, the final order and all exhibits introduced at the hearing shall become public record upon issuance of the final order by the commission. Exhibits introduced must be redacted prior to release to exclude personal information where the public disclosure would constitute an unreasonable invasion of personal privacy. In the event a hearing is not held on a matter after a finding of probable cause, the final disposition of the matter becomes public record.

The respondent or his counsel, by written notice, may waive the confidentiality requirement. The commission shall not accept any partial waivers. The wilful release of confidential information is a misdemeanor, and a person releasing such confidential information, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year.”

State Ethics Commission, probable cause determinations, probable cause defined

SECTION 8. Section 8-13-320(10)(i) of the 1976 Code is amended to read:

“(i) At the conclusion of its investigation, the commission staff, in a preliminary written decision with findings of fact and conclusions of law, must make a recommendation whether probable cause exists to

believe that a violation of this chapter has occurred. If the commission determines that probable cause does not exist, it shall send a written decision with findings of fact and conclusions of law to the respondent and the complainant. If the commission determines, by an affirmative vote of six or more commission members, that there is probable cause to believe that a violation has been committed, its preliminary decision may contain an order setting forth a date for a hearing before a panel of three commissioners, selected at random, to determine whether a violation of the chapter has occurred. If the commission finds probable cause, by an affirmative vote of six or more commission members, to believe that a violation of this chapter has occurred, the commission may waive further proceedings if the respondent takes action to remedy or correct the alleged violation. Probable cause is a finding that the allegations contained in the complaint are more likely than not to have occurred and constitute a violation of this chapter or Chapter 17, Title 2.”

State Ethics Commission, open hearings

SECTION 9. Section 8-13-320(10)(j) of the 1976 Code is amended to read:

“(j) If a hearing is to be held, the respondent must be allowed to examine and make copies of all evidence in the commission’s possession relating to the charges. The same discovery techniques which are available to the commission must be equally available to the respondent, including the right to request the commission to subpoena witnesses or materials and the right to conduct depositions as prescribed by subitem (f). A panel of three commissioners must conduct a hearing in accordance with Chapter 23, Title 1 (Administrative Procedures Act), except as otherwise expressly provided. Panel action requires the participation of the three panel members. During a commission panel hearing conducted to determine whether a violation of the chapter has occurred, the respondent must be afforded appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. All evidence, including records the commission considers, must be offered fully and made a part of the record in the proceedings. The hearings must be open to the public.”

State Ethics Commission, issuance of ethics advisory opinions

SECTION 10. Section 8-13-320(11) of the 1976 Code is amended to read:

“(11)(a) The commission may issue a formal advisory opinion, based on real or hypothetical sets of circumstances. In considering and formulating an advisory opinion, the commission shall consider its previous opinions as well as relevant opinions issued by either legislative ethics committee in an attempt to create uniformity among the bodies. A formal advisory opinion issued by the commission is binding on the commission, until amended or revoked, in any subsequent charges concerning the person who requested the formal opinion and any other person who acted in reliance upon it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. A formal advisory opinion must be in writing and is considered rendered when approved by a majority of the commission members subscribing to the advisory opinion. Advisory opinions must be made available to the public unless the commission, by majority vote of the total membership of the commission, requires an opinion to remain confidential. However, the identities of the parties involved must be withheld upon request.

(b) The commission only may issue formal advisory opinions for public officials, public members, and public employees for which it has proper jurisdiction to make findings of fact and impose penalties pursuant to this chapter.

(c) The commission must consider whether a person relied in good faith upon a formal advisory opinion or written informal staff opinion when considering a determination of probable cause and when considering a finding of misconduct.”

Prohibited contacts during pendency of investigation or open complaint

SECTION 11. Article 3, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8-13-322. It is unlawful for the Governor, a member of the General Assembly, or anyone who is the subject of a pending investigation or open complaint, to contact or attempt to contact, either directly or indirectly, a member of the commission or a legislative ethics

committee to influence or attempt to influence the outcome of a pending investigation or open complaint.”

Powers and duties of legislative ethics committees, complaints referred to State Ethics Commission

SECTION 12. Section 8-13-530 of the 1976 Code, as last amended by Act 245 of 2008, is further amended to read:

“Section 8-13-530. Each ethics committee shall:

(1) ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of this chapter, which may include, but is not limited to, an audit of filed reports and applicable campaign bank statements, and to promptly notify the person to file the necessary notices and reports to satisfy the requirements of this chapter;

(2) receive complaints filed by individuals and, upon a majority vote of the total membership of the committee, file complaints when alleged violations are identified;

(3) upon the filing of a complaint alleging a violation by a member or staff of the appropriate house, or a member or staff of a legislative caucus committee, or a candidate for the appropriate house, for a violation of this chapter or Chapter 17, Title 2, other than a violation of a rule of the appropriate house, the ethics committee shall refer the complaint to the State Ethics Commission for an investigation pursuant to Section 8-13-540;

(4) receive, investigate, and hear a complaint which alleges a possible violation of a breach of a privilege or a rule governing a member or staff of the appropriate house or legislative caucus committee, or candidate for the appropriate house;

(5) a complaint may not be accepted by the ethics committee concerning a member of or candidate for the appropriate house during the fifty-day period before an election in which the member or candidate is a candidate. During this fifty-day period, any person may petition the court of common pleas alleging the violations complained of and praying for appropriate relief by way of mandamus or injunction, or both. Within ten days, a rule to show cause hearing must be held, and the court must either dismiss the petition or direct that a mandamus order or an injunction, or both, be issued. A violation of this chapter by a candidate during this fifty-day period must be considered to be an irreparable injury for which no adequate remedy at law exists. The institution of an action for injunctive relief does not relieve any party to the proceeding from any penalty prescribed for violations of this chapter. The court

must award reasonable attorney's fees and costs to the nonpetitioning party if a petition for mandamus or injunctive relief is dismissed based upon a finding that the:

(i) petition is being presented for an improper purpose such as harassment or to cause delay;

(ii) claims, defenses, and other legal contentions are not warranted by existing law or are based upon a frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; and

(iii) allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after reasonable opportunity for further investigation or discovery.

Action on a complaint filed against a member or candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the ethics committee at least thirty days before the election must be postponed until after the election;

(6) obtain information, investigate technical violation complaints, and hear complaints as provided in Section 8-13-540 with respect to any complaint filed pursuant to this chapter or Chapter 17, Title 2 and to that end may compel by subpoena issued by a majority vote of the committee the attendance and testimony of witnesses and the production of pertinent books and papers;

(7) administer or recommend sanctions appropriate to a particular member, or staff of, or candidate for, the appropriate house pursuant to Section 8-13-540, including the recovery of the value of anything transferred or received in breach of the ethical standards, or dismiss the charges; and

(8) act as an advisory body to the General Assembly and to individual members of or candidates for the appropriate house on questions pertaining to the disclosure and filing requirements of members of or candidates for the appropriate house, and may issue, upon request from a member or staff of the appropriate house, or legislative caucus committee, or candidate for the appropriate house, and publish advisory opinions on the requirements of these chapters."

Legislative ethics committees, issuance of ethics advisory opinions

SECTION 13. Article 5, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8-13-535. (A) The committee, may issue a formal advisory opinion, based on real or hypothetical sets of circumstances. In considering and formulating an advisory opinion either legislative ethics committee shall consider its previous opinions, the relevant opinions of the other legislative ethics committee, as well as relevant opinions issued by the commission in an attempt to create uniformity among the bodies. A formal advisory opinion issued by the committee is binding on the committee, until amended or revoked, in any subsequent charges concerning the person who requested the formal opinion and any other person who acted in reliance upon it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. A formal advisory opinion must be in writing and is considered rendered when approved by a majority of the committee members subscribing to the advisory opinion. Advisory opinions must be made available to the public unless the committee, by majority vote of the total membership of the committee, requires an opinion to remain confidential. However, the identities of the parties involved must be withheld upon request.

(B) The appropriate ethics committee only may issue formal advisory opinions for public officials, public members, and public employees for which it has proper jurisdiction to make findings of fact and impose penalties pursuant to this chapter.

(C) The appropriate ethics committee must consider whether a person relied in good faith upon a formal advisory opinion or written informal staff opinion when considering a finding of misconduct.”

Manner in which investigations and hearings must be conducted

SECTION 14. Section 8-13-540 of the 1976 Code, as last amended by Act 184 of 1993, is further amended to read:

“Section 8-13-540. (A)(1) A complaint alleging a member of the General Assembly, legislative caucus committees, candidates for the General Assembly, or staff of the General Assembly or legislative caucus committee has committed a violation of this chapter or Chapter 17, Title 2 must be a verified complaint in writing and state the name of the person alleged to have committed the violation and the particulars of the violation.

(2) When a complaint is filed with or by the ethics committee alleging a violation of this chapter or Chapter 17, Title 2, a copy must be sent to the person alleged to have committed the violation and to the State Ethics Commission, hereinafter referred to as ‘the commission’ within thirty days from the date the complaint was filed, for an

investigation as provided in this section. However, if the complaint only alleges a violation of a rule of the House of Representatives or of the Senate, the appropriate ethics committee must forward a copy of the complaint to the person alleged to have committed the violation, and the appropriate ethics committee shall investigate and make a determination for a complaint.

(3)(a) The commission, upon receipt of information, may initiate and file a complaint upon an affirmative vote of six or more members of the commission. The commission shall accept complaints referred by the ethics committees and verified complaints from individuals, whether personally or on behalf of an organization or governmental body.

(b) The commission shall forward a copy of the complaint, a general statement of the applicable law with respect to the complaint, and a statement explaining the due process rights of the respondent including, but not limited to, the right to counsel to the respondent within ten days of the filing of the complaint. Unless the complaint was referred by an ethics committee, the commission shall send a copy of the complaint to the appropriate ethics committee.

(4) Action may not be taken on a complaint filed more than four years after the violation is alleged to have occurred unless the person alleged to have committed the violation, by fraud or other device, prevents discovery of the violation.

(B)(1) Upon receiving a complaint filed pursuant to subsection (A), the commission, its executive director, or other staff as designated by the commission, must determine whether the complaint alleges facts sufficient to constitute a violation of this chapter or Chapter 17, Title 2. If the commission, its executive director, or its other designated staff determines the complaint does not allege facts sufficient to constitute a violation of this chapter or Chapter 17, Title 2, the complaint must be dismissed. If the commission, its executive director, or its designated staff determines the complaint alleges facts sufficient to constitute a violation, an investigation may be conducted of the alleged violation.

(2)(a) In conducting the investigation into the allegations contained in a complaint, the commission shall request a response from the respondent to the complaint and allow for thirty days from the date of the request for the respondent to submit a response.

(b) If the commission does not find probable cause that a violation occurred, the complaint must be dismissed. The commission must notify the complainant, and respondent, and the appropriate legislative ethics committee.

(c) If the commission determines only a technical violation pursuant to Section 8-13-1170 or 8-13-1372 occurred, the complaint

must be referred to the appropriate legislative ethics committee for disposition.

(d) If the commission finds that the complaining party wilfully filed a groundless complaint, the finding must be reported to the Attorney General. The wilful filing of a groundless complaint is a misdemeanor and, upon conviction, the person must be fined not more than one thousand dollars or imprisoned not more than one year. In lieu of the criminal penalty provided by this item, a civil penalty of not more than one thousand dollars may be assessed against the complainant upon proof by a preponderance of the evidence that the filing of the complaint was wilful and without just cause or with malice. In addition to any civil or criminal penalties, the filer of the groundless complaint may be ordered to reimburse the commission for the commission's costs associated with the investigation and disposition of the complaint.

(3) If the commission finds evidence that the person alleged to have committed the violation wilfully violated a section of this chapter or Chapter 17, Title 2 that imposes a criminal penalty, the commission, when appropriate, may forward the complaint and accompanying materials to the Attorney General or circuit solicitor.

(4) If the commission determines that it needs assistance in conducting an investigation, the commission shall request the assistance of appropriate agencies as needed, and may hire or retain auditors, investigators, or other assistance as necessary.

(5) In conducting its investigation, the commission may order testimony to be taken in any investigation or deposition before a person who is designated by the commission and has the power to administer oaths and, in these instances, to compel testimony. The commission may administer oaths and affirmation for the testimony of witnesses and issue subpoenas, by approval of the chairman and subject to judicial enforcement, for the procurement of witnesses and materials including books, papers, records, documents, or other tangible objects relevant to the agency's investigation. A person to whom a subpoena has been issued may move before a commission panel or the commission for an order quashing a subpoena issued pursuant to this section.

(6) Upon completing its investigation, the commission must provide a report to the appropriate ethics committee with a recommendation as to whether there is probable cause to believe a violation of this chapter or of Chapter 17, Title 2 has occurred. A recommendation of probable cause requires an affirmative vote by six or more members of the commission. The report must include a copy of all relevant reports, evidence, and testimony considered by the commission.

(C)(1) All investigations, inquiries, hearings and accompanying documents are confidential and only may be released pursuant to this section.

(2)(a) Upon a recommendation of probable cause by the commission for a violation, other than a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the following documents become public record: the complaint, the response by the respondent, and the commission's recommendation of probable cause.

(b) If the appropriate committee requests further investigation after receipt of the commission's report, documents only may be released if the commission's second report to the committee recommends a finding of probable cause.

(D)(1) Upon receipt of the commission's report, the appropriate ethics committee may concur or nonconcur with the commission's recommendation, or within forty-five days from the committee's receipt of the report, request the commission to continue the investigation in order to review information previously received or consider additional matters not considered by the commission.

(2) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that there is not competent and substantial evidence a violation of this chapter or of Chapter 17, Title 2 has occurred, the committee shall dismiss the complaint and send a written decision to the respondent and the complainant. The notice of dismissal must be made public if the commission made a recommendation that probable cause existed.

(3) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that the respondent has committed only a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the provisions of the appropriate section apply.

(4) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that there is competent and substantial evidence that a violation of this chapter or of Chapter 17, Title 2 has occurred, except for a technical violation of Section 8-13-1170 or 8-13-1372, the committee shall, as appropriate:

(a) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or

(b) convene a formal public hearing on the matter.

The ethics committee may obtain its own information, or request additional investigation by the State Ethics Commission, if it needs additional information to make a determination as to whether or not competent and substantial evidence of a violation exists. An advisory opinion to the respondent pursuant to subitem (a) must be made public.

(5) If the ethics committee convenes a formal public hearing:

(a) the investigator or attorney handling the investigation for the State Ethics Commission shall present the evidence related to the complaint to the appropriate ethics committee;

(b) it is the duty of the investigator or attorney to further investigate the subject of the complaint and any related matters under the jurisdiction and at the direction of the ethics committee, to request assistance from appropriate state agencies as needed, to request authorization from the committee for funds for the hiring of auditors, investigators, or other assistance as necessary, to prepare subpoenas, and to present evidence to the committee at any public hearing. The appropriate committee shall maintain the authority to approve subpoenas, authorize expenditures, dismiss complaints, schedule hearings, grant continuances, and any other authority as provided for by their rules;

(c) the respondent must be allowed to examine and make copies of all evidence in the ethics committee's possession relating to the charges. At the hearing the respondent must be afforded appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses;

(d) all hearings must be open to the public.

(6)(a) After the formal public hearing, the ethics committee shall determine its findings of fact and issue its final order.

(b) If the ethics committee, based on competent and substantial evidence, finds the respondent has not violated this chapter or Chapter 17, Title 2, the committee shall dismiss the complaint and send a written decision to the respondent and the complainant.

(c) If the ethics committee, based on competent and substantial evidence, finds the respondent has violated this chapter or Chapter 17, Title 2, the committee shall:

(i) administer a public reprimand;

(ii) determine that a technical violation as provided for in Section 8-13-1170 or 8-13-1372 has occurred;

(iii) require the respondent to pay a civil penalty not to exceed two thousand dollars for each nontechnical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;

(iv) require the forfeiture of gifts, receipts, or profits, or the value of each, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;

(v) recommend expulsion of the member;

(vi) provide a copy of the complaint and accompanying materials to the Attorney General if the committee finds that there is probable cause to believe the respondent wilfully violated a section of this chapter or Chapter 17, Title 2 that imposes a criminal penalty; or

(vii) require a combination of subitems (i) through (vi) as necessary and appropriate.

(d) The ethics committee shall report its findings in writing to the Speaker of the House of Representatives or President Pro Tempore of the Senate, as appropriate. The report must be accompanied by an order of punishment or dismissal and supported and signed by a majority of the ethics committee members.

(e) Upon the issuance of the final order, the following documents become public record: exhibits introduced at the hearing, the committee's findings, and the final order. Exhibits introduced must be redacted prior to release to exclude personal information where the public disclosure would constitute an unreasonable invasion of personal privacy. In addition, any documents in the commission's report that substantiate the commission's recommendation of probable cause that would constitute a public document and are not exempt from disclosure under the Freedom of Information Act or other state or federal law also shall become public record. These documents must be redacted, as appropriate, in compliance with state or federal law.

(E) If, after conducting a formal public hearing, the ethics committee finds the respondent has violated this chapter or Chapter 17, Title 2, the respondent has ten days from the date of receiving the committee's order of punishment to appeal the action to the full legislative body.

(F) No ethics committee member may take part in consideration of any matter in which they are the respondent, complainant, witness, or otherwise involved.

(G) The ethics committees shall establish procedures which afford respondents appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses."

Disclosure of results following House or Senate consideration of an ethics committee report

SECTION 15. Section 8-13-550(B) of the 1976 Code is amended to read:

“(B) Upon consideration of an ethics committee report by the House or the Senate, whether in executive or open session, the results of the consideration are a matter of public record.”

Severability

SECTION 16. The provisions of this act are severable. If any section, subsection, paragraph, subparagraph, item, subitem, 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 the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, items, subitems, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 17. The provisions of this act are effective as of April 1, 2017 and shall apply to complaints filed on or after April 1, 2017. However, the provisions in Section 8-13-310 regarding the selection of the initial members to serve on the State Ethics Commission as of April 1, 2017, and the termination of terms of the members serving on the commission as of March 31, 2017, take effect after the date of the Governor’s signature for the limited purpose of having the initial members of the reconstituted State Ethics Commission begin service on April 1, 2017. The State Ethics Commission, House Ethics Committee and Senate Ethics Committee shall maintain jurisdiction over all open complaints and investigations pending in the appropriate entity on or before March 31, 2017. The reconstituted State Ethics Commission shall have jurisdiction over open complaints and investigations pending within the State Ethics Commission as of March 31, 2017.

Ratified the 17th day of June, 2016.

Approved the 23rd day of June, 2016.

No. 283

(R307, H3186)

AN ACT TO AMEND SECTION 8-13-1120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONTENTS OF THE STATEMENT OF ECONOMIC INTERESTS, SO AS TO REQUIRE THE DISCLOSURE OF SPECIFIED INCOME INFORMATION ON THE STATEMENT OF ECONOMIC INTERESTS, AND TO DEFINE "INCOME" FOR PURPOSES OF THE STATEMENT OF ECONOMIC INTERESTS AND TO ENUMERATE EXCLUSIONS.

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

Contents of statement of economic interests

SECTION 1. Section 8-13-1120(A) of the 1976 Code, as last amended by Act 6 of 1995, is further amended by adding:

“(10) a listing of the private source and type of any income received in the previous year by the filer or a member of his immediate family. This item does not include income received pursuant to:

(a) a court order;

(b) a savings, checking, or brokerage account with a bank, savings and loan, or other licensed financial institution which offers savings, checking, or brokerage accounts in the ordinary course of its business and on terms and interest rates generally available to a member of the general public without regard to status as a public official, public member, or public employee;

(c) a mutual fund or similar fund in which an investment company invests its shareholders' money in a diversified selection of securities.”

Income defined, exclusions

SECTION 2. Section 8-13-1120 of the 1976 Code, as last amended by Act 6 of 1995, is further amended by adding:

“(C) For purposes of this section, income means anything of value received, which must be reported on a form used by the Internal Revenue Service for the reporting or disclosure of income received by an

individual or a business. Income does not include retirement, annuity, pension, IRA, disability, or deferred compensation payments received by the filer or filer's immediate family member.”

Time effective

SECTION 3. The provisions of this act take effect on January 1, 2017.

Ratified the 17th day of June, 2016.

Approved the 23rd day of June, 2016.

No. 284

(R275, H5001)

AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

PART IA
APPROPRIATIONSSECTION 1
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. SUPERINTENDENT OF EDUC		
STATE SUPT OF EDUCATION	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,355,573	1,111,794
	(24.00)	(21.25)
NEW POSITION ADMIN	-	
ASSISTANT	(1.00)	
UNCLASSIFIED POSITIONS	119,368	119,368
OTHER PERSONAL SERVICES	88,800	
OTHER OPERATING EXPENSES	987,768	151,025
TOTAL I. SUPT OF EDUCATION	2,643,516	1,474,194
	(26.00)	(22.25)
II. BOARD OF EDUCATION		
OTHER PERSONAL SERVICES	4,787	4,787
OTHER OPERATING EXPENSES	53,247	53,247
TOTAL II. BOARD OF EDUC	58,034	58,034
III. ACCOUNTABILITY		
A. OPERATIONS		
CLASSIFIED POSITIONS	6,846,960	2,312,771
	(83.02)	(34.25)
UNCLASSIFIED POSITIONS	119,000	119,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	473,732	15,709
OTHER OPERATING EXPENSES	20,019,972	210,254
TOTAL A. OPERATIONS	27,459,664	2,657,734
	(84.02)	(35.25)
B. EDUC ACCOUNTABILITY ACT		
CLASSIFIED POSITIONS	236,548	236,548
OTHER OPERATING EXPENSES	64,811	64,811

OF SOUTH CAROLINA
General and Permanent Laws--2016
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL B. EDUCATIONAL ACCOUNTABILITY ACT	301,359	301,359
C. SCOICC		
CLASSIFIED POSITIONS	250,946	250,946
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	44,882	44,882
OTHER OPERATING EXPENSES	32,973	32,973
TOTAL C. SCOICC	328,801	328,801
	(4.00)	(4.00)
TOTAL III. ACCOUNTABILITY	28,089,824	3,287,894
	(88.02)	(39.25)
IV. CHIEF INFO OFFICE		
CLASSIFIED POSITIONS	1,643,386	1,613,386
	(22.51)	(16.76)
OTHER OPERATING EXPENSES	2,024,656	2,019,656
TOTAL IV. CHIEF INFO OFFICE	3,668,042	3,633,042
	(22.51)	(16.76)
V. SCHOOL EFFECTIVENESS		
CLASSIFIED POSITIONS	4,648,701	3,727,636
	(78.49)	(59.05)
NEW POSITION INSTRUCTOR/TNG COORDINATOR I	58,000	58,000
	(1.00)	(1.00)
NEW POSITION PROGRAM COORDINATOR II	180,000	180,000
	(4.00)	(4.00)
NEW POSITION EDUCATION ASSOCIATE	220,000	220,000
	(10.00)	(5.00)
NEW POSITION STUDENT SVCS PROG COORD I	105,000	105,000
	(3.00)	(3.00)
NEW POSITION CERTIFIED TEACHER	330,000	330,000
	(6.00)	(6.00)
UNCLASSIFIED POSITIONS	770,000	770,000
	(15.00)	(15.00)
OTHER PERSONAL SERVICES	892,155	469,751
OTHER OPER EXPENSES	12,350,276	4,640,146

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STATUTES AT LARGE
General and Permanent Laws--2016
H630-DEPARTMENT OF EDUCATION

(No. 284)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL V. SCHOOL EFFECTIVENESS	19,554,132 (117.49)	10,500,533 (93.05)
 VI. CHIEF FINANCE OPER		
A. FINANCE & OPER		
CLASSIFIED POSITIONS	1,787,065 (48.02)	1,221,435 (41.02)
OTHER PERSONAL SRVCS	44,201	4,201
OTHER OPERATING EXPENSES	1,202,672	843,605
AID TO OTHER ENTITIES	5,617	5,617
TOTAL A. FINANCE & OPERATIONS	3,039,555 (48.02)	2,074,858 (41.02)
 B. INSTRUCTIONAL MATERIALS		
CLASSIFIED POSITIONS	161,064 (2.00)	
OTHER PERSONAL SERVICES	30,000	
OTHER OPERATING EXPENSES	1,336,838	
TOTAL B. INSTRUCTIONAL MATERIALS	1,527,902 (2.00)	
 TOTAL VI. CHIEF FINANCE OPERATIONS	 4,567,457 (50.02)	 2,074,858 (41.02)
 VII. OPERATIONS AND SUPPORT		
A. SUPPORT OPERATIONS		
CLASSIFIED POSITIONS	4,854,320 (96.00)	3,445,081 (51.15)
NEW POSITION PROGRAM	-	
COORDINATOR II	(3.00)	
NEW POSITION PROG MGR I	-	
	(3.00)	
NEW POSITION EDUC ASSOC	-	
	(2.00)	
NEW POSITION ENG/ASSOC ENG IV	145,000 (2.00)	145,000 (2.00)
OTHER PERSONAL SERVICES	1,878,625	634
OTHER OPERATING EXPENSES	10,180,329	1,218,609
AID SCHOOL DISTRICTS	23,698	23,698

OF SOUTH CAROLINA
General and Permanent Laws--2016
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL A. SUPPORT OPER	17,081,972	4,833,022
	(106.00)	(53.15)
 B. BUS SHOPS		
CLASSIFIED POSITIONS	16,239,571	11,239,571
	(457.62)	(376.02)
OTHER PERSONAL SERVICES	485,624	98,102
OTHER OPERATING EXPENSES	57,227,331	50,552,331
AID TO DISTRICTS	500,000	500,000
AID SCHL DIST - BUS DRIVERS'	2,996,195	2,996,195
WORKERS' COMP		
AID SCH DISTRICT - DRIVER	55,433,620	55,433,620
SALARY/F		
AID SCH DISTRICT - CONTRACT	1,023,062	1,023,062
DRIVERS		
BUS DRV AIDE	129,548	129,548
AID OTHER STATE AGENCIES	69,751	69,751
TOTAL B. BUS SHOPS	134,104,702	122,042,180
	(457.62)	(376.02)
 C. BUSES		
EAA TRANSPORTATION	3,153,136	3,153,136
EEDA TRANSPORTATION	608,657	608,657
BUS PURCHASES	3,015,506	3,015,506
TOTAL C. BUSES	6,777,299	6,777,299
 D. OFFICE OF FIRST STEPS TO		
SCHOOL READINESS		
CLASSIFIED POSITIONS	759,000	65,000
	(6.00)	(1.00)
OTHER PERSONAL SERVICES	275,000	
OTHER OPERATING EXPENSES	5,003,392	
BABYNET	8,331,000	750,000
CDEPP	6,424,200	6,424,200
EMPLOYER CONTRIBUTIONS	240,030	29,280
TOTAL D. OFFICE OF FIRST	21,032,622	7,268,480
STEPS TO SCHOOL READINESS	(6.00)	(1.00)

STATUTES AT LARGE
General and Permanent Laws--2016
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT VII. OPER AND SUPPORT	178,996,595	140,920,981
	(569.62)	(430.17)
 VIII. EDUC IMPROVEMENT ACT		
A. STANDARDS,TEACHING, LEARNING		
1. STUDENT LEARNING		
CLASSIFIED POSITIONS	58,629	
OTHER OPERATING EXPENSES	136,739	
MODERNIZE VOCATIONAL EQUIPMENT	13,798,983	
HIGH SCHOOLS THAT WORK	2,146,499	
ADULT EDUCATION	15,073,736	
TECH PREP	3,021,348	
AID TO DISTRICTS	37,386,600	
STUDENT AT RISK OF SCHOOL FAILURE	79,551,723	
STUDENT HEALTH AND FITNESS ACT - NURSES	6,000,000	
ALLOC EIA - ARTS CURRICULA	1,487,571	
SUMMER READING CAMPS	1,500,000	
READING COACHES	9,922,556	
EEDA	8,413,832	
TOTAL 1. STUDENT LEARNING	178,498,216	
 2. STUDENT TESTING		
CLASSIFIED POSITIONS	488,518	
	(8.00)	
NEW POSITION EDUCATION ASSOCIATE	60,000	
	(1.00)	
OTHER OPERATING EXPENSES	678,748	
ASSESSMENT/TESTING	27,261,400	
TOTAL 2. STUDENT TESTING	28,488,666	
	(9.00)	
 3. CURRICULUM & STANDARDS		
CLASSIFIED POSITIONS	126,232	
	(2.00)	
OTHER PERSONAL SERVICES	4,736	

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPERATING EXPENSES	41,987	
READING	6,542,052	
INSTRUCTIONAL MATERIALS	20,922,839	
TOTAL 3. CURRICULUM & STANDARDS	27,637,846	(2.00)
 4. ASSIST, INTERVENTION & REWARD		
CLASSIFIED POSITIONS	1,236,436	(28.35)
OTHER OPERATING EXPENSES	1,374,752	
EAA TECHNICAL ASSISTANCE	12,801,301	
POWER SCH/DATA COLLECTION	7,500,000	
TOTAL 4. ASSIST, INTERVENTION & REWARD	22,912,489	(28.35)
 TOTAL A. STANDARDS, TEACHING, LEARNING	 257,537,217	 (39.35)
 B. EARLY CHILDHOOD EDUC		
CLASSIFIED POSITIONS	376,246	(6.50)
NEW POSITION EDUCATION ASSOCIATE	455,000	(7.00)
OTHER OPERATING EXPENSES	556,592	
ALLOC EIA - 4 YR EARLY CHILDHOOD	15,513,846	
CDEPP - SCDE	34,324,437	
TOTAL B. EARLY CHILDHOOD EDUCATION	51,226,121	(13.50)
 C. TEACHER QUALITY		
1. CERTIFICATION		
CLASSIFIED POSITIONS	1,068,102	(25.25)
OTHER PERSONAL SERVICES	1,579	
OTHER OPERATING EXPENSES	638,999	
TOTAL 1. CERTIFICATION	1,708,680	(25.25)

STATUTES AT LARGE
General and Permanent Laws--2016
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
2. RETENTION & REWARD		
TEACHER OF THE YEAR	155,000	
TEACHER QUALITY COMMISS	372,724	
ALLOC EIA - TEACHER SLRS	150,823,453	
TEACHER SUPPLIES	14,346,000	
ALLOC EIA - EMPLOYER	18,266,752	
CONTRIBUTIONS		
NATIONAL BOARD CERT	54,000,000	
RURAL TEACHER RECRUIT	9,748,392	
TOT 2. RETENTION & REWARD	247,712,321	
3. PROFESSIONAL DEVELOP		
PROFESSIONAL DEVELOPMENT	9,515,911	
ADEPT	873,909	
TOTAL 3. PROFESSIONAL	10,389,820	
DEVELOPMENT		
4. ADEPT		
NEW POSITION EDUCATION	65,000	
ASSOCIATE	(1.00)	
TOTAL 4. ADEPT	65,000	
	(1.00)	
TOT C. TEACHER QUALITY	259,875,821	
	(26.25)	
D. LEADERSHIP		
CLASSIFIED POSITIONS	82,049	
	(10.77)	
OTHER PERSONAL SERVICES	83,121	
OTHER OPERATING EXPENSES	279,032	
TECHNOLOGY	12,271,826	
EMPLOYER CONTRIBUTIONS	1,249,821	
TOTAL D. LEADERSHIP	13,965,849	
	(10.77)	
E. PARTNERSHIPS		
ETV - K-12 PUBLIC EDUC (H670)	3,394,281	

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General and Permanent Laws--2016
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ETV - INFRASTRUCTURE (H670)	2,000,000	
LITERACY & DISTANCE LEARNING (P360)	415,000	
REACH OUT & READ (A850)	1,000,000	
SC YOUTH CHALLENGE ACAD	1,000,000	
ARTS EDUCATION PROG (H910)	1,000,000	
TEACHER PAY (F300)	73,861	
EDUCATION OVERSIGHT COMMITTEE (A850)	1,793,242	
SCIENCE PLUS	563,406	
STEM CENTERS SC	1,750,000	
TEACH FOR AMERICA SC	3,000,000	
GOVERNOR'S SCH FOR ARTS & HUMANITIES	1,192,439	
WIL LOU GRAY OPPORTUNITY SCHOOL (H710)	605,294	
SCHOOL FOR DEAF & BLIND (H750)	7,439,286	
DIABILITIES & SPECIAL NEEDS (J160)	548,653	
SC COUNCIL ON ECONOMIC EDUCATION	300,000	
JOHN DE LA HOWE SC (L12)	417,734	
CLEMSON AGRICULTURE EDUCATION TEACHERS (P200)	989,758	
CENTER FOR EDUCATIONAL PARTNERSHIPS	715,933	
CENTERS OF EXCELLENCE (H030)	1,137,526	
TEACHER RECRUIT PROG (H030)	4,243,527	
TEACHER LOAN PROGRAM (E160)	5,089,881	
REGIONAL EDUC CENTERS (P320)	1,802,000	
FAMILY CONNECTION SC	300,000	
GOV SCHOOL FOR MATH & SCIENCE (H630)	719,425	
CENTER FOR EDUC RECRUIT, RETEN, & ADV (CERRA)	531,680	
TOTAL E. PARTNERSHIPS	42,022,926	

STATUTES AT LARGE
General and Permanent Laws--2016
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
F. TRANSPORTATION		
OTHER OPERATING EXPENSES	12,575,684	
TOTAL F. TRANSPORTATION	12,575,684	
G. CHARTER SCHL DISTRICT		
CHARTER SCHOOL DISTRICT	81,118,747	
TOTAL G. CHARTER SCHOOL DISTRICT	81,118,747	
H. FIRST STEPS TO SCHOOL READINESS		
CLASSIFIED POSITIONS	1,911,453	
	(80.50)	
NEW POSITION SENIOR	268,432	
CONSULTANT	(4.00)	
UNCLASSIFIED POSITIONS	121,540	
	(1.00)	
OTHER PERSONAL SERVICES	150,000	
OTHER OPERATING EXPENSES	1,906,225	
COUNTY PARTNERSHIPS	14,435,228	
CDEPP	9,767,864	
BABYNET AUTISM THERAPY	3,686,408	
EMPLOYER CONTRIBUTIONS	1,015,485	
TOTAL H. FIRST STEPS TO SCHOOL READINESS	33,262,635	
	(85.50)	
TOTAL VIII. EDUCATION IMPROVEMENT ACT	751,585,000	
	(175.37)	
IX. GOVERNORS SCHL SCIENCE & MATH		
CLASSIFIED POSITIONS	1,948,223	1,948,223
	(50.30)	(50.30)
NEW POSITION INSTRUCTOR	420,000	420,000
	(6.00)	(6.00)
NEW POSITION PROGRAM COORDINATOR I	100,000	100,000
	(2.00)	(2.00)

H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITION STUDENT SVCS	50,000	50,000
PROG COORD II	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	3,444,590	3,334,590
	(29.79)	(29.02)
OTHER PERSONAL SERVICES	171,100	68,600
OTHER OPERATING EXPENSES	4,694,985	4,215,985
ALLOC OTHER ENTITIES	13,200	
EMPLOYER CONTRIBUTIONS	1,918,150	1,876,350
TOTAL IX. GOVERNORS SCHL	12,760,248	12,013,748
SCIENCE & MATH	(89.09)	(88.32)
 X. AID TO SCHOOL DISTRICTS		
A. DISTRIBUTION TO SUBDIV		
CDEPP - SCDE	13,099,665	13,099,665
ALLOC SCHOOL DIST	808,180,265	
ALLOC OTHER ST AGENCIES	14,597,340	
ALLOC OTHER ENTITIES	13,560,038	
TEACHER SUPPLY	600,000	600,000
SUMMER READING CAMPS	6,000,000	6,000,000
ADULT ED	500,000	500,000
AID SCHOOL DISTRICTS	89,839	89,839
STUDENT HLTH AND FITNESS	20,297,502	20,297,502
READING COACHES	29,483,100	29,483,100
LUNCH PROGRAM	25,800	25,800
EMPLOYER CONTRIB - EFA	712,220,704	712,220,704
EDUCATION FINANCE ACT	1,728,148,671	1,728,148,671
GUIDANCE/CAREER SPECIAL	31,362,113	31,362,113
AID SCHOOL DISTRICT - RETIREE INS	136,796,735	136,796,735
TOT A. DISTRIBUTION TO SUBDIVISIONS	3,514,961,772	2,678,624,129
 B. SPECIAL ALLOCATIONS		
VOCATIONAL EQUIPMENT (H710)	39,978	39,978
ARCHIVES AND HISTORY (H790)	22,377	22,377
STATUS OFFENDER (L120)	346,473	346,473
STATE MUSEUM (H95)	275,000	275,000

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STATUTES AT LARGE
General and Permanent Laws--2016
H630-DEPARTMENT OF EDUCATION

(No. 284)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
HANDICAPPED - PROFOUNDLY MENTALLY	85,286	85,286
STUDENT LOAN CORP - CAREER CHANGERS	1,065,125	1,065,125
SC COUNCIL ON HOLOCAUST	54,264	54,264
ARCHIBALD RUTLEDGE SCHOLARSHIPS	10,478	10,478
TOT B. SPECIAL ALLOC	1,898,981	1,898,981
TOT X. AID TO SCHOOL DISTRICTS	3,516,860,753	2,680,523,110
 XI. GOV SCHL FOR ARTS & HUMANITIES		
CLASSIFIED POSITIONS	1,906,179	1,841,179
	(42.02)	(41.52)
NEW POSITION INFORMATION	60,000	60,000
TECHNOLOGY MGR I	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	2,592,661	2,523,661
	(33.33)	(32.58)
OTHER PERSONAL SERVICES	845,106	526,835
OTHER OPERATING EXPENSES	1,496,826	1,046,826
EMPLOYER CONTRIBUTIONS	1,901,247	1,798,747
TOTAL XI. GOV SCHL FOR ARTS & HUMANITIES	8,802,019	7,797,248
	(76.35)	(75.10)
 XII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	15,932,136	10,719,319
TOT XII. EMPLOYEE BENEFITS	15,932,136	10,719,319
 TOTAL DEPARTMENT OF EDUCATION	 4,543,517,756	 2,873,002,961
	(1,214.47)	(805.92)

SECTION 3
H660-LOTTERY EXPENDITURE ACCOUNT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. LOTTERY EXPEND ACCT		
LOTTERY EXPENDITURES	400,675,000	
UNCLAIMED PRIZES	18,000,000	
TOTAL I. LOTTERY	418,675,000	
EXPENDITURE ACCOUNT		
TOT LOTTERY EXPENDITURE	418,675,000	

SECTION 4
A850-EDUCATION OVERSIGHT COMMITTEE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	99,600	
	(1.00)	
UNCLASSIFIED LEGISLATIVE	330,000	
MISC (P)	(9.00)	
TAXABLE SUBSISTENCE	2,000	
OTHER PERSONAL SERVICES	130,000	
OTHER OPERATING EXPENSES	1,101,642	
TOTAL I. ADMINISTRATION	1,663,242	
	(10.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	130,000	
TOTAL II. EMPLOYEE BENEFITS	130,000	
TOTAL EDUCATION OVERSIGHT	1,793,242	
COMMITTEE	(10.00)	

SECTION 5
H710-WIL LOU GRAY OPPORTUNITY SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
SUPERINTENDENT	79,070	79,070
	(1.00)	(1.00)
CLASSIFIED POSITIONS	194,090	194,090
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	4,085	4,085
OTHER OPERATING EXPENSES	24,419	24,419
TOTAL I. ADMINISTRATION	301,664	301,664
	(5.00)	(5.00)
II. EDUCATIONAL PROGRAM		
A. ACADEMIC PROGRAM		
CLASSIFIED POSITIONS	609,773	609,773
	(14.62)	(14.36)
NEW POSITION PUBLIC INFORMATION COORDINATOR	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	489,426	394,426
	(11.55)	(6.45)
OTHER PERSONAL SERVICES	38,770	38,770
OTHER OPERATING EXPENSES	181,589	171,589
TOTAL A. ACADEMIC PROGRAM	1,319,558	1,214,558
	(27.17)	(21.81)
B. VOCATIONAL EDUCATION		
UNCLASSIFIED POSITIONS	91,854	91,854
	(4.43)	(3.50)
OTHER OPERATING EXPENSES	127,040	102,040
TOTAL B. VOCATIONAL EDUCATION	218,894	193,894
	(4.43)	(3.50)
C. LIBRARY		
UNCLASSIFIED POSITIONS	28,436	28,436
	(0.81)	(0.61)
OTHER OPERATING EXPENSES	2,837	2,837
TOTAL C. LIBRARY	31,273	31,273
	(0.81)	(0.61)

H710-WIL LOU GRAY OPPORTUNITY SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL II. EDUCATIONAL PROGRAM	1,569,725 (32.41)	1,439,725 (25.92)
III. STUDENT SERVICES		
CLASSIFIED POSITIONS	1,228,814 (41.39)	1,228,814 (41.39)
OTHER PERSONAL SERVICES	15,000	15,000
OTHER OPERATING EXPENSES	158,000	125,000
TOTAL III. STUDENT SRVCS	1,401,814 (41.39)	1,368,814 (41.39)
IV. SUPPORT SERVICES		
CLASSIFIED POSITIONS	631,982 (17.61)	535,982 (14.84)
NEW POSITION SYSTEMS	-	-
SUPPORT TECHNICIAN	(1.00)	(1.00)
OTHER PERSONAL SERVICES	55,000	25,000
OTHER OPERATING EXPENSES	1,904,233	1,057,912
TOTAL IV. SUPPORT SRVCS	2,591,215 (18.61)	1,618,894 (15.84)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,265,494	1,210,494
TOT V. EMPLOYEE BENEFITS	1,265,494	1,210,494
TOTAL WIL LOU GRAY OPPORTUNITY SCHOOL	7,129,912 (97.41)	5,939,591 (88.15)

SECTION 6
H750-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PRESIDENT	118,000 (1.00)	118,000 (1.00)
CLASSIFIED POSITIONS	1,208,613 (23.50)	1,122,351 (22.00)

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H750-SCHOOL FOR THE DEAF AND THE BLIND

	TOTAL FUNDS	GENERAL FUNDS	
UNCLASSIFIED POSITIONS	88,900		
	(1.00)		
OTHER PERSONAL SERVICES	176,779	162,668	
OTHER OPERATING EXPENSES	3,576,775	3,497,586	
DEBT SERVICE CHARGES	110,000	110,000	
INTEREST - MASTER LEASE PROGRAM	10,855	10,855	
S C ASSOC FOR THE BLIND	138,256	138,256	
TOTAL I. ADMINISTRATION	5,428,178	5,159,716	
	(25.50)	(23.00)	
 II. EDUCATION			
A. DEAF EDUCATION			
CLASSIFIED POSITIONS	120,054	120,054	
	(4.00)	(5.00)	
UNCLASSIFIED POSITIONS	226,252	226,252	
	(14.00)	(4.20)	
OTHER PERSONAL SERVICES	86,674	86,674	
OTHER OPERATING EXPENSES	339,805	333,990	
TOTAL A. DEAF EDUCATION	772,785	766,970	
	(18.00)	(9.20)	
 B. BLIND EDUCATION			
CLASSIFIED POSITIONS	108,093	108,093	
	(4.00)	(4.00)	
UNCLASSIFIED POSITIONS	206,644	206,644	
	(13.00)	(3.90)	
OTHER PERSONAL SERVICES	87,649	87,649	
OTHER OPERATING EXPENSES	396,728	392,423	
AID OTHER STATE AGENCIES	50,000	50,000	
TOTAL B. BLIND EDUCATION	849,114	844,809	
	(17.00)	(7.90)	
 C. MULTIHANDICAPPED EDUC			
CLASSIFIED POSITIONS	285,938	285,938	
	(13.00)	(13.00)	
UNCLASSIFIED POSITIONS	218,109	218,109	
	(13.00)	(3.90)	

H750-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	39,810	39,810
OTHER OPERATING EXPENSES	338,300	333,421
TOTAL C. MULTIHANDICAPPED	882,157	877,278
EDUCATION	(26.00)	(16.90)
TOTAL II. EDUCATION	2,504,056	2,489,057
	(61.00)	(34.00)
III. STUDENT SUPPORT SRVCS		
CLASSIFIED POSITIONS	1,124,209	360,425
	(16.02)	(8.69)
UNCLASSIFIED POSITIONS	790,435	559,182
	(20.50)	(5.06)
OTHER PERSONAL SERVICES	1,019,721	115,633
OTHER OPERATING EXPENSES	2,537,891	542,201
TOTAL III. STUDENT SUPPORT	5,472,256	1,577,441
SERVICES	(36.52)	(13.75)
IV. RESIDENTIAL LIFE		
CLASSIFIED POSITIONS	652,370	652,370
	(100.85)	(100.85)
UNCLASSIFIED POSITIONS	102,906	102,906
	(6.30)	(2.10)
OTHER PERSONAL SERVICES	1,055,409	1,055,409
OTHER OPERATING EXPENSES	63,897	16,245
TOTAL IV. RESIDENTIAL LIFE	1,874,582	1,826,930
	(107.15)	(102.95)
V. OUTREACH SERVICES		
CLASSIFIED POSITIONS	974,175	
	(10.69)	
UNCLASSIFIED POSITIONS	1,079,157	
	(45.45)	
OTHER PERSONAL SERVICES	443,135	
OTHER OPERATING EXPENSES	1,903,305	
TOTAL V. OUTREACH SRVCS	4,399,772	
	(56.14)	

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STATUTES AT LARGE
General and Permanent Laws--2016

(No. 284)

H750-SCHOOL FOR THE DEAF AND THE BLIND

	TOTAL FUNDS	GENERAL FUNDS
VI. PHYSICAL SUPPORT		
CLASSIFIED POSITIONS	274,253	274,253
	(6.18)	(6.18)
OTHER PERSONAL SERVICES	226,780	226,780
OTHER OPERATING EXPENSES	937,096	703,176
TOTAL VI. PHYSICAL SUPPORT	1,438,129	1,204,209
	(6.18)	(6.18)
VII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	4,017,972	2,468,137
TOT VII. EMPLOYEE BENEFITS	4,017,972	2,468,137
TOTAL SCHL FOR THE DEAF AND THE BLIND	25,134,945	14,725,490
	(292.49)	(179.88)

SECTION 7
L120-JOHN DE LA HOWE SCHOOL

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
SUPERINTENDENT	79,070	79,070
	(1.00)	(1.00)
CLASSIFIED POSITIONS	194,586	194,586
	(6.00)	(6.00)
OTHER PERSONAL SERVICES	20,761	1,952
OTHER OPERATING EXPENSES	39,600	14,600
TOTAL I. ADMINISTRATION	334,017	290,208
	(7.00)	(7.00)
II. EDUCATION		
CLASSIFIED POSITIONS	77,331	42,994
	(3.35)	(1.90)
UNCLASSIFIED POSITIONS	425,831	400,612
	(18.25)	(7.74)
OTHER PERSONAL SERVICES	83,000	53,000
OTHER OPERATING EXPENSES	382,293	10,076
TOTAL II. EDUCATION	968,455	506,682
	(21.60)	(9.64)

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L120-JOHN DE LA HOWE SCHOOL

	TOTAL FUNDS	GENERAL FUNDS
III. CHILDREN'S SERVICES		
A. RESIDENTIAL SERVICES		
CLASSIFIED POSITIONS	903,924	903,924
	(30.34)	(30.34)
OTHER PERSONAL SERVICES	1,064	1,064
OTHER OPERATING EXPENSES	295,731	106,094
CASE SERVICES	2,000	
TOTAL A. RESIDENTIAL SERVICES	1,202,719	1,011,082
	(30.34)	(30.34)
B. BEHAVIORAL HEALTH		
CLASSIFIED POSITIONS	270,460	270,460
	(10.40)	(9.72)
OTHER OPERATING EXPENSES	102,516	44,641
TOTAL B. BEHAVIOR HEALTH	372,976	315,101
	(10.40)	(9.72)
C. EXPERIMENTAL LEARNING		
CLASSIFIED POSITIONS	177,178	177,178
	(7.00)	(7.00)
OTHER OPERATING EXPENSES	50,000	5,000
TOTAL C. EXPERIMENTAL LEARNING	227,178	182,178
	(7.00)	(7.00)
D. WILDERNESS CAMP		
CLASSIFIED POSITIONS	371,025	371,025
	(11.07)	(11.07)
OTHER OPERATING EXPENSES	213,700	138,700
TOTAL D. WILDERNESS CAMP	584,725	509,725
	(11.07)	(11.07)
TOTAL III. CHILDREN'S SERVICES	2,387,598	2,018,086
	(58.81)	(58.13)
IV. SUPPORT SERVICES		
CLASSIFIED POSITIONS	409,523	409,523
	(19.00)	(18.75)
OTHER OPERATING EXPENSES	339,842	133,865

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STATUTES AT LARGE
 General and Permanent Laws--2016
L120-JOHN DE LA HOWE SCHOOL

(No. 284)

	TOTAL FUNDS	GENERAL FUNDS
TOTAL IV. SUPPORT SERVICES	749,365	543,388
	(19.00)	(18.75)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,302,056	1,245,853
TOT V. EMPLOYEE BENEFITS	1,302,056	1,245,853
TOT JOHN DE LA HOWE SCHL	5,741,491	4,604,217
	(106.41)	(93.52)

SECTION 8
H670-EDUCATIONAL TELEVISION COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. INTERNAL ADMINISTRATION		
PRESIDENT & GENERAL MGR	136,708	
	(1.00)	
CLASSIFIED POSITIONS	876,792	
	(17.00)	
NEW POSITION PROCUREMENT	-	
SPECIALIST II	(1.00)	
OTHER PERSONAL SERVICES	225,000	
OTHER OPERATING EXPENSES	645,000	
TOTAL I. INTERNAL ADMINISTRATION	1,883,500	
	(19.00)	
II. PROGRAM AND SERVICES		
A. TOWERNET		
1. ENGINEERING ADMIN		
CLASSIFIED POSITIONS	480,000	
	(3.00)	
NEW POSITION FTS MANAGER I	-	
	(5.00)	
NEW POSITION BROADCAST/ENG	-	
MAINT TECHN III	(1.00)	
OTHER OPERATING EXPENSES	13,500	
TOTAL 1. ENGINEERING ADMINISTRATION	493,500	
	(9.00)	

H670-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
2. TRANSMISSIONS & RECEPTION		
CLASSIFIED POSITIONS	2,010,000	110,000
	(36.00)	
NEW POSITION TRADES	-	
SPECIALIST III	(1.00)	
NEW POSITION TRADES	-	
SPECIALIST IV	(1.00)	
OTHER PERSONAL SERVICES	55,000	
OTHER OPERATING EXPENSES	2,181,989	30,989
TOTAL 2. TRANSMISSIONS & RECEPTION	4,246,989	140,989
	(38.00)	
3. COMMUNICATIONS		
CLASSIFIED POSITIONS	125,000	
	(4.00)	
OTHER PERSONAL SERVICES	60,000	
OTHER OPERATING EXPENSES	75,000	
TOTAL 3. COMMUNICATIONS	260,000	
	(4.00)	
TOTAL A. TOWERNET	5,000,489	140,989
	(51.00)	
B. DIGITAL EDUCATION		
1. PRE-K EDUCATION		
CLASSIFIED POSITIONS	40,000	
	(1.00)	
OTHER OPERATING EXPENSES	60,000	
TOTAL 1. PRE-K EDUCATION	100,000	
	(1.00)	
2. K-12 EDUCATION		
CLASSIFIED POSITIONS	297,000	
	(10.00)	
OTHER PERSONAL SERVICES	36,000	
OTHER OPERATING EXPENSES	1,055,000	

H670-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL 2. K-12 EDUCATION	1,388,000	(10.00)
3. HIGHER EDUCATION		
CLASSIFIED POSITIONS	208,000	(6.00)
OTHER OPERATING EXPENSES	150,000	
TOTAL 3. HIGHER EDUCATION	358,000	(6.00)
4. AGENCY, LOCAL & OTHER EDUCATION SERVICES		
CLASSIFIED POSITIONS	435,000	(8.00)
OTHER OPERATING EXPENSES	570,000	
TOTAL 4. AGENCY, LOCAL & OTHER EDUCATION SERVICES	1,005,000	(8.00)
5. TRAINING AND ASSESSMENT		
CLASSIFIED POSITIONS	105,000	(3.00)
OTHER PERSONAL SERVICES	30,000	
OTHER OPERATING EXPENSES	50,000	
TOTAL 5. TRAINING AND ASSESSMENT	185,000	(3.00)
TOTAL B. DIGITAL EDUCATION	3,036,000	(28.00)
C. RADIO CONTENT		
CLASSIFIED POSITIONS	300,000	(7.00)
NEW POSITION PRODUCTION	-	
MANAGER I	(1.00)	
OTHER PERSONAL SERVICES	45,000	
OTHER OPERATING EXPENSES	1,150,000	
TOTAL C. RADIO CONTENT	1,495,000	(8.00)

H670-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
D. TELEVISION CONTENT		
1. NATIONAL		
CLASSIFIED POSITIONS	92,000	
	(2.00)	
OTHER OPERATING EXPENSES	2,000,000	
TOTAL 1. NATIONAL	2,092,000	
	(2.00)	
2. LOCAL & TRANSPARENCY		
CLASSIFIED POSITIONS	1,005,000	
	(23.20)	
OTHER PERSONAL SERVICES	150,000	45,000
OTHER OPERATING EXPENSES	1,483,600	55,000
TOTAL 2. LOCAL & TRANSPARENCY	2,638,600	100,000
	(23.20)	
3. REGIONAL OPERATIONS		
CLASSIFIED POSITIONS	255,000	
	(8.00)	
OTHER PERSONAL SERVICES	25,000	
OTHER OPERATING EXPENSES	125,000	
TOTAL 3. REGIONAL OPERS	405,000	
	(8.00)	
TOTAL D. TELEVISION CONTENT	5,135,600	100,000
	(33.20)	
E. ENTERPRISE ACTIVITIES		
1. FUNDRAISING		
CLASSIFIED POSITIONS	120,000	
	(1.00)	
OTHER OPERATING EXPENSES	115,000	
TOTAL 1. FUNDRAISING	235,000	
	(1.00)	
2. UNDERWRITING		
CLASSIFIED POSITIONS	180,000	
	(5.00)	
OTHER OPERATING EXPENSES	20,000	

H670-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL 2. UNDERWRITING	200,000	
	(5.00)	
3. MARKETING		
OTHER OPERATING EXPENSES	60,000	
TOTAL 3. MARKETING	60,000	
TOTAL E. ENTERPRISE	495,000	
ACTIVITIES	(6.00)	
TOTAL II. PROGRAM AND	15,162,089	240,989
SERVICES	(126.20)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,146,943	36,543
TOT III. EMPLOYEE BENEFITS	2,146,943	36,543
TOTAL EDUCATIONAL	19,192,532	277,532
TELEVISION COMMISSION	(145.20)	

SECTION 11
H030-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	170,572	170,572
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,146,016	1,146,016
	(34.00)	(23.95)
NEW POSITION PROGRAM	163,310	163,310
MANAGER II	(2.00)	(2.00)
NEW POSITION DATA	55,155	55,155
COORDINATOR II	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	-	-
	(1.70)	(1.15)
OTHER PERSONAL SERVICES	60,765	60,765
OTHER OPERATING EXPENSES	285,520	285,520

H030-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL I. ADMINISTRATION	1,881,338	1,881,338
	(39.70)	(29.10)
II. OTHER AGENCIES AND ENTITIES		
GREENVILLE TC - UNIVERSITY CNT	594,390	594,390
UNIVERSITY CNTR OF GRNVILLE-OPERATIONS	1,084,899	1,084,899
ACADEMIC ENDOWMENT	160,592	160,592
EPSCOR	161,314	161,314
AFRICAN AMERICAN LOAN PROG	119,300	119,300
PERFORMANCE FUNDING	1,397,520	1,397,520
STATE ELECTRONIC LIBRARY	3,350,866	164,289
TOTAL II. OTHER AGENCIES AND ENTITIES	6,868,881	3,682,304
III. LICENSING		
CLASSIFIED POSITIONS	239,534	47,972
	(3.00)	(0.60)
OTHER OPERATING EXPENSES	59,929	
TOTAL III. LICENSING	299,463	47,972
	(3.00)	(0.60)
IV. STATE APPROVING SECTION		
UNCLASSIFIED POSITIONS	32,788	
	(0.30)	
OTHER PERSONAL SERVICES	162,129	
OTHER OPERATING EXPENSES	66,723	
TOTAL IV. STATE APPROVING SECTION	261,640	
	(0.30)	
V. CHE GRANT & OTHER HIGHER EDUC COLLABORATION		
EEDA	1,180,576	1,180,576
IMPROVING TEACHER QUALITY (ITQ)	876,879	
GEAR UP	3,620,801	177,201

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H030-COMMISSION ON HIGHER EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
COLLEGE GOAL SUNDAY	41,000	
SMARTSTATE PROGRAM	885,284	
ADMINISTRATION		
TOT V. CHE GRANT & OTHER	6,604,540	1,357,777
HIGHER EDUC COLLABORA		
 VI. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	763,222	560,673
TOT VI. EMPLOYEE BENEFITS	763,222	560,673
 VII. SCHOLARSHIPS & ASSIST		
NATIONAL GUARD TUITION	89,968	89,968
SREB CONTRACT PROGRAM & ASSESSMENTS	3,785,183	3,785,183
EDUCATIONAL ENDOWMENT	24,000,000	24,000,000
NEEDS BASED GRANTS	350,000	350,000
TOTAL VII. SCHOLARSHIPS & ASSISTANCE	28,225,151	28,225,151
 TOTAL COMMISSION ON HIGHER EDUCATION	44,904,235 (43.00)	35,755,215 (29.70)

SECTION 12
H060-HIGHER EDUCATION TUITION GRANTS
COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
DIRECTOR	70,492	70,492
	(1.00)	(1.00)
CLASSIFIED POSITIONS	132,058	132,058
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	10,608	10,608
TOTAL I. ADMINISTRATION	213,158 (5.00)	213,158 (5.00)
 II. TUITION GRANTS		
OTHER OPERATING EXPENSES	30,958,624	25,958,624

**H060-HIGHER EDUCATION TUITION GRANTS
COMMISSION**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL II. TUITION GRANTS	30,958,624	25,958,624
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	78,417	78,417
TOTAL III. EMPLOYEE BENEFITS	78,417	78,417
TOTAL HIGHER EDUCATION	31,250,199	26,250,199
TUITION GRANTS COMMISSION	(5.00)	(5.00)

**SECTION 13
H090-THE CITADEL**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	187,530	187,530
	(1.00)	(1.00)
CLASSIFIED POSITIONS	15,393,320	3,512,353
	(381.05)	(170.71)
UNCLASSIFIED POSITIONS	17,747,843	3,457,420
	(157.50)	(95.93)
OTHER PERSONAL SERVICES	5,521,551	
OTHER OPERATING EXPENSES	16,191,877	633,893
TOT A. E&G-UNRESTRICTED	55,042,121	7,791,196
	(539.55)	(267.64)
B. E&G-RESTRICTED		
OTHER PERSONAL SERVICES	3,029,402	
OTHER OPERATING EXPENSES	47,830,904	
TOTAL B. E&G-RESTRICTED	50,860,306	
TOTAL I. EDUCATION & GENERAL	105,902,427	7,791,196
	(539.55)	(267.64)

1994

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H090-THE CITADEL

(No. 284)

	TOTAL FUNDS	GENERAL FUNDS
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	2,058,237	
	(95.20)	
UNCLASSIFIED POSITIONS	2,951,807	
	(28.00)	
OTHER PERSONAL SERVICES	1,301,054	
OTHER OPERATING EXPENSES	20,340,914	
TOTAL II. AUXILIARY ENTERPRISES	26,652,012	
	(123.20)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	14,371,918	2,267,098
TOT III. EMPLOYEE BENEFITS	14,371,918	2,267,098
TOTAL THE CITADEL	146,926,357	10,058,294
	(662.75)	(267.64)

SECTION 14

H120-CLEMSON UNIVERSITY - EDUCATION & GENERAL

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	300,510	300,510
	(1.00)	(1.00)
CLASSIFIED POSITIONS	81,329,001	1,093,540
	(1,520.32)	(993.85)
NEW POSITION PROGRAM	139,050	139,050
COORDINATOR I	(3.00)	(3.00)
NEW POSITION PROGRAM MGR I	309,000	309,000
	(7.00)	(5.00)
NEW POSITION STUDENT SVCS	-	
PROG COORD II	(3.00)	
UNCLASSIFIED POSITIONS	147,666,037	50,815,520
	(932.62)	(286.86)
NEW POSITION PROFESSOR	1,042,704	1,042,704
	(31.00)	(6.00)

H120-CLEMSON UNIVERSITY - EDUCATION & GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITION PROGRAM	798,250	798,250
DIRECTOR-EXEC COMP	(6.00)	(6.00)
OTHER PERSONAL SERVICES	29,866,387	909,117
OTHER OPERATING EXPENSES	139,504,105	3,580,578
SCHOLARSHIPS	29,405,323	
TOT A. E&G-UNRESTRICTED	430,360,367	58,988,269
	(2,503.94)	(1,301.71)
 B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	2,890,434	
	(57.33)	
UNCLASSIFIED POSITIONS	17,995,849	
	(107.83)	
OTHER PERSONAL SERVICES	26,488,343	
OTHER OPERATING EXPENSES	73,860,810	
SCHOLARSHIPS	112,074,295	
TOT B. E&G-RESTRICTED	233,309,731	
	(165.16)	
 TOT I. EDUC & GENERAL	663,670,098	58,988,269
	(2,669.10)	(1,301.71)
 II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	20,468,572	
	(324.59)	
NEW POSITION PROGRAM MGR I	-	
	(1.00)	
NEW POSITION STUDENT SVCS	-	
PROG COORD II	(1.00)	
NEW POSITION	-	
BUILDING/GROUNDS SPEC II	(3.00)	
NEW POSITION	-	
BUILDING/GROUNDS SPEC III	(1.00)	
NEW POSITION TRADES	-	
SPECIALIST IV	(2.00)	
UNCLASSIFIED POSITIONS	24,443,864	
	(137.38)	
NEW POSITION ATHLETIC	-	
ADMINISTRATOR	(5.00)	

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H120-CLEMSON UNIVERSITY - EDUCATION & GENERAL

	TOTAL FUNDS	GENERAL FUNDS
OTHER PERSONAL SRVCS	6,459,704	
OTHER OPER EXPENSES	102,913,529	
DEBT SERVICE	6,879,163	
PRINCIPAL - LOAN NOTE	1,142,605	
INT PAYT - CLEMSON STOCK	1,341,318	
SCHOLARSHIPS	8,921,659	
TOTAL II. AUXILIARY	172,570,414	
ENTERPRISES	(474.97)	
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	112,477,657	18,303,548
TOT III. EMPLOYEE BENEFITS	112,477,657	18,303,548
 TOT CLEMSON UNIVERSITY -		
EDUCATION & GENERAL	948,718,169	77,291,817
	(3,144.07)	(1,301.71)

SECTION 15
H150-UNIVERSITY OF CHARLESTON

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION & GENERAL		
PRESIDENT	197,400	197,400
	(1.00)	(1.00)
CLASSIFIED POSITIONS	39,329,685	4,888,148
	(746.94)	(248.47)
UNCLASSIFIED POSITIONS	58,468,295	10,890,732
	(562.49)	(238.91)
OTHER PERSONAL SERVICES	17,670,896	
OTHER OPERATING EXPENSES	73,872,473	2,670,066
LOWCOUNTRY GRAD CENTER	785,099	785,099
TOT I. EDUC & GENERAL	190,323,848	19,431,445
	(1,310.43)	(488.38)
 II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	2,797,790	
	(77.50)	
UNCLASSIFIED POSITIONS	2,056,206	
	(26.25)	

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General and Permanent Laws--2016
H150-UNIVERSITY OF CHARLESTON

	TOTAL FUNDS	GENERAL FUNDS
OTHER PERSONAL SERVICES	2,500,264	
OTHER OPERATING EXPENSES	33,257,925	
TOT II. AUXILIARY SERVICES	40,612,185	
	(103.75)	
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	27,727,834	4,669,646
TOT III. EMPLOYEE BENEFITS	27,727,834	4,669,646
 TOTAL UNIVERSITY OF CHARLESTON		
	258,663,867	24,101,091
	(1,414.18)	(488.38)

SECTION 16
H170-COASTAL CAROLINA UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	197,400	197,400
	(1.00)	(1.00)
CLASSIFIED POSITIONS	26,177,647	1,396,855
	(609.90)	(55.83)
NEW POSITION ADMIN ASST	-	
	(3.00)	
NEW POSITION ACCOUNTING/FIS	-	
ANALYST I	(2.00)	
NEW POSITION PROGRAM	-	
ASSISTANT	(8.00)	
NEW POSITION PROGRAM	-	
COORDINATOR I	(4.00)	
NEW POSITION PROGRAM	-	
MGR II	(4.00)	
NEW POSITION APPLICATIONS	-	
ANALYST II	(3.00)	
NEW POS LAW ENFORCEMENT	-	
OFFICER I	(4.00)	
NEW POSITION	-	
BUILDING/GROUNDS SPEC II	(8.00)	

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H180-COASTAL CAROLINA UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
NEW POSITION TRADES	-	
SPECIALIST IV	(1.00)	
NEW POSITION STUDENT	-	
SERVICES MANAGER II	(1.00)	
NEW POSITION SECURITY	-	
SPECIALIST	(3.00)	
UNCLASSIFIED POSITIONS	38,878,747	5,520,175
	(512.56)	(130.91)
NEW POSITION LECTURER	-	
	(11.25)	
NEW POSITION ASSISTANT	-	
PROFESSOR	(1.50)	
NEW POSITION ASSOCIATE	-	
PROFESSOR	(7.50)	
NEW POSITION PROFESSOR	-	
	(3.75)	
OTHER PERSONAL SRVCS	19,400,000	
OTHER OPER EXPENSES	45,383,382	2,327,452
SCHOLARSHIPS	8,000,000	
TOT A. E&G-UNRESTRICTED	138,037,176	9,441,882
	(1,188.46)	(187.74)
 B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	248,500	
	(3.50)	
UNCLASSIFIED POSITIONS	80,585	
	(7.12)	
OTHER PERSONAL SRVCS	1,242,869	
OTHER OPER EXPENSES	2,632,589	
SCHOLARSHIPS	18,060,000	
TOT B. E&G-RESTRICTED	22,264,543	
	(10.62)	
 TOT I. EDU & GENERAL	160,301,719	9,441,882
	(1,199.08)	(187.74)
 II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	830,653	
	(22.00)	

H180-COASTAL CAROLINA UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	2,530,000	
OTHER OPER EXPENSES	9,789,347	
TOTAL II. AUXILIARY	13,150,000	
ENTERPRISES	(22.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	28,216,802	2,349,596
TOT III. EMPLOYEE BENEFITS	28,216,802	2,349,596
TOT COASTAL CAROLINA	201,668,521	11,791,478
UNIVERSITY	(1,221.08)	(187.74)

SECTION 17
H180-FRANCIS MARION UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	178,343	178,343
	(1.00)	(1.00)
CLASSIFIED POSITIONS	9,000,859	3,426,923
	(236.07)	(163.19)
UNCLASSIFIED POSITIONS	20,027,960	6,357,758
	(215.04)	(130.99)
OTHER PERSONAL SERVICES	553,614	
OTHER OPERATING EXPENSES	4,616,036	1,698,230
TOT A. E&G-UNRESTRICTED	34,376,812	11,661,254
	(452.11)	(295.18)
B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	-	
	(1.25)	
UNCLASSIFIED POSITIONS	545,489	
	(5.00)	
OTHER PERSONAL SERVICES	690,434	
OTHER OPERATING EXPENSES	19,290,085	

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL B. E&G-RESTRICTED	20,526,008	
	(6.25)	
TOTAL I. EDUCATION AND GENERAL	54,902,820	11,661,254
	(458.36)	(295.18)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	9,804	
	(7.00)	
OTHER PERSONAL SERVICES	4,864	
OTHER OPERATING EXPENSES	227,903	
TOTAL II. AUXILIARY SRVCS	242,571	
	(7.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	9,433,305	2,855,179
TOT III. EMPLOYEE BENEFITS	9,433,305	2,855,179
TOTAL FRANCIS MARION UNIVERSITY	64,578,696	14,516,433
	(465.36)	(295.18)

SECTION 18
H210-LANDER UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
PRESIDENT	160,000	160,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	13,301,158	
	(101.85)	
UNCLASSIFIED POSITIONS	9,492,081	4,679,359
	(287.06)	(171.70)
OTHER PERSONAL SERVICES	2,085,055	
OTHER OPERATING EXPENSES	26,009,970	850,196
TOT I. EDUC & GENERAL	51,048,264	5,689,555
	(389.91)	(172.70)

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H210-LANDER UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	564,915	
	(11.00)	
OTHER PERSONAL SERVICES	371,420	
OTHER OPERATING EXPENSES	14,543,224	
TOTAL II. AUXILIARY ENTERPRISES	15,479,559	
	(11.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	6,915,898	1,699,517
TOT III. EMPLOYEE BENEFITS	6,915,898	1,699,517
TOTAL LANDER UNIVERSITY	73,443,721	7,389,072
	(400.91)	(172.70)

SECTION 19
H240-SOUTH CAROLINA STATE UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	173,400	173,400
	(1.00)	(1.00)
CLASSIFIED POSITIONS	6,629,300	2,919,739
	(63.87)	(36.82)
UNCLASSIFIED POSITIONS	11,611,737	6,259,429
	(299.47)	(203.12)
OTHER PERSONAL SERVICES	2,049,280	
OTHER OPERATING EXPENSES	13,143,459	303,849
TRANSPORTATION CENTER	1,334,489	
TEACHER TRAINING & DEVELOPMENT	51,506	
TOT A. E&G-UNRESTRICTED	34,993,171	9,656,417
	(364.34)	(240.94)
B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	549,426	
	(0.07)	

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H240-SOUTH CAROLINA STATE UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
UNCLASSIFIED POSITIONS	7,048,782	
	(0.20)	
OTHER PERSONAL SERVICES	4,676,603	
OTHER OPERATING EXPENSES	45,511,798	
EIA-TEACHER RECRUITMENT	467,000	
TOTAL B. E&G-RESTRICTED	58,253,609	
	(0.27)	
 TOTAL I. EDUC & GENERAL	 93,246,780	 9,656,417
	(364.61)	(240.94)
 II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	842,970	
	(72.39)	
OTHER PERSONAL SERVICES	1,094,336	
OTHER OPER EXPENSES	10,322,914	
TOTAL II. AUXILIARY ENTERPRISES	12,260,220	
	(72.39)	
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	13,975,323	3,568,604
TOT III. EMPLOYEE BENEFITS	13,975,323	3,568,604
 TOT SOUTH CAROLINA STATE UNIVERSITY	 119,482,323	 13,225,021
	(437.00)	(240.94)

SECTION 20A
H270-UNIVERSITY OF SOUTH CAROLINA

	TOTAL FUNDS	GENERAL FUNDS
I. UNIV OF SOUTH CAROLINA		
A. USC-NON-MED UNRESTRICT E&G		
PRESIDENT	312,530	312,530
	(1.00)	(1.00)
CLASSIFIED POSITIONS	90,455,313	21,339,012
	(2,283.47)	(1,540.57)

H270-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITION POSTAL CENTER	-	
DIR I	(1.00)	
NEW POSITION ACCOUNTING/FIS	-	
MGR I	(1.00)	
NEW POSITION ACCOUNTING/FIS	-	
MGR II	(1.00)	
NEW POSITION PROGRAM	-	
ASSISTANT	(3.00)	
NEW POSITION INFORMATION	-	
TECHNOLOGY MGR I	(1.00)	
NEW POSITION DATA	-	
COORDINATOR I	(1.00)	
NEW POSITION PROJECT	-	
MGR I	(1.00)	
NEW POSITION PROJECT	-	
MGR II	(1.00)	
NEW POSITION PUBLIC	-	
INFORMATION SPECIALIST	(1.00)	
NEW POSITION PUBLIC	-	
INFORMATION DIRECTOR I	(7.00)	
NEW POSITION PUBLIC	-	
INFORMATION DIRECTOR II	(3.00)	
NEW POSITION PRINTING	-	
EQUIPMENT OPERATOR II	(2.00)	
NEW POSITION GRAPHICS	-	
MANAGER II	(1.00)	
NEW POSITION	-	
ACCOUNTING/FISCAL MGR II	(2.00)	
UNCLASSIFIED POSITIONS	163,206,193	55,912,406
	(1,241.89)	(908.81)
NEW POSITION DIRECTOR	-	
	(3.00)	
NEW POSITION INSTRUCTOR	-	
	(15.00)	
NEW POSITION ASSISTANT	-	
PROFESSOR	(20.00)	
OTHER PERSONAL SERVICES	35,520,863	
OTHER OPERATING EXPENSES	219,137,231	6,500,000
LAW LIBRARY	344,076	344,076

2004

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H270-UNIVERSITY OF SOUTH CAROLINA

	TOTAL FUNDS	GENERAL FUNDS
SMALL BUSINESS DEVELOP CTR	791,734	791,734
PALMETTO POISON CENTER	251,763	251,763
TOTAL A. USC-NON-MED	510,019,703	85,451,521
UNRESTRICTED E&G	(3,590.36)	(2,450.38)
 B. USC-NON-MED-RESTRICTED		
E&G		
CLASSIFIED POSITIONS	3,163,925	
	(119.09)	
UNCLASSIFIED POSITIONS	33,617,643	
	(222.82)	
OTHER PERSONAL SERVICES	19,453,772	
OTHER OPERATING EXPENSES	161,213,051	
EIA-SCHOOL IMPROVEMENT	127,303	
COUNCIL		
TOTAL B.	217,575,694	
USC-NON-MED-RESTRICTED	(341.91)	
E&G		
 C. USC-NON-MED AUXILIARY		
CLASSIFIED POSITIONS	16,333,515	
	(213.08)	
NEW POSITION STUDENT SRVCS	-	
PROG COORD II	(8.00)	
NEW POSITION STUDENT	-	
SERVICES MANAGER I	(2.00)	
UNCLASSIFIED POSITIONS	21,137,961	
	(106.00)	
NEW POSITION ATHLETIC	-	
ADMINISTRATOR	(6.00)	
OTHER PERSONAL SRVCS	15,192,182	
OTHER OPER EXPENSES	101,989,879	
TOTAL C. USC-NON-MED	154,653,537	
AUXILIARY	(335.08)	
 TOTAL I. UNIVERSITY OF	 882,248,934	 85,451,521
SOUTH CAROLINA	(4,267.35)	(2,450.38)

H270-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. USC-MEDICINE		
A. USC-MEDICINE UNRESTRICT		
CLASSIFIED POSITIONS	5,896,677	1,269,330
	(170.55)	(86.70)
UNCLASSIFIED POSITIONS	12,642,326	9,515,572
	(167.13)	(127.30)
NEW POSITION ASSISTANT	-	
PROFESSOR	(8.00)	
NEW POSITION ASSOCIATE	-	
PROFESSOR	(10.00)	
NEW POSITION PROFESSOR	-	
	(2.00)	
OTHER PERSONAL SERVICES	1,015,541	
OTHER OPERATING EXPENSES	7,800,935	208,409
TOTAL A. USC-MEDICINE	27,355,479	10,993,311
UNRESTRICTED	(357.68)	(214.00)
B. USC-MEDICINE RESTRICTED		
CLASSIFIED POSITIONS	2,316,700	
	(141.58)	
UNCLASSIFIED POSITIONS	13,679,419	
	(114.84)	
OTHER PERSONAL SRVCS	1,467,010	
OTHER OPERATING EXPENSES	13,356,490	
TOTAL B. USC-MEDICINE	30,819,619	
RESTRICTED	(256.42)	
C. USC-MEDICINE:		
EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	11,875,295	3,084,686
TOTAL C. USC-MEDICINE:	11,875,295	3,084,686
EMPLOYEE BENEFITS		
TOTAL II. USC-MEDICINE	70,050,393	14,077,997
	(614.10)	(214.00)

H270-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. USC GREENVILLE SCHOOL OF MEDICINE		
A. UNRESTRICTED		
CLASSIFIED POSITIONS	2,375,000	
	(11.00)	
UNCLASSIFIED POSITIONS	1,200,000	
	(27.00)	
OTHER OPERATING EXPENSES	15,286,743	
TOTAL A. UNRESTRICTED	18,861,743	
	(38.00)	
B. RESTRICTED		
CLASSIFIED POSITIONS	480,000	
	(5.00)	
UNCLASSIFIED POSITIONS	-	
	(1.00)	
OTHER OPERATING EXPENSES	5,490,000	
TOTAL B. RESTRICTED	5,970,000	
	(6.00)	
C. GREENVILLE-MEDICINE: EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	780,000	
TOTAL C.	780,000	
GREENVILLE-MED: EMPLOY		
TOTAL III. USC GREENVILLE SCHOOL OF MEDICINE	25,611,743	
	(44.00)	
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	130,737,478	22,986,056
TOT IV. EMPLOYEE BENEFITS	130,737,478	22,986,056
TOT UNIVERSITY OF SOUTH CAROLINA	1,108,648,548	122,515,574
	(4,925.45)	(2,664.38)

SECTION 20B
H290-USC - AIKEN CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. EDUCATION & GENERAL UNRESTRICTED		
CLASSIFIED POSITIONS	5,634,040	629,040
	(184.80)	(49.06)
UNCLASSIFIED POSITIONS	13,397,178	5,122,178
	(164.42)	(106.82)
OTHER PERSONAL SERVICES	1,300,000	
OTHER OPERATING EXPENSES	7,928,739	400,000
TOTAL A. EDUCATION & GENERAL-UNRESTRICTED	28,259,957	6,151,218
	(349.22)	(155.88)
B. EDUC & GENERAL-RESTRICTED		
CLASSIFIED POSITIONS	64,471	
	(5.44)	
UNCLASSIFIED POSITIONS	487,302	
	(8.85)	
OTHER PERSONAL SERVICES	221,877	
OTHER OPERATING EXPENSES	16,830,364	
TOTAL B. EDUC & GENERAL-RESTRICTED	17,604,014	
	(14.29)	
TOT I. EDUC & GENERAL	45,863,971	6,151,218
	(363.51)	(155.88)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	524,713	
	(13.75)	
OTHER PERSONAL SERVICES	200,000	
OTHER OPERATING EXPENSES	3,002,789	
TOT II. AUXILIARY SERVICES	3,727,502	
	(13.75)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	7,795,301	1,581,587
TOT III. EMPLOYEE BENEFITS	7,795,301	1,581,587

2008

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT USC - AIKEN CAMPUS	57,386,774	7,732,805
	(377.26)	(155.88)

SECTION 20C
H340-USC - UPSTATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. EDUC & GENERAL		
UNRESTRICTED		
CLASSIFIED POSITIONS	9,396,940	1,248,432
	(252.72)	(53.81)
UNCLASSIFIED POSITIONS	22,273,294	6,760,565
	(247.21)	(131.01)
OTHER PERSONAL SERVICES	2,528,044	
OTHER OPERATING EXPENSES	16,354,394	500,000
TOTAL A. EDUC &	50,552,672	8,508,997
GENERAL-UNRESTRICTED	(499.93)	(184.82)
B. EDUC & GENERAL		
RESTRICTED		
CLASSIFIED POSITIONS	69,092	
	(2.54)	
UNCLASSIFIED POSITIONS	507,063	
	(1.53)	
OTHER PERSONAL SRVCS	395,290	
OTHER OPER EXPENSES	24,943,866	
TOTAL B. EDUC &	25,915,311	
GENERAL-RESTRICTED	(4.07)	
TOT I. EDUC & GENERAL	76,467,983	8,508,997
	(504.00)	(184.82)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	468,257	
	(12.00)	
OTHER PERSONAL SRVCS	354,480	

OF SOUTH CAROLINA
General and Permanent Laws--2016
H340-USC - UPSTATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	3,430,750	
TOTAL II. AUXILIARY SRVCS	4,253,487	
	(12.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	13,097,667	2,183,160
TOT III. EMPLOYEE BENEFITS	13,097,667	2,183,160
TOTAL USC - UPSTATE	93,819,137	10,692,157
	(516.00)	(184.82)

SECTION 20D
H360-USC - BEAUFORT CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. EDUC & GENERAL		
UNRESTRICTED		
CLASSIFIED POSITIONS	3,949,906	216,777
	(104.99)	(28.74)
UNCLASSIFIED POSITIONS	8,122,654	2,405,625
	(88.10)	(22.75)
OTHER PERSONAL SERVICES	2,215,027	
OTHER OPERATING EXPENSES	4,439,185	400,000
TOTAL A. EDUC &	18,726,772	3,022,402
GENERAL-UNRESTRICTED	(193.09)	(51.49)
B. EDUC & GENERAL		
RESTRICTED		
CLASSIFIED POSITIONS	102,532	
UNCLASSIFIED POSITIONS	271,918	
	(3.75)	
OTHER PERSONAL SERVICES	77,292	
OTHER OPERATING EXPENSES	7,893,157	

2010

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H360-USC - BEAUFORT CAMPUS

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	TOTAL FUNDS	GENERAL FUNDS
TOTAL B. EDUC & GENERAL-RESTRICTED	8,344,899 (3.75)	
TOT I. EDUC & GENERAL	27,071,671 (196.84)	3,022,402 (51.49)
II. AUXILIARY SRVCS		
OTHER OPERATING EXPENSES	30,000	
TOTAL II. AUXILIARY SERVICES	30,000	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	5,014,561	408,904
TOT III. EMPLOYEE BENEFITS	5,014,561	408,904
TOT USC - BEAUFORT CAMPUS	32,116,232 (196.84)	3,431,306 (51.49)

SECTION 20E
H370-USC - LANCASTER CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION & GENERAL		
A. EDUCATION & GENERAL UNRESTRICTED		
CLASSIFIED POSITIONS	1,839,987 (51.03)	73,998 (5.41)
UNCLASSIFIED POSITIONS	4,800,322 (45.50)	1,454,797 (21.25)
OTHER PERSONAL SERVICES	1,411,481	
OTHER OPERATING EXPENSES	1,833,780	250,000
TOTAL A. EDUC & GENERAL-UNRESTRICTED	9,885,570 (96.53)	1,778,795 (26.66)
B. EDUC & GENERAL RESTRICTED		
CLASSIFIED POSITIONS	11,376	
UNCLASSIFIED POSITIONS	279,434	

OF SOUTH CAROLINA
General and Permanent Laws--2016
H370-USC - LANCASTER CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
OTHER PERSONAL SRVCS	56,228	
OTHER OPER EXPENSES	7,289,933	
TOTAL B. EDUC & GENERAL-RESTRICTED	7,636,971	
 TOT I. EDUC & GENERAL	 17,522,541	 1,778,795
	(96.53)	(26.66)
 II. AUXILIARY SERVICES		
OTHER OPERATING EXPENSES	15,000	
TOT II. AUXILIARY SRVCS	15,000	
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,506,795	391,040
TOT III. EMPLOYEE BENEFITS	2,506,795	391,040
 TOTAL USC - LANCASTER CAMPUS	 20,044,336	 2,169,835
	(96.53)	(26.66)

SECTION 20F
H380-USC - SALKEHATCHIE CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION & GENERAL		
A. EDUC & GENERAL		
UNRESTRICTED		
CLASSIFIED POSITIONS	964,654	105,721
	(34.75)	(3.00)
UNCLASSIFIED POSITIONS	2,392,529	1,006,470
	(24.02)	(21.24)
OTHER PERSONAL SERVICES	721,818	
OTHER OPERATING EXPENSES	2,299,340	176,240
SALKEHATCHIE LEADERSHIP CENTER	100,460	100,460
TOTAL A. EDUC & GENERAL-UNRESTRICTED	6,478,801	1,388,891
	(58.77)	(24.24)

2012

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H380-USC - SALKEHATCHIE CAMPUS

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	TOTAL FUNDS	GENERAL FUNDS
B. EDUC & GENERAL RESTRICTED		
CLASSIFIED POSITIONS	20,779	
UNCLASSIFIED POSITIONS	175,265	
	(1.00)	
OTHER PERSONAL SERVICES	112,310	
OTHER OPERATING EXPENSES	5,436,801	
TOTAL B. EDUC & GENERAL-RESTRICTED	5,745,155	
	(1.00)	
TOT I. EDUC & GENERAL	12,223,956	1,388,891
	(59.77)	(24.24)
II. AUXILIARY		
CLASSIFIED POSITIONS	46,437	
OTHER OPERATING EXPENSES	256,756	
TOTAL II. AUXILIARY	303,193	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,398,539	282,798
TOT III. EMPLOYEE BENEFITS	1,398,539	282,798
TOTAL USC - SALKEHATCHIE CAMPUS	13,925,688	1,671,689
	(59.77)	(24.24)

SECTION 20G
H390-USC - SUMTER CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION & GENERAL		
A. EDUC & GENERAL UNRESTRICTED		
CLASSIFIED POSITIONS	1,781,541	407,058
	(32.00)	(12.29)
UNCLASSIFIED POSITIONS	3,529,464	1,783,602
	(33.10)	(14.11)
OTHER PERSONAL SERVICES	417,816	
OTHER OPERATING EXPENSES	2,310,471	145,573

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H390-USC - SUMTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL A. EDUC & GENERAL-UNRESTRICTED	8,039,292 (65.10)	2,336,233 (26.40)
B. EDUC & GENERAL RESTRICTED		
CLASSIFIED POSITIONS	32,881 (1.46)	
UNCLASSIFIED POSITIONS	579,988 (1.00)	
OTHER PERSONAL SERVICES	272,731	
OTHER OPERATING EXPENSES	4,095,653	
TOTAL B. EDUC & GENERAL-RESTRICTED	4,981,253 (2.46)	
TOT I. EDUC & GENERAL	13,020,545 (67.56)	2,336,233 (26.40)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	67,342 (3.00)	
OTHER PERSONAL SERVICES	25,416	
OTHER OPERATING EXPENSES	427,089	
TOT II. AUXILIARY SERVICES	519,847 (3.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,038,250	616,306
TOT III. EMPLOYEE BENEFITS	2,038,250	616,306
TOT USC - SUMTER CAMPUS	15,578,642 (70.56)	2,952,539 (26.40)

SECTION 20H
H400-USC - UNION CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION & GENERAL		
A. EDUC & GENERAL		
UNRESTRICTED		
CLASSIFIED POSITIONS	612,759	87,992
	(25.76)	(6.54)
UNCLASSIFIED POSITIONS	1,199,469	478,712
	(11.06)	(11.06)
OTHER PERSONAL SERVICES	215,000	
OTHER OPERATING EXPENSES	736,310	88,174
TOTAL A. EDUC & GENERAL-UNRESTRICTED	2,763,538	654,878
	(36.82)	(17.60)
B. EDUC & GEN-RESTRICTED		
CLASSIFIED POSITIONS	11,416	
UNCLASSIFIED POSITIONS	134,456	
OTHER PERSONAL SERVICES	40,220	
OTHER OPERATING EXPENSES	2,818,820	
TOTAL B. EDUC & GENERAL-RESTRICTED	3,004,912	
TOT I. EDUC & GENERAL	5,768,450	654,878
	(36.82)	(17.60)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	41,472	
	(1.00)	
OTHER PERSONAL SERVICES	10,667	
OTHER OPERATING EXPENSES	210,000	
TOT II. AUXILIARY SERVICES	262,139	
	(1.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	858,101	144,499
TOT III. EMPLOYEE BENEFITS	858,101	144,499

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H400-USC - UNION CAMPUS

2015

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL USC - UNION CAMPUS	6,888,690	799,377
	(37.82)	(17.60)

SECTION 21
H470-WINTHROP UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
PRESIDENT	174,000	174,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	15,873,246	4,273,246
	(353.67)	(215.73)
UNCLASSIFIED POSITIONS	26,092,190	6,584,690
	(390.00)	(226.23)
OTHER PERSONAL SERVICES	7,840,000	
OTHER OPERATING EXPENSES	72,497,052	962,052
ALLOC EIA-TCHR RECRUIT PROG	3,968,320	
TOT I. EDUC & GENERAL	126,444,808	11,993,988
	(744.67)	(442.96)
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	2,074,000	
	(60.11)	
UNCLASSIFIED POSITIONS	335,500	
	(3.00)	
OTHER PERSONAL SERVICES	640,500	
OTHER OPERATING EXPENSES	8,145,000	
TOTAL II. AUXILIARY	11,195,000	
ENTERPRISES	(63.11)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	15,118,704	3,273,704
TOT III. EMPLOYEE BENEFITS	15,118,704	3,273,704
TOT WINTHROP UNIVERSITY	152,758,512	15,267,692
	(807.78)	(442.96)

SECTION 23
H510-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATIONAL & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	263,160	263,160
	(1.00)	(1.00)
CLASSIFIED POSITIONS	59,014,478	17,327,857
	(1,559.85)	(789.76)
NEW POSITION ADMIN ASSISTANT	-	
	(13.00)	
NEW POSITION FISCAL TECHNICIAN I	-	
	(4.00)	
NEW POSITION ACCTING/FIS ANALYST I	-	
	(2.00)	
NEW POSITION ACCNT/FIS ANALYST III	-	
	(5.00)	
NEW POSITION ADMIN COORDINATOR I	-	
	(10.00)	
NEW POSITION PROGRAM ASSISTANT	-	
	(8.00)	
NEW POSITION PROGRAM COORDINATOR I	-	
	(13.00)	
NEW POSITION PROGRAM COORDINATOR II	-	
	(1.00)	
UNCLASSIFIED POSITIONS	98,508,778	24,115,741
	(1,016.82)	(328.93)
NEW POSITION INSTRUCTOR	-	
	(42.00)	
NEW POSITION ASSISTANT PROFESSOR	-	
	(54.00)	
NEW POSITION ASSOCIATE PROFESSOR	-	
	(26.00)	
NEW POSITION PROFESSOR	-	
	(19.00)	
NEW POSITION CLINICAL ASSISTANT PROFESSOR	-	
	(6.00)	
NEW POSITION CLINICAL ASSOCIATE PROFESSOR	-	
	(4.00)	
NEW POSITION ADMIN COORDINATOR I	-	
	(1.00)	

H510-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITION NURSE	-	
PRACTITIONER I	(5.00)	
OTHER PERSONAL SRVCS	11,318,778	
OTHER OPER EXPENSES	237,885,904	1,800,000
DIABETES CENTER	123,470	123,470
SCHOLARSHIPS & FELLOWSHIPS	1,356,224	
RURAL DENTISTS INCENTIVE	176,101	176,101
HYPERTENSION INITIATIVE	240,433	240,433
HOSPITAL AUTHORITY - TELEMEDICINE PROGRAM	12,000,000	4,000,000
INSTITUTE OF MEDICINE	100,000	100,000
TOT A. E&G-UNRESTRICTED	420,987,326	48,146,762
	(2,790.67)	(1,119.69)
 B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	20,863,316	
	(117.59)	
NEW POSITION ADMINISTRATIVE	-	
ASSISTANT	(1.00)	
NEW POSITION PROGRAM MGR I	-	
	(2.00)	
NEW POSITION APPLICATIONS	-	
ANALYST II	(6.00)	
NEW POSITION GRANTS	-	
ADMINISTRATOR I	(9.00)	
NEW POSITION PROGRAM RES.	-	
STUDY COORDINATOR I	(4.00)	
NEW POSITION PROGRAM RES.	-	
STUDY COORDINATOR II	(3.00)	
UNCLASSIFIED POSITIONS	56,989,184	
	(313.16)	
NEW POSITION INSTRUCTOR	-	
	(6.00)	
NEW POSITION ASSISTANT	-	
PROFESSOR	(13.00)	
NEW POSITION ASSOCIATE	-	
PROFESSOR	(9.00)	
NEW POSITION PROFESSOR	-	
	(4.00)	

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H510-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	TOTAL FUNDS	GENERAL FUNDS
NEW POSITION RESEARCH	-	
ASSOCIATE	(4.00)	
NEW POSITION RESEARCH	-	
ASSISTANT PROFESSOR	(6.00)	
OTHER PERSONAL SRVCS	24,547,232	
OTHER OPERATING EXPENSES	60,025,230	
SCHOLARSHIPS & FELLOWSHIPS	1,353,905	
TOT B. E&G-RESTRICTED	163,778,867	
	(497.75)	
TOTAL I. EDUCATIONAL & GENERAL	584,766,193	48,146,762
	(3,288.42)	(1,119.69)
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	1,184,802	
	(64.75)	
UNCLASSIFIED POSITIONS	6,924	
	(1.00)	
OTHER PERSONAL SERVICES	112,294	
OTHER OPERATING EXPENSES	11,290,816	
TOTAL II. AUXILIARY ENTERPRISES	12,594,836	
	(65.75)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	51,909,439	14,903,150
TOT III. EMPLOYEE BENEFITS	51,909,439	14,903,150
TOTAL MEDICAL UNIV OF SOUTH CAROLINA	649,270,468	63,049,912
	(3,354.17)	(1,119.69)

SECTION 24

H530-AREA HEALTH EDUCATION CONSORTIUM

I. CONSORTIUM

A. CONSORTIUM-GENERAL

CLASSIFIED POSITIONS	871,937	735,956
	(7.67)	(7.39)

H530-AREA HEALTH EDUCATION CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	1,589,275	1,360,964
	(5.87)	(5.35)
OTHER PERSONAL SERVICES	206,069	195,553
OTHER OPERATING EXPENSES	3,894,928	1,744,535
RURAL PHYSICIANS PROGRAM	500,000	500,000
NURSING RECRUITMENT	20,000	20,000
HEALTH PROFESSIONS RURAL INFRASTRUCTURE PROGRAM	400,000	400,000
TOT A. CONSORTIUM-GENERAL	7,482,209	4,957,008
	(13.54)	(12.74)
B. CONSORTIUM-RESTRICTED		
CLASSIFIED POSITIONS	39,740	6,740
	(0.40)	
UNCLASSIFIED POSITIONS	134,631	44,831
	(1.35)	
OTHER OPERATING EXPENSES	694,100	
TOTAL B. CONSORTIUM-RESTRICTED	868,471	51,571
	(1.75)	
TOTAL I. CONSORTIUM	8,350,680	5,008,579
	(15.29)	(12.74)
II. FAMILY PRACTICE		
CLASSIFIED POSITIONS	258,362	258,362
	(2.77)	(2.77)
UNCLASSIFIED POSITIONS	1,694,895	1,694,895
	(8.26)	(8.26)
OTHER OPERATING EXPENSES	2,193,756	1,992,085
TOTAL II. FAMILY PRACTICE	4,147,013	3,945,342
	(11.03)	(11.03)
III. GRADUATE DOCTOR EDUC		
OTHER OPERATING EXPENSES	82,055	
TOTAL III. GRADUATE DOCTOR EDUCATION	82,055	

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H530-AREA HEALTH EDUCATION CONSORTIUM

	TOTAL FUNDS	GENERAL FUNDS
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,296,087	1,268,287
TOTAL IV. EMPLOYEE BENEFITS	1,296,087	1,268,287
TOTAL AREA HEALTH	13,875,835	10,222,208
EDUCATION CONSORTIUM	(26.32)	(23.77)

SECTION 25
H590-STATE BOARD FOR TECHNICAL &
COMPREHENSIVE EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
A. PRESIDENT'S OFFICE		
EXECUTIVE DIRECTOR	187,000	187,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	292,198	292,198
	(11.00)	(11.00)
OTHER PERSONAL SERVICES	68,500	68,500
OTHER OPERATING EXPENSES	95,000	95,000
TOTAL A. PRESIDENT'S OFFICE	642,698	642,698
	(12.00)	(12.00)
B. FINANCE AND HUMAN RES		
CLASSIFIED POSITIONS	679,653	679,653
	(18.00)	(18.00)
UNCLASSIFIED POSITIONS	261,338	261,338
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	94,771	94,771
OTHER OPERATING EXPENSES	1,120,000	645,000
TOTAL B. FINANCE AND HUMAN	2,155,762	1,680,762
RESOURCES	(20.00)	(20.00)
C. INFORMATION TECHNOLOGY		
CLASSIFIED POSITIONS	627,591	577,591
	(16.00)	(15.00)

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COMPREHENSIVE EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	141,822	141,822
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	54,796	54,796
OTHER OPERATING EXPENSES	1,771,500	335,500
TOTAL C. INFORMATION	2,595,709	1,109,709
TECHNOLOGY	(17.00)	(16.00)
 TOTAL I. ADMINISTRATION	 5,394,169	 3,433,169
	(49.00)	(48.00)
 II. INSTRUCTIONAL PROGRAMS		
A. TECHNICAL COLLEGES		
CLASSIFIED POSITIONS	135,655,357	28,005,574
	(2,603.16)	(1,714.67)
UNCLASSIFIED POSITIONS	173,067,781	33,368,053
	(1,935.60)	(1,390.63)
OTHER PERSONAL SERVICES	48,111,487	9,732,349
OTHER OPERATING EXPENSES	231,755,090	10,635,515
CRITICAL NEEDS NURSING INITIATIVE	322,512	322,512
SPARTANBURG-CHEROKEE EXPANSION	906,816	906,816
MIDLANDS TECH NURSING PROG	370,943	370,943
FLORENCE DARLINGTON-OPER	302,271	302,271
TRIDENT TECH-CULINARY ARTS	468,522	468,522
FLORENCE DARLINGTON SIMT	906,817	906,817
TOT A. TECH COLLEGES	591,867,596	85,019,372
	(4,538.76)	(3,105.30)
 B. SYSTEM WIDE PROG		
INITIATIVES		
CLASSIFIED POSITIONS	367,601	322,601
	(17.00)	(16.00)
UNCLASSIFIED POSITIONS	127,457	127,457
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	136,691	45,000
OTHER OPER EXPENSES	534,205	55,000
PATHWAYS TO PROSPERITY	604,545	604,545

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**H590-STATE BOARD FOR TECHNICAL &
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
WORKFORCE PATHWAYS	2,500,000	2,500,000
TOTAL B. SYSTEM WIDE PROGRAM INITIATIVES	4,270,499 (18.00)	3,654,603 (17.00)
C. EMPLOYEE BENEFITS		
FORMULA FUNDING		
EMPLOYER CONTRIBUTIONS	109,755,226	32,332,231
TOT C. EMPLOYEE BENEFITS FORMULA FUNDING	109,755,226	32,332,231
TOTAL II. INSTRUCTIONAL PROGRAMS	705,893,321 (4,556.76)	121,006,206 (3,122.30)
III. ECONOMIC DEVELOPMENT		
A. ADMINISTRATION		
CLASSIFIED POSITIONS	1,808,129	1,808,129
	(41.00)	(41.00)
UNCLASSIFIED POSITIONS	131,391	131,391
	(1.00)	(1.00)
OTHER OPER EXPENSES	465,000	465,000
E&G STEM PROG: CRITICAL NEEDS WORKFORCE DEV INIT	2,500,000	2,500,000
WORKFORCE SCHOLARSHIPS AND GRANTS	1	1
TOTAL A. ADMINISTRATION	4,904,521 (42.00)	4,904,521 (42.00)
B. SPECIAL SCHOOLS		
TRAINING		
OTHER PERSONAL SRVCS	1,460,000	1,460,000
OTHER DIRECT TRAINING COSTS	5,779,253	5,779,253
TOT B. SPECIAL SCHOOLS TRAINING	7,239,253	7,239,253
TOTAL III. ECONOMIC DEVELOPMENT	12,143,774 (42.00)	12,143,774 (42.00)

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COMPREHENSIVE EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,975,212	3,932,108
TOT IV. EMPLOYEE BENEFITS	3,975,212	3,932,108
TOTAL STATE BOARD FOR		
TECHNICAL & COMPREHEN	727,406,476	140,515,257
EDUCATION	(4,647.76)	(3,212.30)

SECTION 26
H790-DEPARTMENT OF ARCHIVES & HISTORY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION & PLANNING		
DIRECTOR	94,624	94,624
	(1.00)	(1.00)
CLASSIFIED POSITIONS	168,668	168,668
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	64,000	
OTHER OPERATING EXPENSES	762,398	613,488
TOTAL I. ADMINISTRATION &	1,089,690	876,780
PLANNING	(5.00)	(5.00)
II. ARCHIVES & RECORDS		
MANAGEMENT		
CLASSIFIED POSITIONS	996,353	973,353
	(26.00)	(26.00)
OTHER PERSONAL SERVICES	55,100	
OTHER OPERATING EXPENSES	496,000	
TOTAL II. ARCHIVES &	1,547,453	973,353
RECORDS MANAGEMENT	(26.00)	(26.00)
III. HISTORICAL SERVICES		
CLASSIFIED POSITIONS	380,000	
	(8.00)	
OTHER PERSONAL SERVICES	37,075	
OTHER OPERATING EXPENSES	146,420	

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H790-DEPARTMENT OF ARCHIVES & HISTORY

	TOTAL FUNDS	GENERAL FUNDS
ALLOC MUNICIPALITIES - RESTRICTED	50,000	
ALLOC OTHER STATE AGENCIES	50,000	
ALLOC PRIVATE SECTOR	40,000	
STATE HISTORIC GRANT FUND	415,000	
AFRICAN AMERICAN HERITAGE HISTORY COMMISSION	25,000	25,000
TOTAL III. HISTORICAL SERVICES	1,143,495 (8.00)	25,000
 IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	963,121	676,885
TOTAL IV. EMPLOYEE BENEFITS	963,121	676,885
 TOTAL DEPARTMENT OF ARCHIVES & HISTORY		
	4,743,759 (39.00)	2,552,018 (31.00)

**SECTION 27
H870-STATE LIBRARY**

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
DIRECTOR	95,780	95,780
	(1.00)	(1.00)
CLASSIFIED POSITIONS	272,040	272,040
	(8.00)	(8.00)
OTHER PERSONAL SERVICES	2,302	2,302
OTHER OPERATING EXPENSES	793,248	754,248
TOTAL I. ADMINISTRATION	1,163,370 (9.00)	1,124,370 (9.00)
 II. TALKING BOOK SERVICES		
CLASSIFIED POSITIONS	300,699	
	(11.00)	
OTHER OPERATING EXPENSES	130,397	
TOTAL II. TALKING BOOK SERVICES	431,096 (11.00)	

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H870-STATE LIBRARY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. LIBRARY RESOURCES		
CLASSIFIED POSITIONS	597,473	343,522
	(13.00)	(5.00)
OTHER OPERATING EXPENSES	1,295,343	97,110
DISCUS PROGRAMS (H870)	2,353,952	2,353,952
TOT III. LIBRARY RESOURCES	4,246,768	2,794,584
	(13.00)	(5.00)
IV. STATEWIDE DEVELOPMENT		
CLASSIFIED POSITIONS	276,735	136,375
	(15.00)	(9.00)
OTHER OPER EXPENSES	580,793	76,866
ALLOC CNTY LIBRARIES	100,000	
ALLOC OTHER ST AGENCIES	50,000	
ALLOC PRIVATE SECTOR	50,000	
AID COUNTY LIBRARIES	7,711,385	7,711,385
TOTAL IV. STATEWIDE DEVELOPMENT	8,768,913	7,924,626
	(15.00)	(9.00)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	470,008	268,429
TOT V. EMPLOYEE BENEFITS	470,008	268,429
TOT STATE LIBRARY	15,080,155	12,112,009
	(48.00)	(23.00)

SECTION 28
H910-ARTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	98,080	52,248
	(1.00)	(0.50)
TOTAL I. ADMINISTRATION	98,080	52,248
	(1.00)	(0.50)

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H910-ARTS COMMISSION

(No. 284)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. STATEWIDE ARTS SERVICES		
CLASSIFIED POSITIONS	675,650	377,588
	(23.50)	(14.50)
OTHER OPERATING EXPENSES	410,608	45,000
DISTRIBUTION TO SUBDIVISIONS	3,022,947	2,333,318
TOTAL II. STATEWIDE ARTS SERVICES	4,109,205	2,755,906
	(23.50)	(14.50)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	337,862	177,645
TOT III. EMPLOYEE BENEFITS	337,862	177,645
TOTAL ARTS COMMISSION	4,545,147	2,985,799
	(24.50)	(15.00)

SECTION 29
H950-STATE MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	104,292	104,292
	(1.00)	(1.00)
CLASSIFIED POSITIONS	153,542	152,846
	(6.00)	(6.00)
OTHER PERSONAL SERVICES	22,715	
OTHER OPERATING EXPENSES	2,364,675	1,483,831
TOTAL I. ADMINISTRATION	2,645,224	1,740,969
	(7.00)	(7.00)
II. PROGRAMS		
CLASSIFIED POSITIONS	1,148,783	1,007,875
	(30.00)	(27.00)
NEW POSITION PROGRAM	115,000	115,000
COORDINATOR I	(6.00)	(6.00)
OTHER PERSONAL SERVICES	440,895	
OTHER OPERATING EXPENSES	1,506,950	166,000
TOTAL II. PROGRAMS	3,211,628	1,288,875
	(36.00)	(33.00)

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	TOTAL FUNDS	GENERAL FUNDS
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	675,293	502,301
TOT III. EMPLOYEE BENEFITS	675,293	502,301
TOT STATE MUSEUM COMMISSION	6,532,145 (43.00)	3,532,145 (40.00)

SECTION 30
H960-CONFEDERATE RELIC ROOM AND MILITARY
MUSEUM COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. CONFEDERATE RELIC ROOM & MILITARY MUSEUM		
EXECUTIVE DIRECTOR	87,868	87,868
	(1.00)	(1.00)
CLASSIFIED POSITIONS	142,223	142,223
	(6.00)	(6.00)
UNCLASSIFIED POSITIONS	80,185	80,185
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	25,000	25,000
OTHER OPERATING EXPENSES	769,252	350,000
SOUTHERN MARITIME COLLECT	25,000	25,000
TOT I. CONFEDERATE RELIC ROOM & MILITARY MUSEUM	1,129,528 (8.00)	710,276 (8.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	115,496	115,496
TOT II. EMPLOYEE BENEFITS	115,496	115,496
TOT CONFEDERATE RELIC ROOM AND MILITARY MUSEUM COMMISSION	1,245,024 (8.00)	825,772 (8.00)

SECTION 32
H730-DEPARTMENT OF VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
COMMISSIONER/S	140,591	140,591
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,605,517	1,081,169
	(69.00)	(15.80)
UNCLASSIFIED POSITIONS	100,861	14,494
	(1.00)	(0.24)
OTHER PERSONAL SERVICES	439,275	15,000
OTHER OPERATING EXPENSES	2,250,000	
TOTAL I. ADMINISTRATION	6,536,244	1,251,254
	(71.00)	(17.04)
II. VOCATIONAL REHAB PROG		
A. BASIC SERVICE PROGRAM		
CLASSIFIED POSITIONS	33,427,130	7,923,326
	(799.57)	(175.82)
NEW POSITION ADMIN	183,270	43,985
SPECIALIST I	(6.00)	(1.44)
NEW POSITION HUMAN SRVCS	703,592	168,862
COORDINATOR I	(21.00)	(5.04)
NEW POSITION HUMAN SRVCS	50,000	12,000
COORDINATOR II	(1.00)	(0.24)
OTHER PERSONAL SRVCS	4,035,000	85,000
OTHER OPERATING EXPENSES	35,091,177	164,773
CASE SERVICES	12,143,948	1,462,348
TOTAL A. BASIC SERVICE	85,634,117	9,860,294
PROGRAM	(827.57)	(182.54)
B. SPECIAL PROJECTS		
CLASSIFIED POSITIONS	285,615	
	(16.50)	
OTHER PERSONAL SERVICES	373,000	
OTHER OPERATING EXPENSES	598,672	66,557
CASE SERVICES	261,889	
TOTAL B. SPECIAL PROJECTS	1,519,176	66,557
	(16.50)	

H730-DEPARTMENT OF VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL II. VOCATIONAL REHAB PROGRAMS	87,153,293 (844.07)	9,926,851 (182.54)
III. DISABILITY DETERM DIV		
CLASSIFIED POSITIONS	20,534,009 (369.51)	
CLASSIFIED POSITIONS SYS PROGRAMMER I	-	
CLASSIFIED POSITIONS HUMAN SERVICES COORDINATOR I	-	
NEW POSITION SYSTEMS PROGRAMMER I	40,142 (1.00)	
NEW POSITION HUMAN SRVCS COORDINATOR I	2,385,320 (35.00)	
UNCLASSIFIED POSITIONS	1,504,991 (16.00)	
INTERIM NEW CLASSIFIED HUMAN SRVCS COORD I	-	
OTHER PERSONAL SERVICES	2,036,000	
OTHER OPERATING EXPENSES	5,814,284	
CASE SERVICES	16,701,023	
TOTAL III. DISABILITY DETERMINATION DIV	49,015,769 (456.51)	
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	24,108,870	4,208,131
TOT IV. EMPLOYEE BENEFITS	24,108,870	4,208,131
TOTAL DEPARTMENT OF VOCATIONAL REHAB	166,814,176 (1,371.58)	15,386,236 (199.58)

SECTION 33**J020-DEPARTMENT OF HEALTH & HUMAN SERVICES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	159,130 (1.00)	60,862 (0.40)

J020-DEPARTMENT OF HEALTH & HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	9,026,047	3,866,199
	(112.00)	(53.32)
NEW POS ACCOUNTING/FIS ANALYST II	-	
	(4.00)	
NEW POS ACCOUNTANT/FIS ANALYST III	-	
	(3.00)	
UNCLASSIFIED POSITIONS	353,297	151,144
	(5.00)	(1.84)
OTHER OPER EXPENSES	21,193,317	7,916,130
TOTAL I. ADMINISTRATION	30,731,791	11,994,335
	(125.00)	(55.56)
 II. PROGRAM AND SERVICES		
A. HEALTH SERVICES		
1. MEDICAL ADMINISTRATION		
CLASSIFIED POSITIONS	20,970,141	6,865,652
	(469.11)	(171.18)
OTHER PERSONAL SERVICES	1,430,643	
OTHER OPERATING EXPENSES	7,702,548	2,628,235
TOTAL 1. MEDICAL ADMINISTRATION	30,103,332	9,493,887
	(469.11)	(171.18)
 2. MEDICAL CONTRACTS		
PROVIDER SUPPORT	139,843,073	24,275,538
NURSING HOME CONTRACTS	5,598,968	1,424,684
CLTC CONTRACTS	6,995,079	2,138,975
ELIGIBILITY CONTRACTS	72,362,329	15,609,105
MMIS-MEDICAL MGMT INFO	76,974,576	13,579,490
TELEMEDICINE	4,000,000	4,000,000
RURAL HEALTH INITIATIVE	2,000,000	2,000,000
TOT 2. MEDICAL CONTRACTS	307,774,025	63,027,792
 3. MEDICAL ASSISTANCE PAYMENTS		
HOSPITAL SERVICES	589,968,675	64,369,173
NURSING HOME SERVICES	601,773,469	151,869,503
PHARMACEUTICAL SRVCS	112,057,272	32,322,920
PHYSICIAN SERVICES	112,725,665	27,612,068
DENTAL SERVICES	153,838,899	43,509,480

J020-DEPARTMENT OF HEALTH & HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLTC-COMMUNITY LONG		
TERM CARE	167,127,233	41,689,747
FAMILY PLANNING	19,098,788	2,673,830
PREMIUMS MATCHED	233,423,443	67,330,992
PREMIUMS 100% STATE	20,381,833	20,381,833
HOSPICE	15,385,817	4,438,039
OPTIONAL ST SUPPLEMENT	21,487,464	21,487,464
OSCAP	8,172,575	8,172,575
CLINICAL SERVICES	68,693,191	16,468,531
DURABLE MED EQUIPMENT	26,729,368	7,710,086
COORDINATED CARE	2,782,794,766	448,433,151
TRANSPORTATION SERVICES	93,529,609	26,978,616
MMA PHASED DOWN CONTRIB	90,511,992	89,011,992
HOME HEALTH SERVICES	14,119,678	4,072,821
EPSDT SERVICES	4,545,484	1,311,145
MED PROFESSIONAL SRVCS	29,122,949	8,227,445
LAB & X-RAY SERVICES	13,507,079	3,896,117
PACE	13,774,387	3,973,222
CHILDREN'S COMMUN CARE	20,112,688	5,801,505
BEHAVIORAL HEALTH SRVCS	200,299,533	44,561,355
TOT 3. MEDICAL ASSIST	5,413,181,857	1,146,303,610
PAYMENTS		
4. ASST. PAYMENTS-STATE		
AGENCIES		
MENTAL HEALTH	136,491,177	
DISAB. & SPECIAL NEEDS	667,461,871	
DHEC	6,218,799	
MUSC	43,207,182	225,086
USC	9,228,490	
DEPT. OF EDUCATION	53,361,413	
TOTAL 4. ASST.	915,968,932	225,086
PAYMENTS-STATE AGENCIES		
5. OTHER ENTITIES ASSIST		
PAYMENTS		
OTHER ENTITIES FUNDING	62,493,361	
DISPROPORTIONATE SHARE	534,428,681	18,628,621

J020-DEPARTMENT OF HEALTH & HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL 5. OTHER ENTITIES ASSIST PAYMENTS	596,922,042	18,628,621
6. MEDICAID ELIGIBILITY		
CLASSIFIED POSITIONS	16,238,632	6,007,773
	(471.89)	(188.04)
NEW POSITION ADMIN	-	
SPECIALIST II	(7.00)	
NEW POSITION HUMAN SRVCS	-	
SPECIALIST II	(45.00)	
NEW POSITION HUMAN SRVCS	-	
COORDINATOR I	(20.00)	
NEW POSITION HUMAN SRVCS	-	
COORDINATOR II	(1.00)	
OTHER PERSONAL SRVCS	6,982,383	2,215,457
OTHER OPERATING EXPENSES	18,649,362	6,593,620
TOTAL 6. MEDICAID ELIGIBILITY	41,870,377	14,816,850
	(544.89)	(188.04)
TOTAL A. HEALTH SRVCS	7,305,820,565	1,252,495,846
	(1,014.00)	(359.22)
TOTAL II. PROGRAM AND SERVICES	7,305,820,565	1,252,495,846
	(1,014.00)	(359.22)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	17,724,797	6,525,419
TOT III. EMPLOYEE BENEFITS	17,724,797	6,525,419
TOT DEPT OF HEALTH & HUMAN SERVICES	7,354,277,153	1,271,015,600
	(1,139.00)	(414.78)

SECTION 34
J040-DEPARTMENT OF HEALTH & ENVIRONMENTAL
CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
COMMISSIONER/S	189,000	189,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	10,453,527	5,192,902
	(235.93)	(105.91)
UNCLASSIFIED POSITIONS	254,140	254,140
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	365,893	93,000
OTHER OPERATING EXPENSES	17,736,837	8,720,637
TOTAL I. ADMINISTRATION	28,999,397	14,449,679
	(239.93)	(109.91)
II. PROGRAMS AND SERVICES		
A. WATER QUALITY IMPROVEMENT		
1. UNDERGROUND STORAGE TANKS		
CLASSIFIED POSITIONS	1,549,793	
	(29.76)	
OTHER PERSONAL SERVICES	58,244	
OTHER OPERATING EXPENSES	1,637,165	
TOTAL 1. UNDERGROUND STORAGE TANKS	3,245,202	
	(29.76)	
2. WATER MANAGEMENT		
CLASSIFIED POSITIONS	11,127,277	3,219,738
	(248.17)	(45.92)
NEW POSITION CHEMIST I	45,326	45,326
	(1.00)	(1.00)
NEW POSITION CHEMIST II	55,156	55,156
	(1.00)	(1.00)
NEW POSITION ENG/ASSOC ENG I	45,326	45,326
	(1.00)	(1.00)
NEW POSITION ENG/ASSOC ENG II	55,156	55,156
	(5.00)	(5.00)

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**J040-DEPARTMENT OF HEALTH & ENVIRONMENTAL
CONTROL**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITION	80,067	80,067
ENVIRONL/HLTH MGR I	(11.00)	(11.00)
NEW POSITION	95,794	95,794
ENVIRON/HLTH MGR II	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	131,031	131,031
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	355,983	22,305
OTHER OPER EXPENSES	8,024,427	2,174,818
ALLOC MUN - RESTRICTED	917,014	
ALLOC CNTY - RESTRICTED	2,027,776	
ALLOC OTHER ST AGENCIES	261,988	
ALLOC OTHER ENTITIES	1,163,472	
ALLOCATIONS TO PLANNING DISTRICTS	277,553	
TOTAL 2. WATER MGMT	24,663,346	5,924,717
	(273.17)	(70.92)
 3. ENVIRONMENTAL HEALTH		
CLASSIFIED POSITIONS	22,464,541	12,233,765
	(486.49)	(287.41)
OTHER PERSONAL SRVCS	912,163	262,271
OTHER OPER EXPENSES	10,397,861	4,233,143
TOTAL 3. ENVIRONMENTAL HEALTH	33,774,565	16,729,179
	(486.49)	(287.41)
 TOTAL A. WATER QUALITY IMPROVEMENT	61,683,113	22,653,896
	(789.42)	(358.33)
 B. COASTAL RESOURCE IMPROVEMENT		
CLASSIFIED POSITIONS	2,445,396	669,770
	(37.00)	(13.40)
OTHER PERSONAL SRVCS	118,150	
OTHER OPER EXPENSES	2,802,119	195,974
ALLOC MUNICIPALITIES - RESTRICTED	75,000	
TOT B. COASTAL RESOURCE IMPROVEMENT	5,440,665	865,744
	(37.00)	(13.40)

J040-DEPARTMENT OF HEALTH & ENVIRONMENTAL
CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. AIR QUAL IMPRVMT		
CLASSIFIED POSITIONS	8,471,312	1,913,375
	(131.62)	(37.73)
OTHER PERSONAL SRVCS	158,070	90,125
OTHER OPER EXPENSES	3,541,727	378,346
ALLOC MUN - RESTRICTED	234,872	
ALLOC CNTY - RESTRICTED	299,797	
ALLOC SCHOOL DIST	71,710	
ALLOC OTHER ST AGENCIES	211,015	
ALLOC OTHER ENTITIES	1,603,144	
TOTAL C. AIR QUALITY	14,591,647	2,381,846
IMPROVEMENT	(131.62)	(37.73)
 D. LAND & WASTE MGMT		
CLASSIFIED POSITIONS	7,499,489	1,038,401
	(152.61)	(18.69)
OTHER PERSONAL SRVCS	264,154	20,030
OTHER OPER EXPENSES	11,778,199	1,199,870
ALLOC MUN - RESTRICTED	444,833	
ALLOC CNTY - RESTRICTED	4,953,544	
ALLOC SCHOOL DIST	528,487	
ALLOC OTHER ST AGENCIES	95,000	
ALLOC OTHER ENTITIES	1,204,617	
ALLOC PRIVATE SECTOR	58,752	
ALLOC TO PLANNING DIST	339,896	
AID TO OTHER ENTITIES	3,981,000	3,981,000
TOTAL D. LAND & WASTE	31,147,971	6,239,301
MANAGEMENT	(152.61)	(18.69)
 E. FAMILY HEALTH		
1. INFECTIOUS DISEASE		
PREVENTION		
CLASSIFIED POSITIONS	14,987,190	5,580,907
	(295.58)	(108.25)
NEW POSITION PROGRAM	67,000	67,000
MANAGER II	(1.00)	(1.00)
NEW POSITION STATISTICIAN III	110,000	110,000
	(2.00)	(2.00)

J040-DEPARTMENT OF HEALTH & ENVIRONMENTAL
CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITION PHYSICIAN II	150,000	150,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	1,530,295	570,812
OTHER OPER EXPENSES	22,584,571	4,628,606
CASE SERVICES	19,519,839	5,926,080
ALLOC CNTY - RESTRICTED	5,000	
ALLOC OTHER ST AGENCIES	6,422,392	
ALLOC OTHER ENTITIES	12,715,738	
PALMETTO AIDS LIFE SUPPORT	50,000	50,000
TOT 1. INFECTIOUS DISEASE	78,142,025	17,083,405
PREVENTION	(299.58)	(112.25)
 2. MATERNAL/INFANT HEALTH		
CLASSIFIED POSITIONS	28,607,507	1,350,640
	(766.42)	(46.28)
OTHER PERSONAL SERVICES	1,575,195	23,280
OTHER OPER EXPENSES	14,862,512	215,001
CASE SERVICES	100,103,810	497,209
ALLOC OTHER ST AGENCIES	804,421	
ALLOC OTHER ENTITIES	2,288,253	
CONTINUATION TEEN	546,972	546,972
PREGNANCY PREVENTION		
NEWBORN HEARING SCREENINGS	421,750	421,750
ABSTINENCE UNTIL MARRIAGE	100,000	100,000
EMERGING PROGRAMS		
TOTAL 2. MATERNAL/INFANT	149,310,420	3,154,852
HEALTH	(766.42)	(46.28)
 3. CHRONIC DISEASE		
PREVENTION		
CLASSIFIED POSITIONS	3,379,400	662,440
	(55.86)	(12.25)
OTHER PERSONAL SRVCS	705,636	20,933
OTHER OPER EXPENSES	6,473,885	392,354
CASE SERVICES	2,843,594	
ALLOC OTHER STAGENCIES	2,513,538	
ALLOC OTHER ENTITIES	5,102,251	

J040-DEPARTMENT OF HEALTH & ENVIRONMENTAL
CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
YOUTH SMOKING PREVENTION	3,640,718	
SMOKING PREVENTION TRUST	8,800,000	
TOTAL 3. CHRONIC DISEASE	33,459,022	1,075,727
PREVENTION	(55.86)	(12.25)
4. ACCESS TO CARE		
CLASSIFIED POSITIONS	21,717,165	13,733,197
	(485.51)	(349.83)
UNCLASSIFIED POSITIONS	247,649	189,817
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	3,985,344	218,972
OTHER OPER EXPENSES	19,573,637	4,248,861
CASE SERVICES	7,358	2,358
ALLOC MUN -RESTRICTED	93,739	
ALLOC CNTY - RESTRICTED	204,475	
ALLOC OTHER ST AGENCIES	514,434	
ALLOC OTHER ENTITIES	4,178,849	1,238
TOTAL 4. ACCESS TO CARE	50,522,650	18,394,443
	(486.51)	(350.83)
5. DRUG CONTROL		
CLASSIFIED POSITIONS	1,821,000	
	(25.53)	
OTHER PERSONAL SERVICES	46,000	
OTHER OPERATING EXPENSES	1,191,967	
ALLOC OTHER ENTITIES	100,000	
TOTAL 5. DRUG CONTROL	3,158,967	
	(25.53)	
6. RAPE VIOLENCE PREVENTION		
CLASSIFIED POSITIONS	99,875	
OTHER OPERATING EXPENSES	223,535	
CASE SERVICES	1,356,689	1,356,689
ALLOC OTHER ENTITIES	851,989	
TOTAL 6. RAPE VIOLENCE	2,532,088	1,356,689
PREVENTION		

J040-DEPARTMENT OF HEALTH & ENVIRONMENTAL
CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
7. INDEPENDENT LIVING		
CLASSIFIED POSITIONS	17,858,380	982,263
	(167.57)	(15.47)
UNCLASSIFIED POSITIONS	96,082	
OTHER PERSONAL SERVICES	4,867,989	2,039
OTHER OPERATING EXPENSES	6,010,205	812,872
CASE SERVICES	8,970,307	3,555,391
ALLOC OTHER ENTITIES	105,190	
SICKLE CELL PROF. EDUCATION	100,000	100,000
TOT 7. INDEPENDENT LIVING	38,008,153	5,452,565
	(167.57)	(15.47)
TOTAL E. FAMILY HEALTH	355,133,325	46,517,681
	(1,801.47)	(537.08)
F. HEALTH CARE STANDARDS		
1. RADIOLOGICAL MONOTORING		
CLASSIFIED POSITIONS	1,292,154	804,000
	(26.84)	(16.08)
OTHER PERSONAL SERVICES	50,000	28,000
OTHER OPERATING EXPENSES	652,132	179,189
TOTAL 1. RADIOLOGICAL	1,994,286	1,011,189
MONOTORING	(26.84)	(16.08)
2. FACILITY & SRVC		
DEVELOPMENT		
CLASSIFIED POSITIONS	500,000	500,000
	(6.10)	(6.10)
UNCLASSIFIED POSITIONS	-	-
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	25,000	25,000
OTHER OPERATING EXPENSES	1,600,873	767,873
TOTAL 2. FACILITY & SRVC	2,125,873	1,292,873
DEVELOPMENT	(7.10)	(7.10)
3. FACILITY LICENSING		
CLASSIFIED POSITIONS	2,473,097	1,300,000
	(75.03)	(39.48)

J040-DEPARTMENT OF HEALTH & ENVIRONMENTAL
CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	-	-
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	46,000	23,000
OTHER OPERATING EXPENSES	2,139,686	341,966
TOTAL 3. FACILITY LICENSING	4,658,783	1,664,966
	(76.03)	(40.48)
 4. CERTIFICATION		
CLASSIFIED POSITIONS	2,968,400	
	(60.57)	
OTHER PERSONAL SERVICES	158,433	
OTHER OPERATING EXPENSES	1,614,316	
TOTAL 4. CERTIFICATION	4,741,149	
	(60.57)	
 5. EMERGENCY MEDICAL SERVICES		
CLASSIFIED POSITIONS	757,380	700,000
	(17.08)	(15.83)
OTHER PERSONAL SERVICES	25,700	25,000
OTHER OPERATING EXPENSES	801,669	273,393
ALLOC COUNTIES - RESTRICTED	50,000	
AID TO COUNTIES - RESTRICTED	536,382	536,382
AID EMS - REGIONAL COUNCILS	164,579	164,579
TRAUMA CENTER FUND	2,268,886	2,268,886
TOT 5. EMERGENCY MEDICAL SERVICES	4,604,596	3,968,240
	(17.08)	(15.83)
 TOTAL F. HEALTH CARE STANDARDS	18,124,687	7,937,268
	(187.62)	(79.49)
 G. HLTH SURVEILLANCE SUPPORT		
1. HEALTH LABORATORY		
CLASSIFIED POSITIONS	4,030,418	852,188
	(75.52)	(17.35)
OTHER PERSONAL SERVICES	520,019	10,000

**J040-DEPARTMENT OF HEALTH & ENVIRONMENTAL
CONTROL**

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPERATING EXPENSES	10,349,534	221,206
TOT 1. HEALTH LABORATORY	14,899,971	1,083,394
	(75.52)	(17.35)
 2. VITAL RECORDS		
CLASSIFIED POSITIONS	2,590,601	69,355
	(77.25)	(1.00)
OTHER PERSONAL SERVICES	987,639	10,172
OTHER OPERATING EXPENSES	6,756,789	54,198
TOTAL 2. VITAL RECORDS	10,335,029	133,725
	(77.25)	(1.00)
 TOT G. HLTH SURVEILLANCE SUPPORT	 25,235,000	 1,217,119
	(152.77)	(18.35)
 TOTAL II. PROGRAMS AND SERVICES	 511,356,408	 87,812,855
	(3,252.51)	(1,063.07)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	66,600,947	17,654,286
TOT III. EMPLOYEE BENEFITS	66,600,947	17,654,286
 TOT DEPARTMENT OF HLTH & ENVIRONMENTAL CONTROL	 606,956,752	 119,916,820
	(3,492.44)	(1,172.98)

SECTION 35
J120-DEPARTMENT OF MENTAL HEALTH

	TOTAL FUNDS	GENERAL FUNDS
I. GENERAL ADMINISTRATION		
COMMISSIONER/S	191,695	191,695
	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,581,656	2,443,961
	(43.00)	(43.00)
UNCLASSIFIED POSITIONS	422,221	362,063
	(3.50)	(3.50)

J120-DEPARTMENT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	41,484	36,377
OTHER OPERATING EXPENSES	1,181,008	586,424
CASE SERVICES	90,074	60,000
TOTAL I. GENERAL	4,508,138	3,680,520
ADMINISTRATION	(47.50)	(47.50)
 II. PROGRAMS AND SERVICES		
A. COMMUNITY MENTAL HLTH		
1. MENTAL HEALTH CENTERS		
CLASSIFIED POSITIONS	77,901,234	41,403,973
	(2,060.89)	(1,128.62)
UNCLASSIFIED POSITIONS	13,259,728	6,372,971
	(107.39)	(61.37)
OTHER PERSONAL SERVICES	3,259,296	1,626,196
OTHER OPERATING EXPENSES	32,588,392	2,545,398
CASE SERVICES	10,997,881	5,233,377
TOT 1. MENTAL HEALTH	138,006,531	57,181,915
CENTERS	(2,168.28)	(1,189.99)
 2. PROJECTS & GRANTS		
CLASSIFIED POSITIONS	1,534,931	410,029
	(15.00)	(9.00)
UNCLASSIFIED POSITIONS	1,228,430	821,892
	(10.20)	(8.20)
OTHER PERSONAL SERVICES	508,200	66,200
OTHER OPERATING EXPENSES	8,256,691	2,457,459
CASE SERVICES	615,356	615,356
ALLOC PRIVATE SECTOR	866,577	
S. C. SHARE	250,000	
ALLIANCE FOR THE MENTAL ILL	50,000	
TOT 2. PROJECTS & GRANTS	13,310,185	4,370,936
	(25.20)	(17.20)
 TOT A. COMMUNITY MENTAL	 151,316,716	 61,552,851
HEALTH	(2,193.48)	(1,207.19)

J120-DEPARTMENT OF MENTAL HEALTH

	TOTAL FUNDS	GENERAL FUNDS
B. INPATIENT BEHAVIORAL HEALTH		
1. PSYCHIATRIC REHAB		
CLASSIFIED POSITIONS	1,337,352	894,869
	(36.26)	(35.20)
UNCLASSIFIED POSITIONS	675,525	353,500
	(4.00)	(2.00)
OTHER PERSONAL SERVICES	158,863	13,898
OTHER OPERATING EXPENSES	498,403	344,969
CASE SERVICES	20,793	20,793
TOTAL 1. PSYCHIATRIC REHABILITATION	2,690,936	1,628,029
	(40.26)	(37.20)
2. BRYAN PSYCHIATRIC HOSP		
CLASSIFIED POSITIONS	15,990,844	9,559,289
	(488.32)	(330.43)
UNCLASSIFIED POSITIONS	3,232,831	893,056
	(28.05)	(15.21)
OTHER PERSONAL SRVCS	3,185,340	658,178
OTHER OPER EXPENSES	17,295,614	2,288,417
CASE SERVICES	21,268,188	8,422,909
TOT 2. BRYAN PSYCHIATRIC HOSPITAL	60,972,817	21,821,849
	(516.37)	(345.64)
3. HALL PSYCHIATRIC INSTIT		
CLASSIFIED POSITIONS	7,809,744	4,670,961
	(252.36)	(147.34)
UNCLASSIFIED POSITIONS	600,990	22,920
	(9.47)	(6.47)
OTHER PERSONAL SERVICES	958,151	266,827
OTHER OPERATING EXPENSES	5,837,773	1,286,038
CASE SERVICES	158,534	12,000
TOTAL 3. HALL PSYCHIATRIC INSTITUTE	15,365,192	6,258,746
	(261.83)	(153.81)
4. MORRIS VILLAGE		
CLASSIFIED POSITIONS	7,392,174	6,296,440
	(202.93)	(181.98)

J120-DEPARTMENT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	506,213	180,783
	(5.48)	(4.48)
OTHER PERSONAL SERVICES	1,176,507	898,507
OTHER OPERATING EXPENSES	3,628,843	
CASE SERVICES	90,250	35,000
TOTAL 4. MORRIS VILLAGE	12,793,987	7,410,730
	(208.41)	(186.46)
5. HARRIS PSYCHIATRIC HOSP		
CLASSIFIED POSITIONS	10,104,290	5,791,410
	(350.55)	(235.55)
UNCLASSIFIED POSITIONS	1,566,267	247,865
	(16.49)	(6.60)
OTHER PERSONAL SERVICES	768,339	430,000
OTHER OPERATING EXPENSES	5,770,227	788,351
CASE SERVICES	1,313,965	559,971
TOT 5. HARRIS PSYCHIATRIC HOSPITAL	19,523,088	7,817,597
	(367.04)	(242.15)
TOTAL B. INPATIENT BEHAVIORAL HEALTH	111,346,020	44,936,951
	(1,393.91)	(965.26)
C. TUCKER/DOWDY-GARDNER NURSING CARE CTR		
CLASSIFIED POSITIONS	9,332,504	3,840,432
	(283.85)	(119.67)
UNCLASSIFIED POSITIONS	333,521	133,521
	(12.88)	(4.88)
OTHER PERSONAL SERVICES	1,908,483	270,359
OTHER OPERATING EXPENSES	8,169,309	434,731
CASE SERVICES	245,353	8,700
TOTAL C. TUCKER/DOWDY-GARDNER NURSING	19,989,170	4,687,743
	(296.73)	(124.55)
D. SUPPORT SERVICES		
1. ADMINISTRATIVE SERVICES		
CLASSIFIED POSITIONS	13,261,683	12,283,560
	(345.18)	(331.43)

J120-DEPARTMENT OF MENTAL HEALTH

	TOTAL FUNDS	GENERAL FUNDS
UNCLASSIFIED POSITIONS	216,564	199,822
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	809,276	782,276
OTHER OPERATING EXPENSES	15,184,950	8,390,837
CASE SERVICES	105,000	
TOTAL 1. ADMINISTRATIVE SERVICES	29,577,473	21,656,495
	(349.18)	(335.43)
 2. PUBLIC SAFETY DIVISION		
CLASSIFIED POSITIONS	1,441,551	1,115,116
	(35.00)	(25.00)
OTHER PERSONAL SERVICES	112,755	98,955
OTHER OPERATING EXPENSES	547,363	215,305
TOTAL 2. PUBLIC SAFETY DIVISION	2,101,669	1,429,376
	(35.00)	(25.00)
 TOTAL D. SUPPORT SERVICES	 31,679,142	 23,085,871
	(384.18)	(360.43)
 E. VETERANS SERVICES		
1. STONE PAVILION		
CLASSIFIED POSITIONS	3,546,978	1,866,259
	(132.75)	(45.85)
UNCLASSIFIED POSITIONS	53,728	53,728
	(3.50)	(3.50)
OTHER PERSONAL SERVICES	558,234	272,805
OTHER OPERATING EXPENSES	3,560,810	1,615,029
CASE SERVICES	226,503	8,500
TOTAL 1. STONE PAVILION	7,946,253	3,816,321
	(136.25)	(49.35)
 2. CAMPBELL VETERANS HOME		
CLASSIFIED POSITIONS	192,463	
	(4.25)	(1.00)
OTHER PERSONAL SERVICES	54,518	
OTHER OPERATING EXPENSES	2,199,026	708,273

J120-DEPARTMENT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SERVICES	18,891,376	6,214,626
TOT 2. CAMPBELL VETERANS HOME	21,337,383 (4.25)	6,922,899 (1.00)
3. VETERANS' VICTORY HOUSE		
CLASSIFIED POSITIONS	141,130 (2.50)	
OTHER PERSONAL SERVICES	100,000	
OTHER OPERATING EXPENSES	1,728,257	595,136
CASE SERVICES	19,879,164	6,979,164
TOT 3. VETERANS' VICTORY HOUSE	21,848,551 (2.50)	7,574,300
TOT E. VETERANS SERVICES	51,132,187 (143.00)	18,313,520 (50.35)
F. SEXUAL PREDATOR TREATMENT PROGRAM		
CLASSIFIED POSITIONS	5,982,827 (164.74)	5,982,827 (146.74)
UNCLASSIFIED POSITIONS	18,561 (6.37)	18,561 (5.37)
OTHER PERSONAL SERVICES	1,496,270	1,496,270
OTHER OPERATING EXPENSES	6,813,421	6,813,421
CASE SERVICES	2,008,895	2,008,895
TOTAL F. SEXUAL PREDATOR TREATMENT PROG	16,319,974 (171.11)	16,319,974 (152.11)
TOT II. PROGRAMS AND SERVICES	381,783,209 (4,582.41)	168,896,910 (2,859.89)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	76,250,485	43,742,830
TOT III. EMPLOYEE BENEFITS	76,250,485	43,742,830
TOTAL DEPT OF MENTAL HEALTH	462,541,832 (4,629.91)	216,320,260 (2,907.39)

SECTION 36
J160-DEPARTMENT OF DISABILITIES & SPECIAL NEEDS

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
COMMISSIONER/S	158,100	158,100
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,931,361	3,765,224
	(84.00)	(81.00)
OTHER PERSONAL SERVICES	157,637	20,000
OTHER OPERATING EXPENSES	3,031,871	
TOTAL I. ADMINISTRATION	7,278,969	3,943,324
	(85.00)	(82.00)
II. PROGRAM & SERVICES		
A. PREVENTION PROGRAM		
OTHER OPERATING EXPENSES	257,098	
GREENWOOD GENETIC CENTER	11,358,376	3,934,300
TOT A. PREVENTION PROG	11,615,474	3,934,300
B. INTELLECTUAL DISABILITY		
FAMILY SUPPORT		
1. CHILDREN'S SERVICES		
CLASSIFIED POSITIONS	118,872	118,872
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	14,740,263	2,935,037
BABYNET	9,312,500	3,725,000
TOT 1. CHILDREN'S SRVCS	24,171,635	6,778,909
	(2.00)	(2.00)
2. IN-HOME FAMILY SUPPORTS		
CLASSIFIED POSITIONS	172,756	172,756
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	102,029,071	44,263,570
CASE SERVICES	10,000	
TOTAL 2. IN-HOME FAMILY SUPPORTS	102,211,827	44,436,326
	(3.00)	(3.00)

J160-DEPARTMENT OF DISABILITIES & SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
3. ADULT DEVELOP & SUPPORT EMPLOYMENT		
CLASSIFIED POSITIONS	40,286	40,286
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	67,435,546	15,139,344
TOTAL 3. ADULT DEVELOP & SUPPORT EMPLOYMENT	67,475,832	15,179,630
	(1.00)	(1.00)
4. SERVICE COORDINATION		
CLASSIFIED POSITIONS	325,749	325,749
	(6.00)	(6.00)
OTHER OPERATING EXPENSES	22,329,861	6,239,098
CASE SERVICES	52,000	2,000
TOTAL 4. SERVICE COORDINATION	22,707,610	6,566,847
	(6.00)	(6.00)
TOTAL B. INTELLECTUAL DISABILITY FAMILY SUPPORT	216,566,904	72,961,712
	(12.00)	(12.00)
C. AUTISM FAMILY SUPPORT PROGRAM		
1. AUTISM FAMILY SUPPORT SRVCS		
CLASSIFIED POSITIONS	519,896	519,896
	(14.00)	(14.00)
OTHER PERSONAL SERVICES	200	200
OTHER OPERATING EXPENSES	13,576,210	4,129,238
CASE SERVICES	17,000	
TOTAL 1. AUTISM FAMILY SUPPORT SRVCS	14,113,306	4,649,334
	(14.00)	(14.00)
2. PERVASIVE DEVELOPMENTAL DISORDER (PDD) PROGRAM		
CLASSIFIED POSITIONS	95,880	95,880
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	10,685,000	7,385,000

J160-DEPARTMENT OF DISABILITIES & SPECIAL NEEDS

	TOTAL FUNDS	GENERAL FUNDS
TOTAL 2. PERVASIVE DEVELOPMENTAL DISORDER (PDD)	10,780,880 (2.00)	7,480,880 (2.00)
TOTAL C. AUTISM FAMILY SUPPORT PROGRAM	24,894,186 (16.00)	12,130,214 (16.00)
D. HEAD & SPINAL CORD INJURY FAM SUPP		
CLASSIFIED POSITIONS	158,990 (2.00)	158,990 (2.00)
OTHER OPERATING EXPENSES	26,087,997	7,922,163
CASE SERVICES	12,000	12,000
TOT D. HEAD & SPINAL CORD INJURY FAM SUPP	26,258,987 (2.00)	8,093,153 (2.00)
E. INTELLECTUAL DISABILITY COMM RESIDENTIAL		
CLASSIFIED POSITIONS	2,294,988 (39.00)	2,110,472 (36.00)
OTHER PERSONAL SRVCS	210,000	50,000
OTHER OPER EXPENSES	294,071,046	62,263,280
CASE SERVICES	14,863,063	900,800
TOTAL E. INTELLECTUAL DISABILITY COMM RESIDENTIAL	311,439,097 (39.00)	65,324,552 (36.00)
F. AUTISM COMMUNITY RESIDENTIAL PROGRAM		
CLASSIFIED POSITIONS	1,404,704 (49.00)	1,230,093 (44.00)
OTHER PERSONAL SRVCS	299,696	166,312
OTHER OPER EXPENSES	21,820,184	3,927,592
CASE SERVICES	33,025	
TOT F. AUTISM COMMUNITY RESIDENTIAL PROGRAM	23,557,609 (49.00)	5,323,997 (44.00)

J160-DEPARTMENT OF DISABILITIES & SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
G. HEAD & SPINAL CORD		
INJURY COMMUNITY RESI		
OTHER OPERATING EXPENSES	3,040,532	958,763
TOT G. HEAD & SPINAL CORD	3,040,532	958,763
INJURY COMMUNITY RESI		
H. REGIONAL CENTERS		
RESIDENTIAL PGM		
CLASSIFIED POSITIONS	50,160,621	34,703,374
	(1,919.90)	(1,270.85)
OTHER PERSONAL SERVICES	4,458,773	1,836,989
OTHER OPERATING EXPENSES	18,851,449	
CASE SERVICES	441,222	
TOT H. REGIONAL CENTERS	73,912,065	36,540,363
RESIDENTIAL PGM	(1,919.90)	(1,270.85)
TOT II. PROGRAM & SRVCS	691,284,854	205,267,054
	(2,037.90)	(1,380.85)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	29,857,979	22,433,092
TOT III. EMPLOYEE BENEFITS	29,857,979	22,433,092
TOTAL DEPARTMENT OF	728,421,802	231,643,470
DISABILITIES & SPEC NEEDS	(2,122.90)	(1,462.85)

SECTION 37**J200-DEPARTMENT OF ALCOHOL & OTHER DRUG ABUSE
SERVICES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	119,928	59,964
	(1.00)	(0.50)
CLASSIFIED POSITIONS	40,260	20,130
	(2.00)	(0.75)
OTHER PERSONAL SRVCS	226,500	
OTHER OPER EXPENSES	154,118	15,000

**J200-DEPARTMENT OF ALCOHOL & OTHER DRUG ABUSE
SERVICES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL I. ADMINISTRATION	540,806	95,094
	(3.00)	(1.25)
II. FINANCE & OPERATIONS		
CLASSIFIED POSITIONS	703,256	216,753
	(21.06)	(9.01)
OTHER PERSONAL SRVCS	64,244	
OTHER OPER EXPENSES	2,645,039	235,019
ALLOC CNTY - RESTRICTED	15,000	
ALLOC OTHER ST AGENCIES	300,132	
ALCOHOL AND DRUG TREAT	26,269,837	
ALCOHOL & DRUG MATCH FDS	1,035,716	
ALCOHOL & DRUG PREVENT	6,141,607	
AID OTHER ST AGENCIES	1,915,902	1,915,902
ALCOHOL & DRUG TREAT	1,860,818	1,860,818
AID TO ENT - ALCOHOL & DRUG MATCH FUNDS	100,166	100,166
AID TO ENT - ALCOHOL & DRUG PREVENTION	84,329	84,329
STATE BLOCK GRANT	174,474	174,474
LOCAL SALARY SUPPLEMENT	3,485,125	3,485,125
TOTAL II. FINANCE & OPERATIONS	44,795,645	8,072,586
	(21.06)	(9.01)
III. SERVICES		
CLASSIFIED POSITIONS	161,512	54,820
	(2.00)	(0.50)
OTHER PERSONAL SRVCS	119,301	
OTHER OPER EXPENSES	77,782	10,700
TOTAL III. SERVICES	358,595	65,520
	(2.00)	(0.50)
IV. PROGRAMS		
CLASSIFIED POSITIONS	394,027	18,505
	(7.95)	(0.30)
OTHER PERSONAL SRVCS	680,003	

**J200-DEPARTMENT OF ALCOHOL & OTHER DRUG ABUSE
SERVICES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	1,654,232	5,000
TOT IV. PROGRAMS	2,728,262	23,505
	(7.95)	(0.30)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	881,411	141,476
TOT V. EMPLOYEE BENEFITS	881,411	141,476
TOT DEPT OF ALCOHOL & OTHER DRUG ABUSE SRVCS	49,304,719	8,398,181
	(34.01)	(11.06)

**SECTION 38
L040-DEPARTMENT OF SOCIAL SERVICES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. STATE OFFICE		
A. AGENCY ADMINISTRATION		
COMMISSIONER/S	159,130	159,130
	(1.00)	(1.00)
CLASSIFIED POSITIONS	7,347,644	2,873,949
	(157.75)	(60.06)
NEW POSITION ADMIN ASSISTANT	106,604	
	(2.13)	
NEW POSITION AUDITOR II	117,165	
	(1.29)	
NEW POSITION ATTORNEY I	32,041	
	(2.11)	
NEW POSITION ATTORNEY IV	68,622	
	(0.65)	
NEW POSITION TRAINING & DEVELOPMENT DIR II	67,109	23,669
	(1.00)	(0.36)
NEW POSITION PROGRAM COORDINATOR I	226,632	79,933
	(5.00)	(1.76)
NEW POSITION PROG MGR I	156,231	
	(1.94)	
UNCLASSIFIED POSITIONS	230,372	80,378
OTHER PERSONAL SRVCS	534,051	186,330

L040-DEPARTMENT OF SOCIAL SERVICES

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPER EXPENSES	15,209,907	1,110,776
TOTAL A. AGENCY	24,255,508	4,514,165
ADMINISTRATION	(172.87)	(63.18)
 B. INFORMATION RESOURCE		
MANAGEMENT		
CLASSIFIED POSITIONS	4,200,187	1,227,958
	(76.00)	(24.57)
OTHER PERSONAL SERVICES	825,100	156,955
OTHER OPERATING EXPENSES	44,548,430	697,314
TOTAL B. INFORMATION	49,573,717	2,082,227
RESOURCE MANAGEMENT	(76.00)	(24.57)
 C. COUNTY OFFICE		
ADMINISTRATION		
CLASSIFIED POSITIONS	12,778,606	4,785,824
	(373.05)	(145.50)
UNCLASSIFIED POSITIONS	120,000	43,416
	(0.99)	(0.38)
OTHER PERSONAL SERVICES	51,839	18,757
OTHER OPERATING EXPENSES	2,130,585	770,845
CASE SERVICES	336,001	121,565
TOTAL C. COUNTY OFFICE	15,417,031	5,740,407
ADMINISTRATION	(374.04)	(145.88)
 D. COUNTY SUPPORT OF		
LOCAL DSS		
OTHER PERSONAL SERVICES	61,321	
OTHER OPERATING EXPENSES	390,758	
ALLOC CNTY - UNRESTRICTED	3,900,703	
TOT D. COUNTY SUPPORT OF	4,352,782	
LOCAL DSS		
 E. PROGRAM MANAGEMENT		
1. CHILDREN'S SERVICES		
CLASSIFIED POSITIONS	2,323,696	659,735
	(57.00)	(13.68)
OTHER PERSONAL SERVICES	341,974	8,028

L040-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	5,263,878	490,827
CASE SERVICES	15,154,949	138,325
TOT 1. CHILDREN'S SRVCS	23,084,497	1,296,915
	(57.00)	(13.68)
 2. ADULT SERVICES		
CLASSIFIED POSITIONS	377,169	
	(9.00)	
OTHER OPERATING EXPENSES	4,976,631	
TOTAL 2. ADULT SERVICES	5,353,800	
	(9.00)	
 3. FAMILY INDEPENDENCE		
CLASSIFIED POSITIONS	312,827	
	(8.00)	
OTHER PERSONAL SERVICES	986,228	
OTHER OPERATING EXPENSES	10,761,483	
CASE SERVICES	73,610	
TOTAL 3. FAMILY INDEPENDENCE	12,134,148	
	(8.00)	
 4. ECONOMIC SERVICES		
CLASSIFIED POSITIONS	2,530,518	29,045
	(76.00)	(0.78)
OTHER PERSONAL SRVCS	687,872	
OTHER OPER EXPENSES	5,733,347	1,653,863
TOT 4. ECONOMIC SRVCS	8,951,737	1,682,908
	(76.00)	(0.78)
 TOTAL E. PROGRAM MGMT	49,524,182	2,979,823
	(150.00)	(14.46)
 TOTAL I. STATE OFFICE	143,123,220	15,316,622
	(772.91)	(248.09)

L040-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. PROGRAMS AND SRVCS		
A. CHILD PROTECTIVE SRVCS		
1. CASE MANAGEMENT		
CLASSIFIED POSITIONS	31,359,981	10,612,813
	(904.00)	(295.73)
OTHER PERSONAL SRVCS	351,533	116,386
OTHER OPER EXPENSES	11,158,598	2,125,003
CASE SRVCS	1,500	495
TOT 1. CASE MANAGEMENT	42,871,612	12,854,697
	(904.00)	(295.73)
2. LEGAL REPRESENTATION		
CLASSIFIED POSITIONS	3,591,572	761,015
	(89.00)	(15.62)
OTHER PERSONAL SRVCS	40,873	8,003
OTHER OPER EXPENSES	1,766,580	296,444
TOTAL 2. LEGAL REPRESENTATION	5,399,025	1,065,462
	(89.00)	(15.62)
TOT A. CHILD PROTECTIVE SERVICES	48,270,637	13,920,159
	(993.00)	(311.35)
B. FOSTER CARE		
1. CASE MANAGEMENT		
CLASSIFIED POSITIONS	19,324,156	6,333,620
	(558.21)	(236.56)
NEW POSITION ADMIN SPECIALIST II	112,788	53,756
	(5.00)	(2.38)
NEW POSITION PROGRAM COORDINATOR I	95,416	45,475
	(3.00)	(1.43)
NEW POSITION PROGRAM COORDINATOR II	272,676	129,958
	(8.00)	(3.81)
NEW POSITION HUMAN SRVCS SPECIALIST II	4,021,925	1,916,850
	(126.00)	(60.05)
NEW POSITION HUMAN SRVCS COORDINATOR I	636,541	303,375
	(15.00)	(7.15)
OTHER PERSONAL SRVCS	1,007,904	204,221

L040-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	6,329,154	2,204,435
CASE SERVICES	16,925	3,649
TOT 1. CASE MANAGEMENT	31,817,485	11,195,339
	(715.21)	(311.38)
2. FOSTER CARE ASSISTANCE		
PAYMENTS		
CASE SERVICES	45,039,393	10,485,156
TOTAL 2. FOSTER CARE	45,039,393	10,485,156
ASSISTANCE PAYMENTS		
3. EMOTIONALLY		
DISTURBED CHILDREN		
CASE SERVICES	19,483,780	13,938,471
IMD GROUP HOMES PAYMNTS	20,676,781	20,676,781
TOTAL 3. EMOTIONALLY	40,160,561	34,615,252
DISTURBED CHILDREN		
TOTAL B. FOSTER CARE	117,017,439	56,295,747
	(715.21)	(311.38)
C. ADOPTIONS		
1. CASE MANAGEMENT		
CLASSIFIED POSITIONS	4,141,159	1,749,519
	(121.00)	(48.40)
OTHER PERSONAL SRVCS	43,672	17,831
OTHER OPER EXPENSES	1,786,220	403,881
CASE SERVICES	700	240
TOT 1. CASE MANAGEMENT	5,971,751	2,171,471
	(121.00)	(48.40)
2. ADOPTIONS ASSISTANCE		
PAYMENTS		
CASE SERVICES	25,275,121	12,616,719
TOTAL 2. ADOPTIONS	25,275,121	12,616,719
ASSISTANCE PAYMENTS		

L040-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL C. ADOPTIONS	31,246,872	14,788,190
	(121.00)	(48.40)
D. ADULT PROTECTIVE SRVCS		
1. CASE MANAGEMENT		
CLASSIFIED POSITIONS	2,937,235	53,530
	(88.00)	
OTHER PERSONAL SERVICES	26,821	
OTHER OPERATING EXPENSES	240,895	
TOT 1. CASE MANAGEMENT	3,204,951	53,530
	(88.00)	
2. CASE SERVICES		
CASE SERVICES	175,000	
TOTAL 2. CASE SERVICES	175,000	
TOTAL D. ADULT PROTECTIVE SERVICES	3,379,951	53,530
	(88.00)	
E. EMPLOYMENT AND TRAINING SERVICES		
1. CASE MANAGEMENT		
CLASSIFIED POSITIONS	11,957,686	627,626
	(374.00)	(19.44)
OTHER PERSONAL SERVICES	1,816,289	
OTHER OPERATING EXPENSES	520,390	6,354
TOT 1. CASE MANAGEMENT	14,294,365	633,980
	(374.00)	(19.44)
2. EMPLOYMENT AND TRAINING CASE SVCS		
CASE SERVICES	7,520,582	2,500
TOTAL 2. EMPLOYMENT AND TRAINING CASE SRVCS	7,520,582	2,500
3. TANF ASSISTANCE PAYMTS		
CASE SERVICES	62,048,519	3,625,903

L040-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL 3. TANF ASSISTANCE PAYMENTS	62,048,519	3,625,903
TOTAL E. EMPLOYMENT AND TRAINING SERVICES	83,863,466 (374.00)	4,262,383 (19.44)
F. CHILD SUPPORT ENFORCEMENT		
CLASSIFIED POSITIONS	7,712,120 (228.00)	2,181,145 (59.50)
OTHER PERSONAL SERVICES	489,162	
OTHER OPERATING EXPENSES	70,449,908	6,934,863
ALLOC OTHER ENTITIES	6,500	
TOTAL F. CHILD SUPPORT ENFORCEMENT	78,657,690 (228.00)	9,116,008 (59.50)
G. FOOD STAMP ASSISTANCE PROGRAM		
1. ELIGIBILITY		
CLASSIFIED POSITIONS	12,689,043 (439.00)	5,940,583 (183.00)
OTHER PERSONAL SERVICES	1,896,128	36,654
OTHER OPERATING EXPENSES	1,507,654	51,652
TOTAL 1. ELIGIBILITY	16,092,825 (439.00)	6,028,889 (183.00)
TOTAL G. FOOD STAMP ASSISTANCE PROGRAM	16,092,825 (439.00)	6,028,889 (183.00)
H. FAMILY PRESERVATION		
CLASSIFIED POSITIONS	79,207 (1.00)	
OTHER PERSONAL SERVICES	879,422	7,313
OTHER OPERATING EXPENSES	3,674,663	124,090
CASE SERVICES	1,783,245	
TOT H. FAMILY PRESERVATION	6,416,537 (1.00)	131,403

L040-DEPARTMENT OF SOCIAL SERVICES

	TOTAL FUNDS	GENERAL FUNDS
I. HOMEMAKER		
CLASSIFIED POSITIONS	1,238,099	
	(69.00)	
OTHER OPER EXPENSES	276,400	
TOTAL I. HOMEMAKER	1,514,499	
	(69.00)	
J. BATTERED SPOUSE		
OTHER PERSONAL SERVICES	33,730	
OTHER OPERATING EXPENSES	23,875	
ALLOC OTHER ENTITIES	3,999,554	
AID TO OTHER ENTITIES	1,648,333	1,648,333
TOT J. BATTERED SPOUSE	5,705,492	1,648,333
K. PREGNANCY PREVENTION		
CLASSIFIED POSITIONS	91,228	
	(2.00)	
OTHER PERSONAL SRVCS	32,749	
OTHER OPER EXPENSES	26,200	
CONTINUATION OF TEEN PREGNANCY PREVENTION	546,972	546,972
TOTAL K. PREGNANCY PREVENTION	697,149	546,972
	(2.00)	
L. FOOD SERVICE		
CASE SERVICES	36,036,715	
TOTAL L. FOOD SERVICE	36,036,715	
M. CHILD CARE		
CLASSIFIED POSITIONS	5,041,682	
	(153.99)	
OTHER PERSONAL SRVCS	2,636,821	
OTHER OPER EXPENSES	14,808,846	16,377
CASE SERVICES	65,471,307	7,017,437
ALLOC PRIVATE SECTOR	450,000	
TOTAL M. CHILD CARE	88,408,656	7,033,814
	(153.99)	

L040-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL II. PROGRAMS AND SERVICES	517,307,928 (3,184.20)	113,825,428 (933.07)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	53,024,490	19,689,123
TOT III. EMPLOYEE BENEFITS	53,024,490	19,689,123
TOT DEPT OF SOCIAL SERVICES	713,455,638 (3,957.11)	148,831,173 (1,181.16)

SECTION 39

L240-COMMISSION FOR THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
COMMISSIONER/S	86,806	86,806
	(1.00)	(1.00)
CLASSIFIED POSITIONS	550,874	550,874
	(13.45)	(13.45)
OTHER PERSONAL SRVCS	38,100	38,100
OTHER OPER EXPENSES	441,363	421,512
TOT I. ADMINISTRATION	1,117,143 (14.45)	1,097,292 (14.45)
II. REHABILITATION SRVCS		
CLASSIFIED POSITIONS	2,650,760	588,239
	(83.34)	(15.69)
OTHER PERSONAL SRVCS	214,932	
OTHER OPER EXPENSES	1,871,476	120,787
CASE SERVICES	4,178,795	664,202
TOT II. REHABILITATION SERVICES	8,915,963 (83.34)	1,373,228 (15.69)
III. PREVENTION OF BLINDNESS		
CLASSIFIED POSITIONS	324,558	97,000
	(6.53)	(1.00)
OTHER PERSONAL SERVICES	5,000	

STATUTES AT LARGE
General and Permanent Laws--2016
L240-COMMISSION FOR THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	100,000	10,000
CASE SERVICES	306,188	159,000
TOTAL III. PREVENTION OF BLINDNESS	735,746 (6.53)	266,000 (1.00)
IV. COMMUNITY SERVICE		
CLASSIFIED POSITIONS	95,972	95,972
	(2.53)	(2.53)
OTHER OPERATING EXPENSES	30,000	30,000
CASE SERVICES	18,000	18,000
TOT IV. COMMUNITY SERVICE	143,972 (2.53)	143,972 (2.53)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,349,224	545,301
TOT V. EMPLOYEE BENEFITS	1,349,224	545,301
TOT COMMISSION FOR THE BLIND	12,262,048 (106.85)	3,425,793 (33.67)

SECTION 42

L320-HOUSING FINANCE & DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. EXECUTIVE DIVISION		
EXECUTIVE DIRECTOR	119,850	
	(1.00)	
CLASSIFIED POSITIONS	790,621	
	(15.00)	
OTHER PERSONAL SRVCS	45,596	
OTHER OPER EXPENSES	647,274	
ALLOC MUNICIPALITIES - RESTRICTED	400,000	
ALLOC CNTY - RESTRICTED	100,000	
ALLOC OTHER ST AGENCIES	3,700,000	
ALLOC OTHER ENTITIES	2,000,000	

L320-HOUSING FINANCE & DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT A. EXEC DIVISION	7,803,341	(16.00)
B. FINANCE DIVISION		
CLASSIFIED POSITIONS	732,138	(10.00)
OTHER PERSONAL SERVICES	40,675	
OTHER OPERATING EXPENSES	215,545	
TOT B. FINANCE DIVISION	988,358	(10.00)
C. SUPPORT SERVICES		
CLASSIFIED POSITIONS	1,107,566	(12.00)
OTHER PERSONAL SERVICES	39,322	
OTHER OPERATING EXPENSES	912,360	
TOT C. SUPPORT SERVICES	2,059,248	(12.00)
TOTAL I. ADMINISTRATION	10,850,947	(38.00)
II. HOUSING PROGRAMS		
A. CONTRACT ADMIN & COMPLIANCE		
CLASSIFIED POSITIONS	1,442,877	(27.00)
OTHER PERSONAL SERVICES	147,264	
OTHER OPERATING EXPENSES	593,295	
CASE SERVICES	129,100,000	
TOT A. CONTRACT ADMIN & COMPLIANCE	131,283,436	(27.00)
B. RENTAL ASSISTANCE		
CLASSIFIED POSITIONS	747,857	(17.00)
OTHER PERSONAL SERVICES	28,644	
OTHER OPERATING EXPENSES	1,051,060	
CASE SERVICES	11,500,000	

L320-HOUSING FINANCE & DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT B. RENTAL ASSISTANCE	13,327,561	(17.00)
C. HOUSING INITIATIVES		
CLASSIFIED POSITIONS	943,844	(16.00)
OTHER PERSONAL SRVCS	56,143	
OTHER OPER EXPENSES	934,349	
ALLOC MUN - RESTRICTED	1,700,000	
ALLOC CNTY - RESTRICTED	600,000	
ALLOC OTHER ST AGENCIES	1,500,000	
ALLOC OTHER ENTITIES	13,624,153	
TOT C. HOUSING INITIATIVES	19,358,489	(16.00)
D. HOUSING CREDIT		
CLASSIFIED POSITIONS	368,971	(4.00)
OTHER PERSONAL SRVCS	18,332	
OTHER OPER EXPENSES	355,485	
TOT D. HOUSING CREDIT	742,788	(4.00)
TOT II. HOUSING PROGRAMS	164,712,274	(64.00)
III. HOMEOWNERSHIP PROG		
A. MORTGAGE PRODUCTION		
CLASSIFIED POSITIONS	473,771	(7.00)
OTHER PERSONAL SRVCS	45,831	
OTHER OPER EXPENSES	779,838	
ALLOC OTHER ENTITIES	625,902	
TOT A. MORTGAGE PRODUCT	1,925,342	(7.00)

L320-HOUSING FINANCE & DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. MORTGAGE SERVICING		
CLASSIFIED POSITIONS	1,032,146	
	(21.00)	
OTHER PERSONAL SERVICES	22,364	
OTHER OPERATING EXPENSES	952,417	
TOT B. MORTGAGE SRVCING	2,006,927	
	(21.00)	
TOT III. HOMEOWNERSHIP PROGRAMS	3,932,269	
	(28.00)	
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,576,177	
TOT IV. EMPLOYEE BENEFITS	2,576,177	
TOT HOUSING FINANCE & DEVELOPMENT AUTHORITY	182,071,667	
	(130.00)	

SECTION 43
P120-FORESTRY COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
STATE FORESTER	120,327	120,327
	(1.00)	(1.00)
CLASSIFIED POSITIONS	554,749	554,749
	(14.20)	(14.20)
UNCLASSIFIED POSITIONS	88,000	88,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	10,000	10,000
OTHER OPER EXPENSES	141,520	141,520
TOT I. ADMINISTRATION	914,596	914,596
	(16.20)	(16.20)

STATUTES AT LARGE
General and Permanent Laws--2016
P120-FORESTRY COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
II. FOREST PROTECTION AND DEVELOPMENT		
CLASSIFIED POSITIONS	9,821,607	8,161,089
	(308.55)	(271.25)
NEW POSITION FORESTRY	228,571	228,571
TECHNICIAN I	(5.00)	(5.00)
OTHER PERSONAL SRVCS	353,000	175,000
OTHER OPER EXPENSES	8,396,777	1,766,210
ALLOC MUN - RESTRICTED	30,000	
ALLOC CNTY - RESTRICTED	47,000	
ALLOC OTHER ENTITIES	183,475	
ALLOC PRIVATE SECTOR - REPORTABLE	545,000	
FOREST RENEWAL PROGRAM	1,000,000	200,000
TOT II. FOREST PROTECTION AND DEVELOPMENT	20,605,430	10,530,870
	(313.55)	(276.25)
III. STATE FORESTS		
CLASSIFIED POSITIONS	1,080,000	
	(28.60)	
OTHER PERSONAL SRVCS	50,000	
OTHER OPER EXPENSES	1,047,713	
ALLOC CNTY - RESTRICTED	1,095,000	
TOT III. STATE FORESTS	3,272,713	
	(28.60)	
IV. EDUCATION		
CLASSIFIED POSITIONS	190,000	190,000
	(4.20)	(4.20)
OTHER PERSONAL SRVCS	5,000	5,000
OTHER OPER EXPENSES	29,925	29,925
TOT IV. EDUCATION	224,925	224,925
	(4.20)	(4.20)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	5,288,455	4,193,455
TOT V. EMPLOYEE BENEFITS	5,288,455	4,193,455

OF SOUTH CAROLINA
General and Permanent Laws--2016
P120-FORESTRY COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
TOT FORESTRY COMMISSION	30,306,119	15,863,846
	(362.55)	(296.65)

SECTION 44
P160-DEPARTMENT OF AGRICULTURE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATIVE SRVCS		
COMMSNR OF AGRICULTURE	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	664,662	664,662
	(14.00)	(14.00)
OTHER OPER EXPENSES	193,272	103,272
TOT I. ADMINISTRATIVE SERVICES	949,941	859,941
	(15.00)	(15.00)
III. CONSUMER PROTECTION		
CLASSIFIED POSITIONS	1,912,105	1,054,587
	(55.00)	(27.00)
OTHER PERSONAL SRVCS	19,035	
OTHER OPER EXPENSES	1,329,460	694,913
TOT III. CONSUMER PROTECTION	3,260,600	1,749,500
	(55.00)	(27.00)
V. MARKETING SERVICES		
A. MARKETING & PROMOTIONS		
CLASSIFIED POSITIONS	505,564	460,564
	(16.51)	(16.51)
OTHER OPER EXPENSES	3,907,345	2,913,341
RENEWABLE ENERGY	350,000	
AGRIBUSINESS	750,000	750,000
TOTAL A. MARKETING & PROMOTIONS	5,512,909	4,123,905
	(16.51)	(16.51)
B. COMMODITY BOARDS		
CLASSIFIED POSITIONS	39,320	
	(3.00)	

STATUTES AT LARGE
 General and Permanent Laws--2016
P160-DEPARTMENT OF AGRICULTURE

	TOTAL FUNDS	GENERAL FUNDS
OTHER PERSONAL SRVCS	50,280	
OTHER OPER EXPENSES	1,759,680	
TOT B. COMMODITY BOARDS	1,849,280	
	(3.00)	
 C. MARKET SERVICES		
CLASSIFIED POSITIONS	252,000	
	(19.12)	
OTHER PERSONAL SERVICES	64,500	
OTHER OPER EXPENSES	877,900	300,000
TOT C. MARKET SRVCS	1,194,400	300,000
	(19.12)	
 D. INSPECTION SERVICES		
CLASSIFIED POSITIONS	960,000	
	(25.37)	
OTHER PERSONAL SRVCS	250,000	
OTHER OPER EXPENSES	921,200	
TOT D. INSPECTION SRVCS	2,131,200	
	(25.37)	
 E. MARKET BULLETIN		
CLASSIFIED POSITIONS	48,000	
	(4.00)	
OTHER OPER EXPENSES	111,500	
TOT E. MARKET BULLETIN	159,500	
	(4.00)	
 TOT V. MARKETING SRVCS	 10,847,289	 4,423,905
	(68.00)	(16.51)
 VI. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,915,337	826,991
TOT VI. EMPLOYEE BENEFITS	1,915,337	826,991
 TOTAL DEPARTMENT OF AGRICULTURE	 16,973,167	 7,860,337
	(138.00)	(58.51)

SECTION 45
P200-CLEMSON UNIVERSITY - PUBLIC SERVICE
ACTIVITIES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. REGULATORY & PUBLIC SRVC		
A. REG & PUB SRVC-GEN		
CLASSIFIED POSITIONS	2,029,198	300,771
	(51.00)	(13.00)
UNCLASSIFIED POSITIONS	742,274	204,905
	(5.42)	(3.42)
OTHER PERSONAL SRVCS	389,204	
OTHER OPER EXPENSES	1,698,469	
TOT A. REGULATORY & PUB	4,859,145	505,676
SRVC-GEN	(56.42)	(16.42)
B. REG & PUB SRVC-REST		
CLASSIFIED POSITIONS	308,881	
	(10.00)	
UNCLASSIFIED POSITIONS	18,500	
OTHER PERSONAL SRVCS	221,800	
OTHER OPER EXPENSES	404,068	
TOT B. REGULATORY & PUB	953,249	
SRVC-REST	(10.00)	
TOT I. REGULATORY &	5,812,394	505,676
PUBLIC SERVICE	(66.42)	(16.42)
II. LIVESTOCK - POULTRY HLTH		
A. LIVESTOCK - POUL HLTH-GEN		
CLASSIFIED POSITIONS	1,083,667	961,811
	(38.00)	(38.00)
NEW POSITION PROGRAM	50,000	50,000
COORDINATOR II	(1.00)	(1.00)
NEW POSITION LABORATORY	42,000	42,000
TECHNOLOGIST III	(1.00)	(1.00)
NEW POSITION FIELD	84,000	84,000
SPECIALIST II	(2.00)	(2.00)

**P200-CLEMSON UNIVERSITY - PUBLIC SERVICE
 ACTIVITIES**

	TOTAL FUNDS	GENERAL FUNDS
UNCLASSIFIED POSITIONS	1,034,470	984,470
	(7.33)	(7.33)
OTHER PERSONAL SERVICES	172,403	
OTHER OPERATING EXPENSES	1,459,248	783,994
TOTAL A. LIVESTOCK -	3,925,788	2,906,275
POULTRY HLTH-GEN	(49.33)	(49.33)
 B. LIVESTOCK - POULTRY		
HLTH-REST		
CLASSIFIED POSITIONS	826,915	
	(21.00)	
UNCLASSIFIED POSITIONS	304,717	
	(4.50)	
OTHER PERSONAL SRVCS	77,219	
OTHER OPER EXPENSES	792,053	
TOT B. LIVESTOCK -	2,000,904	
POULTRY HLTH-REST	(25.50)	
 TOTAL II. LIVESTOCK -	 5,926,692	 2,906,275
POULTRY HEALTH	(74.83)	(49.33)
 III. AGRICULTURAL RESEARCH		
CLASSIFIED POSITIONS	4,310,480	3,244,916
	(154.42)	(112.99)
UNCLASSIFIED POSITIONS	11,312,723	7,436,133
	(89.14)	(67.61)
OTHER PERSONAL SRVCS	1,066,714	
OTHER OPER EXPENSES	4,272,687	912,400
TOT III. AGRICULTURAL	20,962,604	11,593,449
RESEARCH	(243.56)	(180.60)
 IV. COOP EXTENSION SRVC		
CLASSIFIED POSITIONS	4,581,280	3,495,256
	(164.04)	(93.54)
UNCLASSIFIED POSITIONS	12,217,406	7,544,226
	(209.90)	(130.64)
OTHER PERSONAL SRVCS	4,047,061	13,100
OTHER OPER EXPENSES	7,312,574	754,590

**P200-CLEMSON UNIVERSITY - PUBLIC SERVICE
ACTIVITIES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT IV. COOPERATIVE EXTENSION SERV	28,158,321 (373.94)	11,807,172 (224.18)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBS	15,572,249	9,699,120
TOT V. EMPLOYEE BENEFITS	15,572,249	9,699,120
TOT CLEMSON UNIVERSITY - PUBLIC SRVC ACTIVITIES	76,432,260 (758.75)	36,511,692 (470.53)

SECTION 46**P210-SOUTH CAROLINA STATE UNIVERSITY - PUBLIC
SERVICE ACTIVITIES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CLASSIFIED POSITIONS	84,053	49,085
	(4.00)	(1.75)
UNCLASSIFIED POSITIONS	380,501	128,501
	(5.00)	(1.25)
OTHER PERSONAL SRVCS	73,787	
OTHER OPER EXPENSES	504,635	95,106
TOT I. ADMINISTRATION	1,042,976 (9.00)	272,692 (3.00)
II. RESEARCH & EXTENSION		
CLASSIFIED POSITIONS	753,721	72,996
	(12.00)	(1.00)
UNCLASSIFIED POSITIONS	812,668	307,161
	(28.00)	(5.00)
OTHER PERSONAL SRVCS	350,143	
OTHER OPER EXPENSES	3,648,019	2,223,644
TOT II. RESEARCH & EXTENSION	5,564,551 (40.00)	2,603,801 (6.00)

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STATUTES AT LARGE
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(No. 284)

**P210-SOUTH CAROLINA STATE UNIVERSITY - PUBLIC
SERVICE ACTIVITIES**

	TOTAL FUNDS	GENERAL FUNDS
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	975,178	532,471
TOT III. EMPLOYEE BENEFITS	975,178	532,471
TOT SOUTH CAROLINA STATE	7,582,705	3,408,964
UNIV - PUBLIC SRVC ACTIVITIES	(49.00)	(9.00)

SECTION 47

P240-DEPARTMENT OF NATURAL RESOURCES

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	129,877	129,877
	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,447,185	1,399,030
	(42.17)	(23.50)
UNCLASSIFIED POSITIONS	186,100	89,579
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	33,811	
OTHER OPER EXPENSES	327,742	60,956
ALLOC OTHER ENTITIES	50,000	
TOT I. ADMINISTRATION	3,174,715	1,679,442
	(44.17)	(25.50)
II. PROGRAMS AND SERVICES		
A. CONSERVATION EDUCATION		
1. OUTREACH PROGRAMS		
CLASSIFIED POSITIONS	607,026	551,185
	(15.10)	(9.60)
NEW POSITION ADMIN ASSISTANT	-	-
	(1.00)	(1.00)
NEW POSITION PUBLIC INFORMATION COORDINATOR	-	-
	(2.00)	(2.00)
UNCLASSIFIED POSITIONS	92,266	
	(1.00)	
OTHER OPER EXPENSES	687,500	650,500

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT 1. OUTREACH PROG	1,386,792	1,201,685
	(19.10)	(12.60)
2. MAGAZINE		
CLASSIFIED POSITIONS	268,379	
	(4.15)	
OTHER OPER EXPENSES	608,507	
TOT 2. MAGAZINE	876,886	
	(4.15)	
3. WEB SRVCS & TECHNOL DEVEL		
CLASSIFIED POSITIONS	1,253,218	538,472
	(20.18)	(12.83)
OTHER OPERATING EXPENSES	1,524,225	335,615
TOTAL 3. WEB SRVCS & TECHNOL DEVEL	2,777,443	874,087
	(20.18)	(12.83)
TOTAL A. CONSERVATION EDUCATION	5,041,121	2,075,772
	(43.43)	(25.43)
B. TITLING & LICENS SRVCS		
1. BOAT TITLING & REGIST		
CLASSIFIED POSITIONS	844,327	
	(25.00)	
OTHER PERSONAL SRVCS	60,000	
OTHER OPER EXPENSES	341,600	
TOTAL 1. BOAT TITLING & REGISTRATION	1,245,927	
	(25.00)	
2. FISHING & HUNTING LICENSES		
CLASSIFIED POSITIONS	269,771	
	(7.60)	
OTHER PERSONAL SRVCS	44,887	
OTHER OPER EXPENSES	756,730	
TOT 2. FISHING & HUNTING LICENSES	1,071,388	
	(7.60)	

P240-DEPARTMENT OF NATURAL RESOURCES

	TOTAL FUNDS	GENERAL FUNDS
TOT B. TITLING & LICENSING SRVCS	2,317,315	
	(32.60)	
 C. REGIONAL PROJECTS		
1. BOATING ACCESS		
CLASSIFIED POSITIONS	457,942	
	(6.50)	
OTHER PERSONAL SRVCS	14,225	
OTHER OPER EXPENSES	2,739,276	
TOT 1. BOATING ACCESS	3,211,443	
	(6.50)	
 2. CNTY WATER REC FUND		
OTHER OPER EXPENSES	263,000	
ALLOC MUN - RESTRICTED	435,000	
ALLOC CNTY - RESTRICTED	75,000	
TOT 2. COUNTY WATER RECREATION FUND	773,000	
 3. CNTY GAME & FISH FUND		
OTHER PERSONAL SRVCS	5,583	
OTHER OPER EXPENSES	325,000	
TOT 3. CNTY GAME & FISH FUND	330,583	
 TOT C. REGIONAL PROJECTS	4,315,026	
	(6.50)	
 D. WILDLIFE & FRESHWATER FISHERIES		
1. WILDLIFE-REGIONAL OPER		
CLASSIFIED POSITIONS	3,651,344	72,900
	(96.95)	(3.00)
NEW POSITION WILDLIFE BIOLOGIST IV	-	-
	(1.00)	(1.00)
NEW POSITION NATURAL RESOURCE TECHN II	-	-
	(1.00)	(1.00)

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	94,686	
	(1.00)	
OTHER PERSONAL SERVICES	710,442	
OTHER OPER EXPENSES	8,182,136	74,398
TOT 1. WILDLIFE-REGIONAL OPERATIONS	12,638,608	147,298
	(99.95)	(5.00)
 2. WILDLIFE-STATEWIDE OPERATIONS		
CLASSIFIED POSITIONS	572,173	
	(15.00)	
OTHER PERSONAL SERVICES	29,839	
OTHER OPER EXPENSES	1,406,660	
ALLOC OTHER ENTITIES	20,000	
TOT 2. WILDLIFE-STATEWIDE OPERATIONS	2,028,672	
	(15.00)	
 3. ENDANGERED SPECIES		
CLASSIFIED POSITIONS	450,371	19,968
	(5.85)	(0.50)
OTHER PERSONAL SERVICES	200,664	
OTHER OPERATING EXPENSES	1,047,206	89,181
TOT 3. ENDANGERED SPECIES	1,698,241	109,149
	(5.85)	(0.50)
 4. FISHERIES-REGIONAL OPERATIONS		
CLASSIFIED POSITIONS	1,293,423	
	(34.32)	
OTHER PERSONAL SERVICES	845,538	
OTHER OPERATING EXPENSES	2,307,563	
TOT 4. FISHERIES-REGIONAL OPERATIONS	4,446,524	
	(34.32)	
 5. FISHERIES-HATCHERY OPERATIONS		
CLASSIFIED POSITIONS	1,620,589	
	(29.00)	
OTHER PERSONAL SRVCS	419,527	
OTHER OPER EXPENSES	2,706,280	300,000

P240-DEPARTMENT OF NATURAL RESOURCES

	TOTAL FUNDS	GENERAL FUNDS
TOT 5. FISHERIES-HATCHERY OPERATIONS	4,746,396 (29.00)	300,000
TOTAL D. WILDLIFE & FRESHWATER FISHERIES	25,558,441 (184.12)	556,447 (5.50)
E. LAW ENFORCEMENT		
1. CONSERVATION ENFORCE		
CLASSIFIED POSITIONS	11,792,482 (281.14)	8,749,499 (203.40)
OTHER PERSONAL SERVICES	287,388	
OTHER OPERATING EXPENSES	5,759,440	1,784,440
TOTAL 1. CONSERVATION ENFORCEMENT	17,839,310 (281.14)	10,533,939 (203.40)
2. BOATING SAFETY		
CLASSIFIED POSITIONS	785,493 (18.00)	
UNCLASSIFIED POSITIONS	102,590 (1.00)	
OTHER PERSONAL SERVICES	156,213	
OTHER OPERATING EXPENSES	2,408,157	
TOTAL 2. BOATING SAFETY	3,452,453 (19.00)	
3. HUNTER SAFETY		
CLASSIFIED POSITIONS	745,610 (9.00)	
OTHER PERSONAL SERVICES	226,801	
OTHER OPERATING EXPENSES	2,454,619	
TOTAL 3. HUNTER SAFETY	3,427,030 (9.00)	
TOT E. LAW ENFORCEMENT	24,718,793 (309.14)	10,533,939 (203.40)

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
F. MARINE RESOURCES		
1. MARINE CONSERVATION & MGMT		
CLASSIFIED POSITIONS	2,936,018	637,334
	(65.44)	(11.52)
UNCLASSIFIED POSITIONS	173,022	62,676
	(1.55)	(0.60)
OTHER PERSONAL SERVICES	916,379	
OTHER OPERATING EXPENSES	3,723,265	
ATLANTIC MARINE FISHERIES COMM	34,980	
TOTAL 1. MARINE CONSERVATION & MGMT	7,783,664	700,010
	(66.99)	(12.12)
2. MARINE RESEARCH & MONITORING		
CLASSIFIED POSITIONS	1,139,617	416,867
	(28.04)	(4.00)
UNCLASSIFIED POSITIONS	337,634	319,563
	(6.45)	(3.90)
OTHER PERSONAL SERVICES	1,254,995	
OTHER OPERATING EXPENSES	2,358,172	137,044
TOTAL 2. MARINE RESEARCH & MONITORING	5,090,418	873,474
	(34.49)	(7.90)
TOT F. MARINE RESOURCES	12,874,082	1,573,484
	(101.48)	(20.02)
G. LAND, WATER & CONSERV		
1. EARTH SCIENCE		
CLASSIFIED POSITIONS	1,263,469	954,579
	(27.66)	(16.32)
UNCLASSIFIED POSITIONS	102,630	102,630
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	142,300	
OTHER OPER EXPENSES	1,121,209	415,357
TOT 1. EARTH SCIENCE	2,629,608	1,472,566
	(28.66)	(17.32)

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
2. CONSERVATION		
CLASSIFIED POSITIONS	299,265	203,028
	(12.39)	(5.89)
OTHER PERSONAL SRVCS	89,000	
OTHER OPER EXPENSES	2,039,252	80,200
AID TO CONSERV DISTRICTS	1,208,698	690,000
TOT 2. CONSERVATION	3,636,215	973,228
	(12.39)	(5.89)
3. HERITAGE TRUST		
CLASSIFIED POSITIONS	424,190	
	(7.71)	
NEW POS ARCHAEOLOGIST II	63,612	
	(2.00)	
OTHER PERSONAL SRVCS	60,535	
OTHER OPER EXPENSES	1,011,343	
TOTAL 3. HERITAGE TRUST	1,559,680	
	(9.71)	
TOTAL G. LAND, WATER & CONSERVATION	7,825,503	2,445,794
	(50.76)	(23.21)
TOTAL II. PROGRAMS AND SERVICES	82,650,281	17,185,436
	(728.03)	(277.56)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	13,239,487	5,233,793
TOT III. EMPLOYEE BENEFITS	13,239,487	5,233,793
TOT DEPT OF NATURAL RESOURCES	99,064,483	24,098,671
	(772.20)	(303.06)

SECTION 48
P260-SEA GRANT CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	89,247	89,247
	(1.00)	(1.00)
CLASSIFIED POSITIONS	595,361	290,197
	(13.00)	(6.26)
OTHER PERSONAL SERVICES	464,287	
OTHER OPER EXPENSES	551,882	140,873
ALLOC OTHER STAGENCIES	1,679,150	
ALLOC OTHER ENTITIES	1,504,866	
ALLOC PRIVATE SECTOR - REPORTABLE	270,483	
TOTAL I. ADMINISTRATION	5,155,276	520,317
	(14.00)	(7.26)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	328,605	131,564
TOT II. EMPLOYEE BENEFITS	328,605	131,564
TOT SEA GRANT CONSORTIUM	5,483,881	651,881
	(14.00)	(7.26)

SECTION 49
P280-DEPARTMENT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. EXECUTIVE OFFICES		
DIRECTOR	127,698	127,698
	(1.00)	(1.00)
CLASSIFIED POSITIONS	363,597	363,597
	(7.00)	(7.00)
UNCLASSIFIED POSITIONS	115,287	115,287
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	200,000	200,000
OTHER OPER EXPENSES	108,414	108,414

P280-DEPARTMENT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT A. EXECUTIVE OFFICES	914,996	914,996
	(10.00)	(10.00)
B. ADMINISTRATIVE SRVCS		
CLASSIFIED POSITIONS	1,235,197	1,210,197
	(27.00)	(26.75)
OTHER PERSONAL SRVCS	54,000	
OTHER OPER EXPENSES	1,360,631	1,221,151
ALLOC MUN - RESTRICTED	1,306,000	
ALLOC CNTY - RESTRICTED	1,014,500	
ALLOC OTHER ST AGENCIES	478,600	
ALLOC OTHER ENTITIES	395,000	
FIRST IN GOLF	75,000	
SPORTS DEVELOPMENT FUND	50,000	
UNDISCOVERED SOUTH	500,000	500,000
CAROLINA GRANTS		
PARD GRANTS	500,000	500,000
TOT B. ADMINISTRATIVE SERVICES	6,968,928	3,431,348
	(27.00)	(26.75)
TOTAL I. ADMINISTRATION	7,883,924	4,346,344
	(37.00)	(36.75)
II. PROGRAMS AND SERVICES		
A. TOURISM SALES & MARKETING		
CLASSIFIED POSITIONS	690,511	628,289
	(11.00)	(11.00)
OTHER PERSONAL SRVCS	21,389	
OTHER OPER EXPENSES	110,189	88,800
REGIONAL PROMOTIONS	2,475,000	2,475,000
ADVERTISING	15,014,793	13,214,793
DESTINATION-SPECIFIC ADVERTISING	14,000,000	14,000,000
SPORTS MARKETING GRANT PROGRAM	500,000	500,000
TOT A. TOURISM SALES & MARKETING	32,811,882	30,906,882
	(11.00)	(11.00)

P280-DEPARTMENT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. WELCOME CENTERS		
CLASSIFIED POSITIONS	1,600,317	1,093,088
	(39.00)	(37.00)
NEW POSITION PROGRAM	-	
COORDINATOR I	(1.00)	
NEW POS ENG/ASSOC ENG III	-	
	(1.00)	
NEW POSITION TRADES	-	
SPECIALIST II	(4.00)	
NEW POSITION TRADES	-	
SPECIALIST IV	(9.00)	
NEW POSITION TOURISM	50,886	50,886
COORDINATOR	(2.00)	(2.00)
OTHER PERSONAL SRVCS	625,000	175,000
OTHER OPER EXPENSES	2,930,211	111,200
TOTAL B. WELCOME CENTERS	5,206,414	1,430,174
	(56.00)	(39.00)
C. HERITAGE CORRIDOR		
ALLOC MUN - RESTRICTED	50,000	
ALLOC COUNTIES - RESTRICTED	50,000	
ALLOC OTHER STATE AGENCIES	20,000	
ALLOC OTHER ENTITIES	573,530	
TOT C. HERITAGE CORRIDOR	693,530	
D. STATE PARKS SERVICE		
CLASSIFIED POSITIONS	9,760,110	2,832,106
	(283.00)	(96.25)
NEW POSITION ADMIN	21,689	
SPECIALIST II	(1.00)	
NEW POSITION ADMIN	26,139	
ASSISTANT	(1.00)	
NEW POSITION	25,627	
BLDING/GROUNDS SUPV I	(1.00)	
NEW POSITION PARK TECH	21,689	
	(1.00)	
NEW POSITION PARK RANGER	23,237	
	(1.00)	

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P280-DEPARTMENT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	3,250,000	
OTHER OPER EXPENSES	13,303,875	
TOT D. STATE PARKS SRVC	26,432,366	2,832,106
	(288.00)	(96.25)
 E. COMMUNICATIONS		
CLASSIFIED POSITIONS	206,844	206,844
	(2.00)	(2.00)
OTHER OPER EXPENSES	18,000	18,000
TOT E. COMMUNICATIONS	224,844	224,844
	(2.00)	(2.00)
 F. RESEARCH & POLICY DEVELOPMENT		
CLASSIFIED POSITIONS	114,271	114,271
	(2.00)	(2.00)
OTHER OPER EXPENSES	20,000	20,000
TOT F. RESEARCH & POLICY DEVELOPMENT	134,271	134,271
	(2.00)	(2.00)
 G. STATE FILM OFFICE		
CLASSIFIED POSITIONS	127,872	
	(2.00)	
OTHER PERSONAL SRVCS	50,000	
OTHER OPER EXPENSES	360,000	
ALLOC PRIVATE SECTOR	13,293,767	
TOT G. STATE FILM OFFICE	13,831,639	
	(2.00)	
 TOT II. PROGRAMS AND SRVCS	 79,334,946	 35,528,277
	(361.00)	(150.25)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	7,240,372	3,313,406
TOT III. EMPLOYEE BENEFITS	7,240,372	3,313,406
 TOT DEPT OF PARKS, RECREATION & TOURISM	 94,459,242	 43,188,027
	(398.00)	(187.00)

SECTION 50
P320-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION & SUPPORT		
A. OFFICE OF SECRETARY		
DIRECTOR	172,529	172,529
	(1.00)	(1.00)
CLASSIFIED POSITIONS	310,111	310,111
	(4.00)	(4.00)
UNCLASSIFIED POSITIONS	145,000	145,000
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	153,000	153,000
TOTAL A. OFFICE OF SECRETARY	780,640	780,640
	(6.00)	(6.00)
B. FINANCIAL SERVICES		
CLASSIFIED POSITIONS	430,000	430,000
	(7.21)	(7.21)
OTHER PERSONAL SERVICES	5,000	5,000
OTHER OPERATING EXPENSES	440,000	190,000
TOTAL B. FINANCIAL SERVICES	875,000	625,000
	(7.21)	(7.21)
C. INFO TECHNOLOGY		
CLASSIFIED POSITIONS	250,000	175,000
	(4.00)	(2.50)
OTHER OPER EXPENSES	180,000	126,000
TOTAL C. INFORMATION	430,000	301,000
TECHNOLOGY	(4.00)	(2.50)
TOT I. ADMINISTRATION &	2,085,640	1,706,640
SUPPORT	(17.21)	(15.71)
II. PROGRAMS AND SERVICES		
A. GLOBAL BUSINESS		
DEVELOPMENT		
CLASSIFIED POSITIONS	883,000	800,500
	(17.00)	(16.00)
NEW POSITION ECON	50,000	50,000
DEVELOPMENT MGR II	(1.00)	(1.00)

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General and Permanent Laws--2016
P320-DEPARTMENT OF COMMERCE

	TOTAL FUNDS	GENERAL FUNDS
NEW POSITION ECON	60,000	60,000
DEVELOPMENT MGR III	(1.00)	(1.00)
NEW POSITION ECON	80,000	80,000
DEVELOPMENT DEPT MGR	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	127,000	127,000
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	100,000	100,000
OTHER OPER EXPENSES	1,592,000	1,567,000
PUBLIC-PRIVATE PARTNERSHIPS	101,065	101,065
LOCAL ECO DEVELOPMENT	5,000,000	5,000,000
ALLIANCES		
LOCATE SC	4,000,000	4,000,000
TOTAL A. GLOBAL BUSINESS	11,993,065	11,885,565
DEVELOPMENT	(22.00)	(21.00)
 B. SMALL BUSINESS/EXISTING		
INDUSTRY		
CLASSIFIED POSITIONS	656,000	466,000
	(11.00)	(8.80)
OTHER PERSONAL SRVCS	80,000	70,000
OTHER OPER EXPENSES	403,000	235,000
ALLOC PRIVATE SECTOR	425,000	125,000
**COUNCIL ON COMPETITIVENESS	250,000	250,000
**SC SMALL BUSINESS	100,000	100,000
DEVELOPMENT CENTERS		
TOTAL B. SMALL	1,914,000	1,246,000
BUSINESS/EXISTING INDUSTRY	(11.00)	(8.80)
 C. COMMUNITY & RURAL		
DEVELOPMENT		
CLASSIFIED POSITIONS	350,000	
	(4.00)	
OTHER PERSONAL SRVCS	50,000	
OTHER OPER EXPENSES	245,000	
TOT C. COMMUNITY & RURAL	645,000	
DEVELOPMENT	(4.00)	

** See note at end of Act.

	TOTAL FUNDS	GENERAL FUNDS
D. MKTG, COMMUNICATIONS & RESEARCH		
CLASSIFIED POSITIONS	665,000	665,000
	(14.00)	(14.00)
OTHER PERSONAL SRVCS	25,000	25,000
OTHER OPER EXPENSES	215,000	215,000
BUS. DEVEL. MKTG.	750,000	750,000
SC MFG EXTENSION PARTNERSHIP	1,332,049	1,332,049
TOTAL D. MKTG, COMMUNIC & RESEARCH	2,987,049	2,987,049
	(14.00)	(14.00)
E. GRANT PROGRAMS		
1. COORD. COUNCIL ECO DEVELOPEMENT		
CLASSIFIED POSITIONS	395,000	
	(7.00)	
UNCLASSIFIED POSITIONS	118,750	
	(1.00)	
OTHER PERSONAL SRVCS	31,250	
OTHER OPER EXPENSES	175,000	
ALLOC MUNICIPALITIES - RESTRICTED	4,000,000	
ALLOC CNTY - RESTRICTED	46,266,000	
CLOSING FUND	15,000,000	15,000,000
TOT 1. COORD. COUNCIL ECO. DEVELOP	65,986,000	15,000,000
	(8.00)	
2. COMMUNITY GRANTS		
CLASSIFIED POSITIONS	628,036	188,036
	(10.89)	(3.00)
OTHER PERSONAL SRVCS	50,000	25,000
OTHER OPER EXPENSES	330,000	80,000
ALLOC MUNICIPALITIES - RESTRICTED	14,850,000	
ALLOC CNTY - RESTRICTED	4,469,015	
TOT 2. COMMUNITY GRANTS	20,327,051	293,036
	(10.89)	(3.00)

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P320-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT E. GRANT PROGRAMS	86,313,051	15,293,036
	(18.89)	(3.00)
F. REGIONAL EDUCATION CENTERS		
CLASSIFIED POSITIONS	190,000	150,000
	(13.00)	(1.00)
NEW POS PROG MANAGER I	-	-
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	750,000	300,000
TOTAL F. REGIONAL EDUC CENTERS	940,000	450,000
	(14.00)	(2.00)
G. INNOVATION/EMERGING INDUSTRIES		
CLASSIFIED POSITIONS	92,500	92,500
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	20,000	20,000
OTHER OPERATING EXPENSES	106,500	106,500
TOTAL G. INNOVATION/EMERGING INDUSTRY	219,000	219,000
	(1.00)	(1.00)
TOTAL II. PROGRAMS AND SERVICES	105,011,165	32,080,650
	(84.89)	(49.80)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,847,323	1,300,323
TOT III. EMPLOYEE BENEFITS	1,847,323	1,300,323
TOT DEPT OF COMMERCE	108,944,128	35,087,613
	(102.10)	(65.51)

SECTION 51
P340-JOBS-ECONOMIC DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	110,000	
	(1.00)	
OTHER PERSONAL SRVCS	60,000	
OTHER OPER EXPENSES	200,500	
TOT I. ADMINISTRATION	370,500	(1.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	52,650	
TOT II. EMPLOYEE BENEFITS	52,650	
TOT JOBS-ECONOMIC DEVELOPMENT AUTHORITY	423,150	(1.00)

SECTION 52
P360-PATRIOTS POINT DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. NAVAL & MARITIME MUSEUM		
EXECUTIVE DIRECTOR	107,000	
	(1.00)	
CLASSIFIED POSITIONS	3,412,000	
	(84.00)	
OTHER PERSONAL SRVCS	704,000	
OTHER OPER EXPENSES	8,039,012	
INTEREST - LOAN NOTE	174,000	
TOT I. NAVAL & MARITIME MUSEUM	12,436,012	(85.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,400,000	
TOT II. EMPLOYEE BENEFITS	1,400,000	
TOTAL PATRIOTS POINT DEVELOPMENT AUTHORITY	13,836,012	(85.00)

SECTION 53
P400-S.C. CONSERVATION BANK

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CLASSIFIED POSITIONS	221,055	
	(3.00)	
OTHER OPER EXPENSES	223,528	
CONSERV BANK TRUST	14,492,556	
TOT I. ADMINISTRATION	14,937,139	
	(3.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	62,861	
TOT II. EMPLOYEE BENEFITS	62,861	
TOT S.C. CONSERVATION BANK	15,000,000	
	(3.00)	

SECTION 54
P450-RURAL INFRASTRUCTURE AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	125,580	
	(1.00)	
CLASSIFIED POSITIONS	169,420	
	(3.00)	
OTHER PERSONAL SRVCS	5,000	
OTHER OPER EXPENSES	150,000	
TOT I. ADMINISTRATION	450,000	
	(4.00)	
II. SC RURAL INFRASTRUCTURE AUTHORITY		
RURAL INFRA FUND	27,870,056	7,870,056
STATEWIDE WATER AND SEWER FUND	8,000,000	8,000,000
TOT II. SC RURAL INFRASTRUCTURE AUTHORITY	35,870,056	15,870,056

P450-RURAL INFRASTRUCTURE AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. OFFICE OF LOCAL GOVT		
CLASSIFIED POSITIONS	340,000	
	(6.00)	
OTHER PERSONAL SERVICES	10,000	
OTHER OPERATING EXPENSES	250,000	
LOANS	5,341,800	4,641,800
TOT III. OFFICE OF LOCAL GOVERNMENT	5,941,800	4,641,800
	(6.00)	
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	219,000	
TOT IV. EMPLOYEE BENEFITS	219,000	
TOTAL RURAL INFRASTRUCTURE AUTHORITY	42,480,856	20,511,856
	(10.00)	

SECTION 57
B040-JUDICIAL DEPARTMENT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. THE COURT		
A. SUPREME COURT		
CHIEF JUSTICE	151,317	151,317
	(1.00)	(1.00)
ASSOCIATE JUSTICE	576,444	576,444
	(4.00)	(4.00)
TAXABLE SUBSISTENCE	19,500	19,500
UNCLASSIFIED POSITIONS	2,541,015	2,391,000
	(51.47)	(48.47)
OTHER PERSONAL SRVCS	45,000	45,000
OTHER OPER EXPENSES	1,324,000	424,000
TOT A. SUPREME COURT	4,657,276	3,607,261
	(56.47)	(53.47)
B. BD OF LAW EXAMINERS		
UNCLASSIFIED POSITIONS	89,248	
	(1.00)	
OTHER PERSONAL SRVCS	156,600	

STATUTES AT LARGE
 General and Permanent Laws--2016
B040-JUDICIAL DEPARTMENT

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPER EXPENSES	588,182	
TOT B. BOARD OF LAW	834,030	
EXAMINERS	(1.00)	
 C. OFFICE OF DISCIPLINARY COUNSEL		
UNCLASSIFIED POSITIONS	915,766	
	(14.00)	
OTHER OPER EXPENSES	125,000	
TOT C. OFFICE OF	1,040,766	
DISCIPLINARY COUNSEL	(14.00)	
 D. COMMISS ON CONDUCT		
UNCLASSIFIED POSITIONS	390,238	
	(8.00)	
OTHER PERSONAL SRVCS	3,000	
OTHER OPER EXPENSES	87,000	
TOTAL D. COMMISSION ON	480,238	
CONDUCT	(8.00)	
 TOTAL I. THE COURT		
	7,012,310	3,607,261
	(79.47)	(53.47)
 II. COURT OF APPEALS		
CHIEF APPEALS COURT JUDGE	142,670	142,670
	(1.00)	(1.00)
ASSOC APPEALS CRT JUDGE	1,124,064	1,124,064
	(8.00)	(8.00)
TAXABLE SUBSISTENCE	62,000	62,000
UNCLASSIFIED POSITIONS	2,686,615	2,536,600
	(59.00)	(56.00)
OTHER PERSONAL SRVCS	45,000	45,000
OTHER OPER EXPENSES	610,000	310,000
TOT II. COURT OF APPEALS	4,670,349	4,220,334
	(68.00)	(65.00)
 III. CIRCUIT COURT		
CIRCUIT COURT JUDGE	6,576,829	6,576,829
	(49.00)	(49.00)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TAXABLE SUBSISTENCE	328,000	328,000
UNCLASSIFIED POSITIONS	5,499,038	3,025,291
	(170.00)	(101.00)
OTHER PERSONAL SRVCS	11,000	1,000
OTHER OPER EXPENSES	1,265,058	1,065,058
REACTIVATED JUDGES DIFFERENTIAL	575,000	
TOTAL III. CIRCUIT COURT	14,254,925	10,996,178
	(219.00)	(150.00)
 IV. FAMILY COURT		
FAMILY COURT JUDGE	7,998,120	7,998,120
	(60.00)	(60.00)
TAXABLE SUBSISTENCE	413,000	413,000
UNCLASSIFIED POSITIONS	3,801,955	3,801,955
	(125.00)	(125.00)
OTHER PERSONAL SRVCS	1,000	1,000
OTHER OPER EXPENSES	1,117,058	917,058
TOTAL IV. FAMILY COURT	13,331,133	13,131,133
	(185.00)	(185.00)
 V. ADMINISTRATION		
A. COURT ADMINISTRATION		
UNCLASSIFIED POSITIONS	1,025,095	
	(20.00)	
OTHER OPER EXPENSES	275,000	
ST COURT IMPROVE X TRAINING	369,835	
ST COURT IMPROVE X DATA SHARE	150,000	
ST COURT IMPROVE XI TRAINING	315,558	
TOTAL A. COURT ADMINISTRATION	2,135,488	
	(20.00)	
 B. FINANCE & PERSONNEL		
UNCLASSIFIED POSITIONS	1,037,034	
	(20.00)	
OTHER OPER EXPENSES	280,000	

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STATUTES AT LARGE
 General and Permanent Laws--2016
B040-JUDICIAL DEPARTMENT

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT B. FIN & PERSONNEL	1,317,034	
	(20.00)	
C. INFO TECHNOLOGY		
UNCLASSIFIED POSITIONS	3,074,970	
	(40.00)	
OTHER OPER EXPENSES	5,172,000	1,212,000
CASE MGMT TECH SUPPORT	2,163,000	
TOTAL C. INFORMATION TECHNOLOGY	10,409,970	1,212,000
	(40.00)	
TOT V. ADMINISTRATION	13,862,492	1,212,000
	(80.00)	
VI. JUDICIAL COMMITMENT		
JUDICIAL COMMITMENT	375,000	
TOTAL VI. JUDICIAL COMMITMENT	375,000	
VII. LANGUAGE INTERPRETERS		
OTHER OPER EXPENSES	270,000	190,000
TOTAL VII. LANGUAGE INTERPRETERS	270,000	190,000
VIII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	17,324,138	14,410,048
TOT VIII. EMPLOYEE BENEFITS	17,324,138	14,410,048
TOT JUD DEPARTMENT	71,100,347	47,766,954
	(631.47)	(453.47)

SECTION 58
C050-ADMINISTRATIVE LAW COURT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CHIEF JUDGE	120,799	120,799
	(1.00)	(1.00)
ASSOCIATE JUDGE	536,886	536,886
	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	1,503,973	752,973
	(38.00)	(13.50)
OTHER OPER EXPENSES	900,673	415,150
TOT I. ADMINISTRATION	3,062,331	1,825,808
	(44.00)	(19.50)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBS	867,526	633,809
TOT II. EMPLOYEE BENEFITS	867,526	633,809
TOT ADMINISTRATIVE LAW COURT	3,929,857	2,459,617
	(44.00)	(19.50)

SECTION 59
E200-ATTORNEY GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. STATE LITIGATION		
ATTORNEY GENERAL	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	7,809,037	5,588,679
	(203.25)	(94.05)
NEW POSITION ATTORNEY III	572,000	572,000
	(8.00)	(8.00)
NEW POS INVESTIGATOR IV	58,000	58,000
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	125,000	
	(1.00)	
OTHER PERSONAL SERVICES	765,010	25,000
OTHER OPER EXPENSES	15,977,461	2,577,378

STATUTES AT LARGE
 General and Permanent Laws--2016
E200-ATTORNEY GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT I. STATE LITIGATION	25,398,515	8,913,064
	(214.25)	(104.05)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBS	2,342,182	1,447,339
TOT II. EMPLOYEE BENEFITS	2,342,182	1,447,339
TOT ATTORNEY GENERAL'S OFFICE	27,740,697	10,360,403
	(214.25)	(104.05)

SECTION 60
E210-PROSECUTION COORDINATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	114,923	114,923
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	313,604	313,604
	(5.00)	(5.00)
OTHER PERSONAL SRVCS	99,550	2,400
OTHER OPER EXPENSES	352,550	131,109
TOT I. ADMINISTRATION	880,627	562,036
	(6.00)	(6.00)
II. OFFICES OF CIRCUIT SOLICITORS		
CIRCUIT SOLICITOR	2,190,480	2,190,480
	(16.00)	(16.00)
UNCLASSIFIED POSITIONS	577,270	577,270
	(16.00)	(16.00)
OTHER OPER EXPENSES	96,000	96,000
JUDICIAL CIRCUIT STATE SUPPORT	5,872,002	5,872,002
RICHLAND CNTY DRUG CRT	56,436	56,436
KERSHAW CNTY DRUG CRT	52,965	52,965
SALUDA CNTY DRUG CRT	38,000	38,000
DRUG COURT FUNDING	2,800,000	
FEE FOR MOTIONS	450,000	

E210-PROSECUTION COORDINATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
LAW ENFORCE FUNDING	4,000,000	
DUI PROSECUTION	1,179,041	1,179,041
COURT FEES	300,000	
CONDITIONAL DISCHARGE FEE - GENERAL SESSIONS	225,000	
CONDITIONAL DISCHARGE FEE - MAGISTRATE	200,000	
CONDITIONAL DISCHARGE FEE - MUNICIPALITY	175,000	
CRIMINAL DOMESTIC VIOLENCE PROSECUTOR	1,600,000	1,600,000
12TH JUD CIRCUIT DRUG COURT	150,000	150,000
TRAFFIC EDUCATION PROG-MAGISTRATES CRT	50,000	
TRAFFIC EDUCATION PROGRAM-MUNICIPAL CRT	50,000	
VIOLENT CRIME PROSECUTION CASELOAD EQUALIZATION FUNDING	1,600,000	1,600,000
CENTER FOR FATHERS AND FAMILIES	7,826,872	7,826,872
VICTIM'S ASSISTANCE PROG	400,000	400,000
SUMMARY COURT DOMESTIC VIOLENCE PROSECUTION	132,703	132,703
TOTAL II. OFFICES OF CIRCUIT SOLICITORS	33,001,886 (32.00)	24,751,886 (32.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,804,774	1,767,782
TOT III. EMPLOYEE BENEFITS	1,804,774	1,767,782
TOTAL PROSECUTION COORDINATION COMMISS	35,687,287 (38.00)	27,081,704 (38.00)

SECTION 61
E230-COMMISSION ON INDIGENT DEFENSE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	136,740	136,740
	(1.00)	(1.00)
CLASSIFIED POSITIONS	481,889	346,644
	(10.00)	(9.50)
OTHER PERSONAL SERVICES	1,234	1,234
OTHER OPERATING EXPENSES	300,000	
DEATH PENALTY TRIAL FUNDS	2,500,000	
CONFLICT FUND	2,500,000	
LEGAL AID FUNDING	1,700,000	
COURT FINE ASSESSMENT	1,046,343	
RULE 608 APPOINTMENT	9,115,374	9,115,374
PROFESSIONAL TRAINING AND DEVELOPMENT	252,000	
TOTAL I. ADMINISTRATION	18,033,580	9,599,992
	(11.00)	(10.50)
II. DIVISION OF APPELLATE DEFENSE		
CLASSIFIED POSITIONS	1,132,666	750,034
	(21.50)	(21.50)
OTHER OPERATING EXPENSES	352,600	
TOTAL II. DIVISION OF APPELLATE DEFENSE	1,485,266	750,034
	(21.50)	(21.50)
III. OFFICE OF CIRCUIT PUBLIC DEFENDER		
CIRCUIT PUBLIC DEFENDER	2,190,480	2,190,480
	(16.00)	(16.00)
UNCLASSIFIED POSITIONS	414,097	414,097
	(16.00)	(16.00)
OTHER OPER EXPENSES	96,000	96,000
DEFENSE OF INDIGENTS/PER CAPITA	16,474,101	12,301,049
DUI DEFENSE OF INDIGENTS	976,593	976,593
CRIMINAL DOM VIOLENCE	1,377,185	1,377,185

E230-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL III. OFFICE OF CIRCUIT PUBLIC DEFENDER	21,528,456 (32.00)	17,355,404 (32.00)
IV. DEATH PENALTY TRIAL DIVISION		
UNCLASSIFIED POSITIONS	296,000 (5.00)	
OTHER OPERATING EXPENSES	115,200	
TOTAL IV. DEATH PENALTY TRIAL DIVISION	411,200 (5.00)	
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,157,080	1,988,280
TOT V. EMPLOYEE BENEFITS	2,157,080	1,988,280
TOTAL COMMISSION ON INDIGENT DEFENSE	43,615,582 (69.50)	29,693,710 (64.00)

**SECTION 62
D100-STATE LAW ENFORCEMENT DIVISION**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CHIEF	169,424 (1.00)	169,424 (1.00)
CLASSIFIED POSITIONS	2,099,840 (42.00)	2,050,840 (39.00)
OTHER PERSONAL SRVCS	291,000	205,000
OTHER OPER EXPENSES	566,867	78,025
TOT I. ADMINISTRATION	3,127,131 (43.00)	2,503,289 (40.00)
II. PROGRAMS AND SRVCS		
A. INVESTIGATIVE SRVCS		
CLASSIFIED POSITIONS	12,264,578 (209.95)	11,318,308 (192.95)
OTHER PERSONAL SRVCS	565,622	402,070
OTHER OPER EXPENSES	8,747,995	2,010,745

D100-STATE LAW ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
AGENT OPERATIONS	92,625	92,625
METH LAB CLEAN UP	1,000,000	1,000,000
TOTAL A. INVESTIGATIVE SERVICES	22,670,820 (209.95)	14,823,748 (192.95)
B. FORENSIC SERVICES		
CLASSIFIED POSITIONS	5,893,763 (113.80)	5,349,063 (101.00)
OTHER PERSONAL SRVCS	1,432,862	177,862
OTHER OPER EXPENSES	4,035,516	518,601
CASE SERVICES	3,000	3,000
DNA DATABASE PROGRAM	370,000	
BREATHTESTING SITE VIDEOTAPING	250,000	
IMPLIED CONSENT	89,855	89,855
TOT B. FORENSIC SRVCS	12,074,996 (113.80)	6,138,381 (101.00)
C. DATA CENTER		
CLASSIFIED POSITIONS	2,056,503 (53.60)	2,056,503 (53.60)
OTHER PERSONAL SRVCS	216,601	11,601
OTHER OPER EXPENSES	6,089,817	888,830
TOTAL C. DATA CENTER	8,362,921 (53.60)	2,956,934 (53.60)
D. REGULATORY		
CLASSIFIED POSITIONS	1,855,472 (41.00)	786,874 (16.00)
OTHER PERSONAL SRVCS	767,427	194,112
OTHER OPER EXPENSES	1,481,080	117,550
TOTAL D. REGULATORY	4,103,979 (41.00)	1,098,536 (16.00)
E. HOMELAND SECURITY		
CLASSIFIED POSITIONS	278,716 (3.65)	124,996 (1.85)
OTHER PERSONAL SRVCS	532,276	8,841
OTHER OPER EXPENSES	804,502	15,650

D100-STATE LAW ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC MUNICIPALITIES - RESTRICTED	1,614,177	
ALLOC CNTY - RESTRICTED	5,267,213	
ALLOC OTHER ST AGENCIES	5,553,460	
ALLOC OTHER ENTITIES	1,000,000	
TOT E. HOMELAND SECURITY	15,050,344	149,487
	(3.65)	(1.85)
F. CJIS/FUSION CENTER		
CLASSIFIED POSITIONS	4,074,345	3,043,821
	(82.00)	(52.00)
OTHER PERSONAL SRVCS	1,000,311	57,629
OTHER OPER EXPENSES	3,159,995	217,800
AMBER ALERT	58,795	58,795
TOT F. CJIS/FUSION CENTER	8,293,446	3,378,045
	(82.00)	(52.00)
G. COUNTER-TERRORISM		
CLASSIFIED POSITIONS	3,337,454	3,287,454
	(58.00)	(57.00)
OTHER PERSONAL SRVCS	333,391	244,391
OTHER OPER EXPENSES	3,716,037	423,150
TOT G. COUNTER-TERRORISM	7,386,882	3,954,995
	(58.00)	(57.00)
TOTAL II. PROGRAMS AND SERVICES	77,943,388	32,500,126
	(562.00)	(474.40)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBS	12,457,205	9,976,264
TOT III. EMPLOYEE BENEFITS	12,457,205	9,976,264
IV. NON-RECURRING APPRO		
AFIS UPGRADE	2,000,000	
TOTAL IV. NON-RECURRING APPROPRIATIONS	2,000,000	
TOTAL STATE LAW ENFORCEMENT DIVISION	95,527,724	44,979,679
	(605.00)	(514.40)

SECTION 63
K050-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATIVE SRVCS		
DIRECTOR	162,313	129,851
	(1.00)	(0.80)
CLASSIFIED POSITIONS	3,864,803	3,661,663
	(87.71)	(76.40)
OTHER PERSONAL SERVICES	257,261	164,700
OTHER OPERATING EXPENSES	2,154,879	37,481
DEBT SERVICE	2,337,625	
TOTAL I. ADMINISTRATIVE SERVICES	8,776,881	3,993,695
	(88.71)	(77.20)
II. PROGRAMS AND SERVICES		
A.1. HIGHWAY PATROL		
CLASSIFIED POSITIONS	47,959,571	42,952,406
	(1,136.70)	(1,018.30)
UNCLASSIFIED POSITIONS	117,092	117,092
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	2,538,835	906,160
OTHER OPER EXPENSES	27,469,006	3,286,388
TOT A.1. HIGHWAY PATROL	78,084,504	47,262,046
	(1,137.70)	(1,019.30)
A.2. ILLEGAL IMMIGRATION		
CLASSIFIED POSITIONS	426,544	426,544
	(12.00)	(12.00)
OTHER OPER EXPENSES	118,525	118,525
TOTAL A.2. ILLEGAL IMMIGRATION	545,069	545,069
	(12.00)	(12.00)
TOTAL HIGHWAY PATROL	78,629,573	47,807,115
	(1,149.70)	(1,031.30)
B. STATE TRANSPORT POLICE		
CLASSIFIED POSITIONS	6,066,052	1,946,237
	(147.01)	(45.90)
UNCLASSIFIED POSITIONS	101,908	101,908
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	375,123	25,000

K050-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	3,183,475	
TOT B. STATE TRANSPORT	9,726,558	2,073,145
POLICE	(148.01)	(46.90)
 C. BUREAU OF PROTECTIVE SERVICES		
CLASSIFIED POSITIONS	2,672,615	1,672,017
	(93.00)	(55.00)
OTHER PERSONAL SRVCS	62,402	
OTHER OPER EXPENSES	25,870	
TOTAL C. BUREAU OF PROTECTIVE SERVICES	2,760,887	1,672,017
	(93.00)	(55.00)
 D. HALL OF FAME		
CLASSIFIED POSITIONS	137,000	
	(3.00)	
OTHER OPERATING EXPENSES	126,000	
TOTAL D. HALL OF FAME	263,000	
	(3.00)	
 E. SAFETY AND GRANTS		
CLASSIFIED POSITIONS	1,906,214	508,490
	(38.58)	(6.40)
OTHER PERSONAL SRVCS	571,780	3,000
OTHER OPER EXPENSES	8,027,179	31,819
ALLOC MUN - RESTRICTED	3,896,800	
ALLOC CNTY - RESTRICTED	4,585,153	
ALLOC OTHER ST AGENCIES	5,566,000	
ALLOC OTHER ENTITIES	14,915,000	
LOCAL LAW ENFORCE GRANTS	300,000	300,000
BODY CAMERAS	2,400,000	2,400,000
TOT E. SAFETY AND GRANTS	42,168,126	3,243,309
	(38.58)	(6.40)
 TOTAL II. PROGRAMS AND SERVICES	 133,548,144	 54,795,586
	(1,432.29)	(1,139.60)

K050-DEPARTMENT OF PUBLIC SAFETY

	TOTAL FUNDS	GENERAL FUNDS
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	28,722,827	22,699,981
TOT III. EMPLOYEE BENEFITS	28,722,827	22,699,981
TOT DEPT OF PUBLIC SAFETY	171,047,852	81,489,262
	(1,521.00)	(1,216.80)

SECTION 64
N200-LAW ENFORCEMENT TRAINING COUNCIL

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	102,155	
	(1.00)	
CLASSIFIED POSITIONS	2,375,776	
	(59.00)	
OTHER PERSONAL SRVCS	47,000	
OTHER OPER EXPENSES	1,917,646	327,336
ETV - ST & LOCAL TRAINING OF LAW ENFORCE	140,000	140,000
TOT I. ADMINISTRATION	4,582,577	467,336
	(60.00)	
II. TRAINING		
CLASSIFIED POSITIONS	2,734,522	850,000
	(64.25)	(17.00)
OTHER PERSONAL SRVCS	212,988	
OTHER OPER EXPENSES	3,842,505	2,500,000
TOTAL II. TRAINING	6,790,015	3,350,000
	(64.25)	(17.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,946,200	351,456
TOT III. EMPLOYEE BENEFITS	1,946,200	351,456
TOT LAW ENFORCEMENT TRAINING COUNCIL	13,318,792	4,168,792
	(124.25)	(17.00)

SECTION 65
N040-DEPARTMENT OF CORRECTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. INTERNAL ADMIN & SUPPORT		
COMMISSIONER/S	161,137	161,137
	(1.00)	(1.00)
CLASSIFIED POSITIONS	9,503,453	8,766,792
	(145.00)	(131.40)
UNCLASSIFIED POSITIONS	453,741	453,741
	(3.00)	(3.00)
OTHER PERSONAL SRVCS	425,102	337,893
OTHER OPER EXPENSES	5,600,200	4,000,000
TOT I. INTERNAL ADMIN & SUPPORT	16,143,633	13,719,563
	(149.00)	(135.40)
II. PROGRAMS AND SERVICES		
A. HOUSING, CARE, SECURITY, AND SUPERVISION		
CLASSIFIED POSITIONS	189,277,063	186,904,261
	(5,659.13)	(5,589.76)
UNCLASSIFIED POSITIONS	526,271	526,271
	(3.00)	(3.00)
OTHER PERSONAL SRVCS	4,420,272	3,829,903
OTHER OPER EXPENSES	93,458,260	75,931,960
CASE SERVICES	18,339,233	15,289,233
TOT A. HOUSING, CARE, SECURITY, AND SUPERVISION	306,021,099	282,481,628
	(5,662.13)	(5,592.76)
B. QUOTA ELIMINATION		
B. QUOTA ELIMINATION	1,967,720	1,967,720
TOT B. QUOTA ELIMINATION	1,967,720	1,967,720
C. WORK & VOCATIONAL ACTIVITIES		
CLASSIFIED POSITIONS	6,325,607	552,915
	(134.52)	(23.00)
OTHER PERSONAL SERVICES	9,902,681	351,131

N040-DEPARTMENT OF CORRECTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	15,218,845	357,638
TOT C. WORK & VOCATIONAL ACTIVITIES	31,447,133 (134.52)	1,261,684 (23.00)
 D. PALMETTO UNIFIED SCHOOL DIST 1		
CLASSIFIED POSITIONS	1,240,841 (17.85)	1,128,341 (13.20)
UNCLASSIFIED POSITIONS	3,290,000 (51.49)	1,800,000 (24.01)
OTHER PERSONAL SRVCS	1,862,794	650,000
OTHER OPER EXPENSES	1,890,238	70,190
TOT D. PALMETTO UNIFIED SCH DIST 1	8,283,873 (69.34)	3,648,531 (37.21)
 E. INDIVIDUAL GROWTH & MOTIVATION		
CLASSIFIED POSITIONS	2,816,237 (76.00)	2,816,237 (76.00)
OTHER PERSONAL SRVCS	692,157	545,907
OTHER OPER EXPENSES	433,497	84,747
TOT E. INDIVIDUAL GROWTH & MOTIVATION	3,941,891 (76.00)	3,446,891 (76.00)
 F. PENAL FACILITY INSPECTION SERVICE		
CLASSIFIED POSITIONS	107,968 (2.00)	107,968 (2.00)
OTHER OPER EXPENSES	6,000	6,000
TOT F. PENAL FACILITY INSPECTION SERVICE	113,968 (2.00)	113,968 (2.00)
 TOTAL II. PROGRAMS AND SERVICES	 351,775,684 (5,943.99)	 292,920,422 (5,730.97)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	95,962,102	91,405,224
TOT III. EMPLOYEE BENEFITS	95,962,102	91,405,224

N040-DEPARTMENT OF CORRECTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. NON-RECURRING APPROPRIATIONS		
RECYCLING OPERATIONS	70,300	
EQUIPMENT		
CANTEEN OPER EQUIPMENT	760,000	
TOT IV. NON-RECURRING APPROPRIATIONS	830,300	
TOT DEPARTMENT OF CORRECTIONS	464,711,719	398,045,209
	(6,092.99)	(5,866.37)

SECTION 66

N080-DEPARTMENT OF PROBATION, PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	124,647	124,647
	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,387,100	917,269
	(53.00)	(19.00)
UNCLASSIFIED POSITIONS	90,788	90,788
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	117,596	85,000
OTHER OPER EXPENSES	323,182	
TOT I. ADMINISTRATION	3,043,313	1,217,704
	(55.00)	(21.00)
II. PROGRAMS AND SRVCS		
A. OFFENDER PROGRAM		
1. OFFENDER SUPERVISION		
CLASSIFIED POSITIONS	22,195,225	16,113,992
	(554.00)	(405.00)
UNCLASSIFIED POSITIONS	171,960	171,960
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	261,422	38,370
OTHER OPER EXPENSES	8,839,940	580,844

**N080-DEPARTMENT OF PROBATION, PAROLE & PARDON
SERVICES**

	TOTAL FUNDS	GENERAL FUNDS
CASE SERVICES	32,425	
TOTAL 1. OFFENDER SUPERVISION	31,500,972 (556.00)	16,905,166 (407.00)
 2. SEX OFFENDER MONITORING		
CLASSIFIED POSITIONS	2,245,473	2,245,473
	(54.00)	(54.00)
OTHER PERSONAL SRVCS	10,000	10,000
OTHER OPER EXPENSES	785,001	775,001
EMPLOYER CONTRIBS	737,552	737,552
TOT 2. SEX OFFENDER MONITORING	3,778,026 (54.00)	3,768,026 (54.00)
 3. SENTENCING REFORM		
CLASSIFIED POSITIONS	1,765,618	1,765,618
	(52.00)	(52.00)
OTHER PERSONAL SRVCS	20,000	20,000
OTHER OPER EXPENSES	1,206,784	1,206,784
CASE SERVICES	340,000	340,000
TOT 3. SENTENCING REFORM	3,332,402 (52.00)	3,332,402 (52.00)
 TOT A. OFFENDER PROGRAM	 38,611,400 (662.00)	 24,005,594 (513.00)
 B. RE-ENTRY PROGRAMS		
CLASSIFIED POSITIONS	300,000	
	(6.00)	
OTHER PERSONAL SRVCS	320,000	
OTHER OPER EXPENSES	540,000	
CASE SERVICES	10,000	
TOT B. RE-ENTRY PROGRAMS	1,170,000 (6.00)	

**N080-DEPARTMENT OF PROBATION, PAROLE & PARDON
SERVICES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. PAROLE BOARD OPERATIONS		
PROBATION, PAROLE & PARDON BOARD	155,230	155,230
CLASSIFIED POSITIONS	895,450	403,274
	(21.00)	(9.00)
OTHER PERSONAL SERVICES	59,853	
OTHER OPERATING EXPENSES	97,132	
CASE SERVICES	45,000	
TOTAL C. PAROLE BOARD OPERATIONS	1,252,665	558,504
	(21.00)	(9.00)
TOTAL II. PROGRAMS AND SERVICES	41,034,065	24,564,098
	(689.00)	(522.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	10,715,390	7,916,575
TOT III. EMPLOYEE BENEFITS	10,715,390	7,916,575
TOT DEPT OF PROBATION, PAROLE & PARDON SERVICES	54,792,768	33,698,377
	(744.00)	(543.00)

SECTION 67
N120-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. PAROLE DIVISION		
PROBATION, PAROLE & PARDON BOARD	12,272	12,272
CLASSIFIED POSITIONS	312,977	312,977
	(6.00)	(6.00)
UNCLASSIFIED POSITIONS	70,742	70,742
	(1.00)	(1.00)
OTHER OPER EXPENSES	51,869	51,869
TOT I. PAROLE DIVISION	447,860	447,860
	(7.00)	(7.00)

N120-DEPARTMENT OF JUVENILE JUSTICE

	TOTAL FUNDS	GENERAL FUNDS
II. ADMINISTRATION DIVISION		
COMMISSIONER/S	127,907	127,907
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,348,909	3,292,649
	(76.00)	(75.00)
UNCLASSIFIED POSITIONS	106,305	106,305
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	95,784	95,784
OTHER OPER EXPENSES	1,390,839	1,217,539
TOT II. ADMINISTRATION	5,069,744	4,840,184
DIVISION	(78.00)	(77.00)
 III. PROGRAMS AND SRVCS		
A. COMMUNITY SERVICES		
CLASSIFIED POSITIONS	12,721,862	12,678,862
	(394.58)	(393.58)
UNCLASSIFIED POSITIONS	100,349	100,349
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	247,777	160,717
OTHER OPER EXPENSES	1,853,693	1,428,819
CASE SERVICES	3,656,403	1,333,613
COMMUNITY ADVOCACY PROG	250,000	250,000
SEX OFFENDER MONITORING	27,410	27,410
TOT A. COMMUNITY SRVCS	18,857,494	15,979,770
	(395.58)	(394.58)
 B. LONGTERM FACILITIES		
CLASSIFIED POSITIONS	11,875,098	11,580,919
	(408.00)	(396.00)
UNCLASSIFIED POSITIONS	108,708	108,708
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	886,210	886,210
OTHER OPERATING EXPENSES	5,857,830	4,581,343
CASE SERVICES	2,516	2,516
TOT B. LONGTERM FACILITIES	18,730,362	17,159,696
	(409.00)	(397.00)

N120-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. RECEPTION & EVALUATION CENTER		
CLASSIFIED POSITIONS	7,146,417	5,711,190
	(242.90)	(194.00)
OTHER PERSONAL SERVICES	460,289	346,470
OTHER OPERATING EXPENSES	993,462	981,335
CASE SERVICES	5,695	4,945
TOTAL C. RECEPTION & EVALUATION CENTER	8,605,863	7,043,940
	(242.90)	(194.00)
D. COUNTY SERV-DETENTION CENTER		
CLASSIFIED POSITIONS	3,307,123	946,201
	(119.35)	(26.50)
OTHER PERSONAL SRVCS	163,269	
OTHER OPER EXPENSES	141,364	
CASE SERVICES	13,184	
TOTAL D. COUNTY SERV-DETENTION CENTER	3,624,940	946,201
	(119.35)	(26.50)
E. RESIDENTIAL OPERATIONS		
CLASSIFIED POSITIONS	587,478	542,478
	(12.00)	(11.00)
OTHER PERSONAL SERVICES	21,410	21,410
OTHER OPER EXPENSES	49,106	49,106
CASE SERVICES	27,145,494	26,761,147
TARGETED CASE MGMT	1,700,000	1,700,000
TOTAL E. RESIDENTIAL OPERATIONS	29,503,488	29,074,141
	(12.00)	(11.00)
F. JUVENILE HEALTH & SAFETY		
CLASSIFIED POSITIONS	3,617,724	3,422,929
	(99.00)	(95.50)
OTHER PERSONAL SERVICES	621,432	609,856
OTHER OPERATING EXPENSES	1,668,477	1,455,337
CASE SERVICES	2,623,757	2,187,687
TOT F. JUVENILE HEALTH & SAFETY	8,531,390	7,675,809
	(99.00)	(95.50)

N120-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
G. PROG ANALYSIS/STAFF DEV & QUALITY		
CLASSIFIED POSITIONS	1,756,442	1,732,442
	(39.00)	(39.00)
UNCLASSIFIED POSITIONS	85,000	85,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	126,300	79,000
OTHER OPERATING EXPENSES	248,489	129,106
CASE SERVICES	28,000	28,000
TOTAL G. PROG ANALYSIS/ STAFF DEV & QUALIT	2,244,231	2,053,548
	(40.00)	(40.00)
H. EDUCATION		
CLASSIFIED POSITIONS	730,227	257,416
	(20.00)	(8.00)
UNCLASSIFIED POSITIONS	4,145,852	159,143
	(68.10)	(3.10)
OTHER PERSONAL SRVCS	430,455	55,136
OTHER OPER EXPENSES	1,162,830	193,751
TOTAL H. EDUCATION	6,469,364	665,446
	(88.10)	(11.10)
TOT III. PROGRAMS AND SERVICES	96,567,132	80,598,551
	(1,405.93)	(1,169.68)
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	23,427,391	19,709,960
TOT IV. EMPLOYEE BENEFITS	23,427,391	19,709,960
TOTAL DEPARTMENT OF JUVENILE JUSTICE	125,512,127	105,596,555
	(1,490.93)	(1,253.68)

SECTION 70
L360-HUMAN AFFAIRS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
COMMISSIONER/S	104,070	104,070
	(1.00)	(1.00)
CLASSIFIED POSITIONS	302,394	302,394
	(7.00)	(7.00)
NEW POSITION ATTORNEY II	50,000	50,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	3,500	3,500
OTHER OPER EXPENSES	143,502	140,002
TOTAL I. ADMINISTRATION	603,466	599,966
	(9.00)	(9.00)
II. CONSULTIVE SERVICES		
CLASSIFIED POSITIONS	130,888	130,888
	(6.00)	(5.00)
OTHER OPERATING EXPENSES	69,051	51,051
TOTAL II. CONSULTIVE SERVICES	199,939	181,939
	(6.00)	(5.00)
III. COMPLIANCE PROGRAMS		
CLASSIFIED POSITIONS	1,054,166	596,471
	(31.00)	(18.50)
NEW POSITION ADMIN SPECIALIST II	30,619	30,619
	(1.00)	(1.00)
NEW POSITION PROGRAM COORDINATOR II	40,000	
	(1.00)	
OTHER OPER EXPENSES	426,016	154,008
TOTAL III. COMPLIANCE PROGRAMS	1,550,801	781,098
	(33.00)	(19.50)
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	755,159	569,537
TOT IV. EMPLOYEE BENEFITS	755,159	569,537
TOTAL HUMAN AFFAIRS COMMISSION	3,109,365	2,132,540
	(48.00)	(33.50)

**SECTION 71
L460-COMMISSION ON MINORITY AFFAIRS**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	70,535	70,535
	(1.00)	(1.00)
CLASSIFIED POSITIONS	471,025	381,025
	(9.00)	(7.00)
NEW POSITION ADMIN ASSISTANT	30,000	30,000
	(1.00)	(1.00)
NEW POSITION PROGRAM COORDINATOR II	45,000	45,000
	(1.00)	(1.00)
OTHER OPER EXPENSES	429,264	281,450
TOT I. ADMINISTRATION	1,045,824	808,010
	(12.00)	(10.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBS	214,000	190,000
TOT II. EMPLOYEE BENEFITS	214,000	190,000
TOTAL COMMISSION ON MINORITY AFFAIRS	1,259,824	998,010
	(12.00)	(10.00)

**SECTION 72
R040-PUBLIC SERVICE COMMISSION**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	129,566	
	(1.00)	
CHAIRMAN	109,333	
	(1.00)	
COMMISSIONER/S	645,573	
	(6.00)	
CLASSIFIED POSITIONS	2,116,197	
	(31.00)	
OTHER PERSONAL SRVCS	46,000	

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R040-PUBLIC SERVICE COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPER EXPENSES	684,243	
TOTAL I. ADMINISTRATION	3,730,912	(39.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	979,396	
TOT II. EMPLOYEE BENEFITS	979,396	
TOTAL PUBLIC SERVICE COMMISSION	4,710,308	(39.00)

SECTION 73
R060-OFFICE OF REGULATORY STAFF

	TOTAL FUNDS	GENERAL FUNDS
I. OFFICE OF EXECUTIVE DIRECTOR		
DIRECTOR	175,117	(1.00)
UNCLASSIFIED POSITIONS	859,961	(10.00)
OTHER OPER EXPENSES	1,133,847	
DUAL PARTY RELAY FUNDS	4,165,696	
TOTAL I. OFFICE OF EXECUTIVE DIRECTOR	6,334,621	(11.00)
II. SUPPORT SERVICES		
UNCLASSIFIED POSITIONS	1,491,109	(29.00)
TOT II. SUPPORT SERVICES	1,491,109	(29.00)
III. TELECOM, TRANS, WATER/ WASTEWATER		
UNCLASSIFIED POSITIONS	1,079,645	(16.00)
TOT III. TELECOM, TRANS, WATER/ WASTEWATER	1,079,645	(16.00)

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R060-OFFICE OF REGULATORY STAFF

	TOTAL FUNDS	GENERAL FUNDS
IV. ELECTRIC AND GAS		
UNCLASSIFIED POSITIONS	1,219,643	
		(18.00)
TOT IV. ELECTRIC AND GAS	1,219,643	(18.00)
V. ENERGY OFFICE		
A. ENERGY PROGRAMS		
UNCLASSIFIED POSITIONS	580,239	
		(13.33)
OTHER PERSONAL SRVCS	47,712	
OTHER OPER EXPENSES	231,553	
ALLOC OTHER ENTITIES	60,000	
TOT A. ENERGY PROGRAMS	919,504	(13.33)
B. RADIOACTIVE WASTE		
UNCLASSIFIED POSITIONS	314,508	
		(4.67)
OTHER OPERATING EXPENSES	94,924	
TOT B. RADIOACTIVE WASTE	409,432	(4.67)
TOT V. ENERGY OFFICE	1,328,936	(18.00)
VI. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,861,702	
TOT VI. EMPLOYEE BENEFITS	1,861,702	
TOTAL OFFICE OF REGULATORY STAFF	13,315,656	(92.00)

SECTION 74
R080-WORKERS' COMPENSATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	98,915	98,915
	(1.00)	(1.00)
CLASSIFIED POSITIONS	632,211	47,092
	(19.00)	(8.00)
NEW POSITION ATTORNEY I	55,000	
	(1.00)	
NEW POSITION INFORMATION	45,000	
SYS/BUSINESS ANALYST I	(1.00)	
OTHER PERSONAL SRVCS	41,000	
OTHER OPER EXPENSES	1,989,920	75,000
TOT I. ADMINISTRATION	2,862,046	221,007
	(22.00)	(9.00)
II. JUDICIAL		
A. COMMISSIONERS		
CHAIRMAN	121,268	121,268
	(1.00)	(1.00)
COMMISSIONER/S	698,231	698,231
	(6.00)	(6.00)
TAXABLE SUBSISTENCE	70,000	
CLASSIFIED POSITIONS	313,837	313,837
	(7.00)	(7.00)
OTHER OPER EXPENSES	230,700	
TOT A. COMMISSIONERS	1,434,036	1,133,336
	(14.00)	(14.00)
B. MANAGEMENT		
CLASSIFIED POSITIONS	322,046	29,267
	(10.00)	(2.00)
OTHER OPER EXPENSES	12,800	
TOTAL B. MANAGEMENT	334,846	29,267
	(10.00)	(2.00)
TOTAL II. JUDICIAL	1,768,882	1,162,603
	(24.00)	(16.00)

R080-WORKERS' COMPENSATION COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
III. INSURANCE & MEDICAL SERVICES		
CLASSIFIED POSITIONS	471,632	26,632
	(11.00)	(2.00)
OTHER PERSONAL SERVICES	22,881	
OTHER OPERATING EXPENSES	54,500	
TOTAL III. INSURANCE & MEDICAL SERVICES	549,013	26,632
	(11.00)	(2.00)
IV. CLAIMS		
CLASSIFIED POSITIONS	349,233	77,223
	(9.00)	(1.00)
OTHER OPERATING EXPENSES	19,700	
TOTAL IV. CLAIMS	368,933	77,223
	(9.00)	(1.00)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,114,286	506,287
TOT V. EMPLOYEE BENEFITS	1,114,286	506,287
TOTAL WORKERS' COMPENSATION COMMISSION	6,663,160	1,993,752
	(66.00)	(28.00)

**SECTION 75
R120-STATE ACCIDENT FUND**

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
DIRECTOR	109,080	
	(1.00)	
CLASSIFIED POSITIONS	3,056,272	
	(80.00)	
OTHER OPER EXPENSES	4,420,180	
EDUCATIONAL TRAINING	5,000	
TOT I. ADMINISTRATION	7,590,532	
	(81.00)	

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R120-STATE ACCIDENT FUND

	TOTAL FUNDS	GENERAL FUNDS
II. UNINSURED EMPLOYERS FUND		
CLASSIFIED POSITIONS	454,374	(11.00)
OTHER OPER EXPENSES	468,540	
TOTAL II. UNINSURED EMPLOYERS FUND	922,914	(11.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,446,034	
TOT III. EMPLOYEE BENEFITS	1,446,034	
TOT STATE ACCIDENT FUND	9,959,480	(92.00)

SECTION 76
R140-PATIENTS' COMPENSATION FUND

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
DIRECTOR	99,805	(1.00)
CLASSIFIED POSITIONS	206,075	(4.00)
OTHER PERSONAL SERVICES	15,000	
OTHER OPERATING EXPENSES	581,623	
TOTAL I. ADMINISTRATION	902,503	(5.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	93,498	
TOT II. EMPLOYEE BENEFITS	93,498	
TOTAL PATIENTS' COMPENSATION FUND	996,001	(5.00)

SECTION 78
R200-DEPARTMENT OF INSURANCE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
CHIEF INSURANCE COMMISS	137,904	137,904
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,818,051	784,417
	(28.25)	(22.30)
UNCLASSIFIED POSITIONS	257,049	176,000
	(1.50)	(1.50)
OTHER PERSONAL SRVCS	194,959	143,642
OTHER OPER EXPENSES	1,186,920	394,830
TOT I. ADMINISTRATION	3,594,883	1,636,793
	(30.75)	(24.80)
II. PROGRAMS AND SERVICES		
A. SOLVENCY		
CLASSIFIED POSITIONS	598,055	130,441
	(15.00)	(1.00)
UNCLASSIFIED POSITIONS	83,856	544
	(0.50)	
OTHER PERSONAL SRVCS	217,042	29,150
OTHER OPER EXPENSES	469,296	13,257
TOTAL A. SOLVENCY	1,368,249	173,392
	(15.50)	(1.00)
B. LICENSING		
CLASSIFIED POSITIONS	327,933	63,381
	(9.00)	(2.00)
UNCLASSIFIED POSITIONS	23,234	
	(0.50)	
OTHER PERSONAL SRVCS	56,371	297
OTHER OPER EXPENSES	329,884	4,981
TOT B. LICENSING	737,422	68,659
	(9.50)	(2.00)
C. TAXATION		
CLASSIFIED POSITIONS	245,829	89,814
	(3.00)	(0.50)
OTHER PERSONAL SRVCS	15,852	15,852

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	175,467	8,740
TOTAL C. TAXATION	437,148	114,406
	(3.00)	(0.50)
 D. CONSUMER SERVICES/ COMPLAINTS		
CLASSIFIED POSITIONS	423,375	286,372
	(9.00)	(2.00)
UNCLASSIFIED POSITIONS	81,651	27,880
	(0.50)	(0.50)
OTHER PERSONAL SRVCS	46,954	29,728
OTHER OPER EXPENSES	164,107	28,907
TOTAL D. CONSUMER SERVICES/COMPLAINTS	716,087	372,887
	(9.50)	(2.50)
 E. POLICY FORMS AND RATES		
CLASSIFIED POSITIONS	1,007,526	657,526
	(14.00)	(6.00)
UNCLASSIFIED POSITIONS	176,536	85,536
	(0.50)	(0.50)
OTHER PERSONAL SERVICES	5,564	5,564
OTHER OPERATING EXPENSES	338,439	101,671
TOT E. POLICY FORMS AND RATES	1,528,065	850,297
	(14.50)	(6.50)
 F. LOSS MITIGATION		
CLASSIFIED POSITIONS	131,637	
	(2.75)	
OTHER PERSONAL SERVICES	72,363	
OTHER OPERATING EXPENSES	2,837,254	
TOT F. LOSS MITIGATION	3,041,254	
	(2.75)	
 G. UNINSURED MOTORISTS		
ALLOC PRIVATE SECTOR	2,155,000	
TOT G. UNINSURED MOTORISTS	2,155,000	

STATUTES AT LARGE
 General and Permanent Laws--2016
R200-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
H. CAPTIVES		
CLASSIFIED POSITIONS	665,913	
	(8.00)	
UNCLASSIFIED POSITIONS	67,002	
	(0.50)	
OTHER PERSONAL SERVICES	169,085	
OTHER OPERATING EXPENSES	1,249,655	
TOTAL H. CAPTIVES	2,151,655	
	(8.50)	
TOTAL II. PROGRAMS AND SERVICES	12,134,880	1,579,641
	(63.25)	(12.50)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,961,257	843,832
TOT III. EMPLOYEE BENEFITS	1,961,257	843,832
TOT DEPARTMENT OF INSURANCE	17,691,020	4,060,266
	(94.00)	(37.30)

SECTION 79
R230-STATE BOARD OF FINANCIAL INSTITUTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
OTHER PERSONAL SRVCS	3,465	
OTHER OPER EXPENSES	30,912	
TOT I. ADMINISTRATION	34,377	
II. BANKING EXAMINERS		
COMMISSIONER OF BANKING	83,489	
	(1.00)	
CLASSIFIED POSITIONS	1,303,378	
	(23.00)	
OTHER OPER EXPENSES	396,320	
TOT II. BANKING EXAMINERS	1,783,187	
	(24.00)	

R230-STATE BOARD OF FINANCIAL INSTITUTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. CONSUMER FINANCE		
DIRECTOR	74,209	
	(1.00)	
CLASSIFIED POSITIONS	1,094,327	
	(20.00)	
OTHER PERSONAL SRVCS	2,600	
OTHER OPER EXPENSES	429,073	
TOT III. CONSUMER FINANCE	1,600,209	
	(21.00)	
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	886,580	
TOT IV. EMPLOYEE BENEFITS	886,580	
TOTAL STATE BOARD OF FINANCIAL INSTITUTIONS	4,304,353	
	(45.00)	

SECTION 80
R280-DEPARTMENT OF CONSUMER AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
ADMINISTRATOR	111,075	111,075
	(1.00)	(1.00)
CLASSIFIED POSITIONS	423,273	58,365
	(8.00)	(1.00)
OTHER PERSONAL SRVCS	10,000	
OTHER OPER EXPENSES	179,742	109,567
TOT I. ADMINISTRATION	724,090	279,007
	(9.00)	(2.00)
II. LEGAL		
CLASSIFIED POSITIONS	667,814	114,787
	(15.00)	(3.00)
OTHER PERSONAL SRVCS	20,000	
OTHER OPER EXPENSES	338,984	86,000
TOTAL II. LEGAL	1,026,798	200,787
	(15.00)	(3.00)

R280-DEPARTMENT OF CONSUMER AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. CONSUMER SERVICES		
CLASSIFIED POSITIONS	349,551	34,269
	(7.00)	(1.00)
OTHER PERSONAL SRVCS	30,000	
OTHER OPER EXPENSES	52,036	27,036
TOT III. CONSUMER SERVICES	431,587	61,305
	(7.00)	(1.00)
IV. CONSUMER ADVOCACY		
CLASSIFIED POSITIONS	148,200	148,200
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	85,000	85,000
TOT IV. CONSUMER ADVOCACY	233,200	233,200
	(3.00)	(3.00)
V. PUBLIC INFORMATION & EDUCATION		
CLASSIFIED POSITIONS	69,000	69,000
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	5,648	
OTHER OPERATING EXPENSES	15,000	15,000
TOT V. PUBLIC INFORMATION & EDUCATION	89,648	84,000
	(2.00)	(2.00)
VI. ID THEFT UNIT		
CLASSIFIED POSITIONS	168,120	168,120
	(4.00)	(4.00)
OTHER PERSONAL SRVCS	10,000	
OTHER OPER EXPENSES	53,250	53,250
TOT VI. ID THEFT UNIT	231,370	221,370
	(4.00)	(4.00)
VII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	636,850	234,208
TOT VII. EMPLOYEE BENEFITS	636,850	234,208
TOTAL DEPARTMENT OF CONSUMER AFFAIRS	3,373,543	1,313,877
	(40.00)	(15.00)

SECTION 81
R360-DEPARTMENT OF LABOR, LICENSING &
REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	124,973	
	(1.00)	
CLASSIFIED POSITIONS	3,181,824	
	(68.09)	
NEW POSITION PROGRAM	-	
COORDINATOR I	(5.00)	
OTHER PERSONAL SRVCS	500,000	
OTHER OPER EXPENSES	1,282,996	
TOT I. ADMINISTRATION	5,089,793	
	(74.09)	
II. PROGRAMS & SERVICES		
A. OSHA VOLUNTARY PROG		
CLASSIFIED POSITIONS	618,108	37,039
	(19.98)	(6.26)
OTHER OPER EXPENSES	276,354	40,000
TOT A. OSHA VOLUNTARY	894,462	77,039
PROGRAMS	(19.98)	(6.26)
B. OCCUPATIONAL SAFETY		
& HEALTH		
CLASSIFIED POSITIONS	1,599,250	832,756
	(47.44)	(25.56)
NEW POSITION PROGRAM	-	
COORDINATOR I	(2.00)	
OTHER PERSONAL SERVICES	8,397	4,302
OTHER OPERATING EXPENSES	700,355	191,562
TOTAL B. OCCUPATIONAL	2,308,002	1,028,620
SAFETY & HEALTH	(49.44)	(25.56)
C. FIRE ACADEMY		
CLASSIFIED POSITIONS	1,451,463	
	(41.00)	
OTHER PERSONAL SRVCS	1,789,100	

**R360-DEPARTMENT OF LABOR, LICENSING &
 REGULATION**

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPER EXPENSES	4,079,111	
TOT C. FIRE ACADEMY	7,319,674	
	(41.00)	
D. OFFICE OF STATE FIRE MARSHAL		
CLASSIFIED POSITIONS	1,650,841	
	(32.00)	
OTHER PERSONAL SRVCS	305,622	
OTHER OPER EXPENSES	1,290,816	
TOT D. OFFICE OF STATE FIRE MARSHAL	3,247,279	
	(32.00)	
E. ELEVATORS & AMUSEMENT RIDES		
CLASSIFIED POSITIONS	700,000	
	(8.00)	
OTHER OPERATING EXPENSES	215,000	
TOTAL E. ELEVATORS & AMUSEMENT RIDES	915,000	
	(8.00)	
F. PROF. & OCCUPATIONAL LICENSING		
CLASSIFIED POSITIONS	7,154,295	
	(172.90)	
NEW POSITION PROGRAM	-	
COORDINATOR I	(5.00)	
UNCLASSIFIED POSITIONS	97,618	
	(1.00)	
OTHER PERSONAL SERVICES	411,514	
OTHER OPER EXPENSES	6,383,069	
RESEARCH AND EDUCATION	200,000	
TOTAL F. PROF. & OCCUPATIONAL LICENSING	14,246,496	
	(178.90)	

**R360-DEPARTMENT OF LABOR, LICENSING &
REGULATION**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
G. LABOR SERVICES		
OTHER OPERATING EXPENSES	85,000	
TOTAL G. LABOR SERVICES	85,000	
H. BUILDING CODES		
CLASSIFIED POSITIONS	430,000	
	(12.56)	
OTHER OPERATING EXPENSES	350,000	
TOTAL H. BUILDING CODES	780,000	
	(12.56)	
TOTAL II. PROGRAMS & SERVICES	29,795,913	1,105,659
	(341.88)	(31.82)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	6,170,951	249,126
TOT III. EMPLOYEE BENEFITS	6,170,951	249,126
TOT DEPARTMENT OF LABOR, LICENSING & REGULATION	41,056,657	1,354,785
	(415.97)	(31.82)

**SECTION 82
R400-DEPARTMENT OF MOTOR VEHICLES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	122,969	122,969
	(1.00)	(1.00)
CLASSIFIED POSITIONS	4,377,002	4,377,002
	(118.00)	(118.00)
UNCLASSIFIED POSITIONS	203,478	203,478
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	85,174	85,174
OTHER OPER EXPENSES	2,368,782	63,058
TOT I. ADMINISTRATION	7,157,405	4,851,681
	(121.00)	(121.00)

R400-DEPARTMENT OF MOTOR VEHICLES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. PROGRAMS AND SERVICES		
A. CUSTOMER SERVICE		
1. CUSTOMER SRVC CENTERS		
CLASSIFIED POSITIONS	20,953,097	20,953,097
	(792.00)	(792.00)
OTHER PERSONAL SRVCS	1,776,149	1,776,149
OTHER OPER EXPENSES	13,253,340	12,603,340
TOT 1. CUSTOMER SERVICE	35,982,586	35,332,586
CENTERS	(792.00)	(792.00)
2. CUSTOMER SERVICE		
DELIVERY		
CLASSIFIED POSITIONS	4,186,374	4,186,374
	(157.00)	(157.00)
UNCLASSIFIED POSITIONS	98,378	98,378
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	331,037	331,037
OTHER OPERATING EXPENSES	2,700,724	2,698,724
PLATE REPLACEMENT	4,900,000	3,800,000
TOT 2. CUSTOMER SRVC	12,216,513	11,114,513
DELIVERY	(158.00)	(158.00)
TOT A. CUSTOMER SERVICE	48,199,099	46,447,099
	(950.00)	(950.00)
B. PROCEDURES AND COMPLIANCE		
CLASSIFIED POSITIONS	3,588,556	3,588,556
	(119.00)	(119.00)
UNCLASSIFIED POSITIONS	98,111	98,111
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	50,606	50,606
OTHER OPERATING EXPENSES	3,226,958	3,115,333
TOT B. PROCEDURES AND	6,964,231	6,852,606
COMPLIANCE	(120.00)	(120.00)
C. INSPECTOR GENERAL		
CLASSIFIED POSITIONS	1,683,334	1,683,334
	(50.00)	(50.00)

R400-DEPARTMENT OF MOTOR VEHICLES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	91,863	91,863
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	28,500	28,500
OTHER OPER EXPENSES	354,458	292,557
FACIAL RECOGNITION PROG	245,000	245,000
TOT C. INSPECTOR GENERAL	2,403,155	2,341,254
	(51.00)	(51.00)
 D. TECHNOLOGY & PROGRAM DEVELOPMENT		
CLASSIFIED POSITIONS	2,989,664	2,989,664
	(50.00)	(50.00)
OTHER OPER EXPENSES	8,422,380	6,606,034
TOTAL D. TECHNOLOGY & PROGRAM DEVELOPMENT	11,412,044	9,595,698
	(50.00)	(50.00)
 TOTAL II. PROGRAMS AND SERVICES	 68,978,529	 65,236,657
	(1,171.00)	(1,171.00)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	14,911,662	14,911,662
TOT III. EMPLOYEE BENEFITS	14,911,662	14,911,662
 TOT DEPARTMENT OF MOTOR VEHICLES	 91,047,596	 85,000,000
	(1,292.00)	(1,292.00)

SECTION 83**R600-DEPARTMENT OF EMPLOYMENT AND WORKFORCE**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	158,340	
	(1.00)	
CLASSIFIED POSITIONS	5,685,446	
	(140.60)	
UNCLASSIFIED POSITIONS	214,480	
	(1.00)	

R600-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPER EXPENSES	8,280,977	
TOTAL I. ADMINISTRATION	14,339,243	
	(142.60)	
 II. EMPLOYMENT SERVICE		
CLASSIFIED POSITIONS	9,938,404	
	(136.40)	
NEW POSITION PROGRAM	60,000	60,000
COORDINATOR II	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	31,928	
	(0.33)	
OTHER PERSONAL SERVICES	1,937,188	
OTHER OPERATING EXPENSES	17,062,372	422,000
ALLOC OTHER STATE AGENCIES	50,000	
TOTAL II. EMPLOYMENT SRVC	29,079,892	482,000
	(137.73)	(1.00)
 III. UNEMPLOYMENT INSURANCE		
CLASSIFIED POSITIONS	17,299,422	
	(362.58)	
UNCLASSIFIED POSITIONS	492,972	
	(1.34)	
OTHER PERSONAL SERVICES	5,448,781	
OTHER OPERATING EXPENSES	27,743,769	
TOTAL III. UNEMPLOYMENT INSURANCE	50,984,944	
	(363.92)	
 V. WORKFORCE INVESTMENT ACT		
CLASSIFIED POSITIONS	1,271,712	
	(18.14)	
UNCLASSIFIED POSITIONS	45,128	
	(0.33)	
OTHER PERSONAL SERVICES	198,198	
OTHER OPERATING EXPENSES	1,056,964	
ALLOC CNTY - RESTRICTED	4,657,226	
ALLOC SCHOOL DIST	29,193	

R600-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOCATIONS TO PLANNING DISTRICTS	36,325,861	
TOTAL V. WORKFORCE INVESTMENT ACT	43,584,282 (18.47)	
VI. TRADE ADJUSTMENT ASSISTANCE		
CLASSIFIED POSITIONS	1,270,751 (75.05)	
UNCLASSIFIED POSITIONS	38,846	
OTHER PERSONAL SERVICES	41,045	
OTHER OPERATING EXPENSES	499,545	
ALLOC PRIVATE SECTOR	8,673,813	
TOT VI. TRADE ADJUSTMENT ASSISTANCE	10,524,000 (75.05)	
VII. APPEALS		
CLASSIFIED POSITIONS	1,262,271 (37.50)	
UNCLASSIFIED POSITIONS	373,065 (1.00)	
OTHER PERSONAL SERVICES	372,584	
OTHER OPERATING EXPENSES	608,515	
TOTAL VII. APPEALS	2,616,435 (38.50)	
VIII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	16,376,936	18,000
TOTAL VIII. EMPLOYEE BENEFITS	16,376,936	18,000
IX. NON-RECURRING APPROPRIATIONS		
SCUBI	23,170,000	
TOTAL IX. NON-RECURRING APPROPRIATIONS	23,170,000	
TOT DEPT OF EMPLOYMENT AND WORKFORCE	190,675,732 (776.27)	500,000 (1.00)

SECTION 84
U120-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. GENERAL		
EXECUTIVE DIRECTOR	180,000	
	(1.00)	
CLASSIFIED POSITIONS	16,714,991	
	(314.00)	
UNCLASSIFIED POSITIONS	255,000	
	(2.00)	
OTHER PERSONAL SRVCS	255,000	
OTHER OPER EXPENSES	23,500,000	
DEBT SERVICE	1,314,634	
TOTAL A. GENERAL	42,219,625	
	(317.00)	
 B. LAND & BUILDINGS		
OTHER OPERATING EXPENSES	4,403,270	
TOTAL B. LAND & BUILDINGS	4,403,270	
 TOTAL I. ADMINISTRATION		
	46,622,895	
	(317.00)	
 II. HIGHWAY ENGINEERING		
A. ENGR-ADMIN & PROJ MGMT		
CLASSIFIED POSITIONS	74,631,325	
	(1,511.00)	
UNCLASSIFIED POSITIONS	142,800	
	(1.00)	
OTHER PERSONAL SERVICES	3,060,000	
OTHER OPERATING EXPENSES	7,500,000	
TOT A. ENGR-ADMIN & PROJ MGMT	85,334,125	
	(1,512.00)	
 B. ENGINEERING CONSTRUCT		
DEBT SERVICE	50,184,489	
PRINCIPAL - LOAN NOTE	2,003,898	
INTEREST - LOAN NOTE	2,975,853	

U120-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC MUNICIPALITIES - RESTRICTED	1,000,000	
ALLOC CNTY - RESTRICTED	250,000	
ALLOC OTHER ENTITIES	100,000	
SIB ONE CENT EQUIVALENT	28,500,000	
DEBT SVC SIB RAVENEL BRIDGE PROJECT LOAN	8,000,000	
DEBT SVC SIB CONWAY BYPASS II PROJECT LOAN	7,600,000	
DEBT SVC SIB MULTIPROJECT LOAN	10,000,000	
OTHER OPERATING OTHER	25,000,000	
PERM IMPROVE BRIDGES	149,580,819	
PERM IMPR REHAB & RESURFACING	334,117,420	
PERM IMPR OPERATIONAL & SAFETY IMPROVEMENTS	187,121,545	
PERM IMPR WIDENINGS & NEW LOCATIONS	211,991,196	
PERM IMPR ENHANCEMENTS	14,765,382	
PERM IMPR PORT ACCESS RD	88,315,261	
PERM IMPR GEN FUND SIB EQUIVALENT	50,000,000	50,000,000
TOTAL B. ENGINEERING CONSTRUCTION	1,171,505,863	50,000,000
 C. HIGHWAY MAINTENANCE		
CLASSIFIED POSITIONS	92,272,917	
	(3,324.96)	
OTHER PERSONAL SRVCS	3,060,000	
OTHER OPER EXPENSES	216,337,500	
PERMANENT IMPROVEMENTS	150,000	
TOT C. HWY MAINTENANCE	311,820,417	
	(3,324.96)	
 TOT II. HIGHWAY ENGINEERING	1,568,660,405	50,000,000
	(4,836.96)	

U120-DEPARTMENT OF TRANSPORTATION

	TOTAL FUNDS	GENERAL FUNDS
III. TOLL OPERATIONS		
CLASSIFIED POSITIONS	98,787	
	(2.00)	
OTHER OPER EXPENSES	4,500,000	
DEBT SERVICE	3,146,552	
TOT III. TOLL OPERATIONS	7,745,339	
	(2.00)	
IV. NON-FEDERAL AID		
HIGHWAY FUND		
OTHER OPERATING	62,320,001	1
REHAB & RESURFACING		
TOT IV. NON-FEDERAL AID	62,320,001	1
HIGHWAY FUND		
V. MASS TRANSIT		
CLASSIFIED POSITIONS	2,470,440	
	(34.00)	
UNCLASSIFIED POSITIONS	99,807	
	(1.00)	
OTHER OPER EXPENSES	1,300,000	
ALLOC MUN - RESTRICTED	100,000	
ALLOC OTHER ENTITIES	27,645,500	
V. MASS TRANSIT	57,270	57,270
TOTAL V. MASS TRANSIT	31,673,017	57,270
	(35.00)	
VI. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	87,190,369	
TOT VI. EMPLOYEE BENEFITS	87,190,369	
TOTAL DEPARTMENT OF	1,804,212,026	50,057,271
TRANSPORTATION	(5,190.96)	

SECTION 85
U150-INFRASTRUCTURE BANK BOARD

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CLASSIFIED POSITIONS	195,000	
	(2.00)	
NEW POSITION ADMIN ASSISTANT	30,000	
	(1.00)	
NEW POSITION ACCTING/FIS ANALYST II	90,000	
	(2.00)	
NEW POSITION EXECUTIVE ASSISTANT III	85,000	
	(1.00)	
OTHER PERSONAL SERVICES	75,000	
OTHER OPER EXPENSES	275,276	
TRANSPORT INFRASTRUC	269,530,000	
TOT I. ADMINISTRATION	270,280,276	
	(6.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	178,000	
TOT II. EMPLOYEE BENEFITS	178,000	
TOT INFRASTRUCTURE BANK BOARD	270,458,276	
	(6.00)	

SECTION 86
U200-COUNTY TRANSPORTATION FUNDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. COUNTY TRANSPORTATION FUNDS		
OTHER OPER EXPENSES	7,565,462	
PERMANENT IMPROVEMENTS	75,654,618	
ALLOC MUNICIPALITIES - RESTRICTED	6,000,000	
ALLOC CNTY - RESTRICTED	120,000,000	
TOTAL I. COUNTY TRANSPORTATION FUNDS	209,220,080	
TOT CNTY TRANSPORTATION	209,220,080	

SECTION 87
U300-DIVISION OF AERONAUTICS

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
CLASSIFIED POSITIONS	752,179	689,833
	(13.00)	(8.80)
UNCLASSIFIED POSITIONS	87,550	87,550
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	155,055	140,055
OTHER OPER EXPENSES	2,982,840	341,051
ALLOC MUNICIPALITIES - RESTRICTED	745,000	
ALLOC CNTY - RESTRICTED	4,034,000	500,000
ALLOC OTHER ENTITIES	10,000	
TOT I. ADMINISTRATION	8,766,624	1,758,489
	(14.00)	(9.80)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	294,850	271,646
TOT II. EMPLOYEE BENEFITS	294,850	271,646
TOTAL DIVISION OF AERONAUTICS	9,061,474	2,030,135
	(14.00)	(9.80)

SECTION 91A
A010-LEG DEPT - THE SENATE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
SENATORS @ \$10,400	478,400	478,400
	(46.00)	(46.00)
PRESIDENT OF THE SENATE	1,575	1,575
PRESIDENT PRO TEMPORE	11,000	11,000
UNCLASSIFIED POSITIONS	7,320,220	7,320,220
	(142.00)	(142.00)
OTHER OPERATING EXPENSES	2,385,609	2,385,609

	TOTAL FUNDS	GENERAL FUNDS
JOINT CITIZENS & LEG COMM ON CHILDREN	300,000	
TOTAL I. ADMINISTRATION	10,496,804 (188.00)	10,196,804 (188.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,707,126	3,707,126
TOT II. EMPLOYEE BENEFITS	3,707,126	3,707,126
TOT LEG DEPT - THE SENATE	14,203,930 (188.00)	13,903,930 (188.00)

SECTION 91B
A050-LEG DEPT - HOUSE OF REPRESENTATIVES

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
REPRESENTATIVES @ \$10,400	1,289,600 (124.00)	1,289,600 (124.00)
THE SPEAKER	11,000	11,000
SPEAKER PRO TEMPORE	3,600	3,600
UNCLASSIFIED POSITIONS	5,136,697 (127.00)	5,136,697 (127.00)
OTHER OPERATING EXPENSES	10,502,627	10,502,627
TOT I. ADMINISTRATION	16,943,524 (251.00)	16,943,524 (251.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	4,994,884	4,994,884
TOT II. EMPLOYEE BENEFITS	4,994,884	4,994,884
TOT LEG DEPT - HOUSE OF REPRESENTATIVES	21,938,408 (251.00)	21,938,408 (251.00)

SECTION 91C
A150-LEG DEPT - CODIFICATION OF LAWS &
LEGISLATIVE COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CODE COMMISSIONER & DIR	152,659	152,659
(P)	(1.00)	(1.00)
UNCLASS LEG MISC (P)	2,130,739	2,130,739
	(36.00)	(36.00)
OTHER OPERATING EXPENSES	500,000	500,000
PRINTING CODE SUPPLEMENT	400,000	100,000
PHOTOCOPYING EQUIPMENT	1,000	1,000
APPROVED ACCOUNTS	45,121	45,121
COMMISSION ON UNIFORM ST LAWS	1,000	1,000
TOT I. ADMINISTRATION	3,230,519	2,930,519
	(37.00)	(37.00)
 II. DEVELOP/PRINT STATE REGISTER		
UNCLASS LEG MISC (P)	138,158	138,158
	(2.00)	(2.00)
TOTAL II. DEVELOP/PRINT STATE REGISTER	138,158	138,158
	(2.00)	(2.00)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	747,600	747,600
TOT III. EMPLOYEE BENEFITS	747,600	747,600
 TOTAL LEG DEPT - CODIFICATION OF LAWS & LEGISLATIVE COUNCIL	 4,116,277	 3,816,277
	(39.00)	(39.00)

SECTION 91D
A170-LEG DEPT - LEGISLATIVE SERVICES AGENCY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR (P)	129,083	129,083
	(1.00)	(1.00)

A170-LEG DEPT-LEGISLATIVE SERVICES AGENCY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASS LEG MISC - PRNT & ITR (P)	2,220,000 (32.00)	2,220,000 (32.00)
UNCLASS - TEMP - LEGIS PRINT	80,000	80,000
OTHER OPER EXPENSES	2,526,697	2,526,697
TOT I. ADMINISTRATION	4,955,780 (33.00)	4,955,780 (33.00)
 II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBS	820,000	820,000
TOT II. EMPLOYEE BENEFITS	820,000	820,000
 TOTAL LEG DEPT - LEGISLATIVE SERVICES AGENCY	 5,775,780 (33.00)	 5,775,780 (33.00)

SECTION 91E

A200-LEG DEPT - LEGISLATIVE AUDIT COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR (P)	101,361 (1.00)	101,361 (1.00)
UNCLASSIFIED LEGISLATIVE MISC - LAC (P)	1,597,480 (25.00)	1,277,480 (25.00)
OTHER PERSONAL SRVCS	1,225	1,225
OTHER OPER EXPENSES	122,000	122,000
TOT I. ADMINISTRATION	1,822,066 (26.00)	1,502,066 (26.00)
 II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	389,115	309,115
TOT II. EMPLOYEE BENEFITS	389,115	309,115
 TOTAL LEG DEPT - LEGISLATIVE AUDIT COUNCIL	 2,211,181 (26.00)	 1,811,181 (26.00)

SECTION 92A
D050-GOVERNOR'S OFFICE - EXECUTIVE CONTROL OF
STATE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
GOVERNOR	106,078	106,078
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	1,259,179	1,259,179
	(23.00)	(23.00)
OTHER OPER EXPENSES	101,213	101,213
TOT I. ADMINISTRATION	1,466,470	1,466,470
	(24.00)	(24.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	509,622	509,622
TOT II. EMPLOYEE BENEFITS	509,622	509,622
TOTAL GOVERNOR'S OFFICE -	1,976,092	1,976,092
EXEC CONTROL OF STATE	(24.00)	(24.00)

SECTION 92C
D200-GOVERNOR'S OFFICE - MANSION AND GROUNDS

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
CLASSIFIED POSITIONS	70,696	60,696
	(2.00)	(1.00)
UNCLASSIFIED POSITIONS	150,456	100,456
	(7.00)	(3.50)
OTHER PERSONAL SRVCS	23,260	23,260
OTHER OPER EXPENSES	193,284	60,867
TOT I. ADMINISTRATION	437,696	245,279
	(9.00)	(4.50)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	75,075	67,492
TOTAL II. EMPLOYEE BENEFITS	75,075	67,492
TOT GOVERNOR'S OFFICE -	512,771	312,771
MANSION AND GROUNDS	(9.00)	(4.50)

SECTION 93
D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	192,937	192,937
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,696,441	533,805
	(29.26)	(8.78)
UNCLASSIFIED POSITIONS	812,376	166,473
	(7.00)	(1.40)
OTHER PERSONAL SRVCS	40,208	6,501
OTHER OPER EXPENSES	1,347,282	783,035
ETV COVERAGE - LEG & PUBLIC AFFAIRS	838,269	838,269
TECH INVESTMENT COUNCIL	98,784	98,784
TOTAL I. ADMINISTRATION	5,026,297	2,619,804
	(37.26)	(11.18)
II. STATEWIDE PROGRAMS & SERVICES		
A. EXECUTIVE BUDGET OFFICE		
CLASSIFIED POSITIONS	767,777	767,777
	(14.00)	(14.00)
UNCLASSIFIED POSITIONS	352,682	352,682
	(3.00)	(3.00)
OTHER PERSONAL SRVCS	10,400	10,400
OTHER OPER EXPENSES	106,941	106,941
TOT A. EXECUTIVE BUDGET OFFICE	1,237,800	1,237,800
	(17.00)	(17.00)
B. HUMAN RESOURCES DIVISION		
CLASSIFIED POSITIONS	1,409,172	1,273,841
	(22.00)	(20.00)
UNCLASSIFIED POSITIONS	120,000	120,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	14,825	14,825

D500-DEPARTMENT OF ADMINISTRATION

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPER EXPENSES	1,358,457	698,085
TOT B. HUMAN RESOURCES	2,902,454	2,106,751
DIVISION	(23.00)	(21.00)
 C. GENERAL SERVICES		
DIVISION		
1. BUSINESS OPERATIONS		
CLASSIFIED POSITIONS	127,550	
	(6.50)	
UNCLASSIFIED POSITIONS	305,320	
	(3.00)	
OTHER OPER EXPENSES	187,301	
TOT 1. BUSINESS OPERATIONS	620,171	
	(9.50)	
 2. FACILITIES MANAGEMENT		
CLASSIFIED POSITIONS	4,602,510	
	(128.50)	
OTHER PERSONAL SERVICES	67,645	
OTHER OPER EXPENSES	14,445,777	
PERMANENT IMPROVEMENTS	3,000,000	
CAPITOL COMPLEX RENT	719,781	719,781
STATE HOUSE MAINTENANCE	658,000	658,000
MANSION & GROUNDS	126,000	126,000
TOTAL 2. FACILITIES	23,619,713	1,503,781
MANAGEMENT	(128.50)	
 3. SURPLUS PROPERTY		
CLASSIFIED POSITIONS	753,744	
	(22.90)	
OTHER PERSONAL SERVICES	102,283	
OTHER OPER EXPENSES	752,625	
TOT 3. SURPLUS PROPERTY	1,608,652	
	(22.90)	
 4. INTRA-STATE MAIL		
CLASSIFIED POSITIONS	219,151	
	(7.30)	

D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	311,147	
OTHER OPERATING EXPENSES	291,109	
TOTAL 4. INTRA-STATE MAIL	821,407	
	(7.30)	
5. PARKING		
CLASSIFIED POSITIONS	105,677	
	(3.00)	
OTHER OPERATING EXPENSES	229,037	
TOTAL 5. PARKING	334,714	
	(3.00)	
6. STATE FLEET MANAGEMENT		
CLASSIFIED POSITIONS	870,266	
	(22.75)	
UNCLASSIFIED POSITIONS	29,417	
	(0.25)	
OTHER OPER EXPENSES	20,415,328	
TOTAL 6. STATE FLEET	21,315,011	
MANAGEMENT	(23.00)	
7. STATE BUILDING & PROPERTY SERVICES		
CLASSIFIED POSITIONS	207,511	
	(4.50)	
OTHER PERSONAL SERVICES	12,479	
OTHER OPER EXPENSES	571,530	
TOT 7. STATE BUILDING & PROPERTY SERVICES	791,520	
	(4.50)	
TOT C. GENERAL SERVICES DIVISION	49,111,188	1,503,781
	(198.70)	
D. SC ENTERPRISE INFORMATION SYSTEM		
CLASSIFIED POSITIONS	4,286,715	4,286,715
	(80.00)	(80.00)

D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	218,500	218,500
	(2.50)	(2.50)
OTHER PERSONAL SRVCS	345,000	345,000
OTHER OPER EXPENSES	13,525,945	12,025,945
TOTAL D. SC ENTERPRISE	18,376,160	16,876,160
INFORMATION SYSTEM	(82.50)	(82.50)
 E. DIVISION OF INFORMATION SECURITY		
CLASSIFIED POSITIONS	1,298,877	1,298,877
	(17.00)	(14.00)
UNCLASSIFIED POSITIONS	918,500	918,500
	(7.00)	(7.00)
OTHER OPERATING EXPENSES	207,250	207,250
ENTERPRISE TECHNOLOGY & REMEDATION	12,811,366	12,811,366
TOTAL E. DIVISION OF	15,235,993	15,235,993
INFORMATION SECURITY	(24.00)	(21.00)
 F. ENTERPRISE PRIVACY OFFICE		
CLASSIFIED POSITIONS	189,024	189,024
	(2.00)	(2.00)
UNCLASSIFIED POSITIONS	120,000	120,000
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	36,979	36,979
TOT F. ENTERPRISE PRIVACY	346,003	346,003
OFFICE	(3.00)	(3.00)
 G. STATE TECHNOLOGY OPERATIONS		
CLASSIFIED POSITIONS	9,694,893	280,850
	(174.53)	(4.00)
UNCLASSIFIED POSITIONS	565,380	
	(5.00)	
OTHER PERSONAL SERVICES	391,200	
OTHER OPERATING EXPENSES	33,053,929	4,149,020
SERVICE CONTRACT 800 MHZ	1,238,247	1,238,247
K-12 SCHOOL TECHNOLOGY	26,450,000	

D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
EMERGENCY COMMUNICATIONS BACKBONE	434,244	434,244
TOT G. STATE TECHNOLOGY OPERATIONS	71,827,893 (179.53)	6,102,361 (4.00)
TOTAL II. STATEWIDE PROGRAMS & SERVICES	159,037,491 (527.73)	43,408,849 (148.50)
III. EXECUTIVE POLICY & PROGRAMS		
A. DIVISION DIRECTOR		
CLASSIFIED POSITIONS	366,774 (11.00)	366,774 (11.00)
NEW POSITION PUBLIC INFO COORDINATOR	- (0.67)	- (0.67)
UNCLASSIFIED POSITIONS	89,316 (1.00)	89,316 (1.00)
OTHER OPER EXPENSES	159,635	159,635
TOT A. DIVISION DIRECTOR	615,725 (12.67)	615,725 (12.67)
B. CHILDREN'S SERVICES		
1. GUARDIAN AD LITEM		
CLASSIFIED POSITIONS	3,372,051 (34.00)	1,386,070 (24.50)
NEW POSITION ADMIN SPECIALIST II	- (8.00)	-
NEW POSITION PROGRAM COORDINATOR I	- (41.00)	- (0.35)
NEW POSITION PROGRAM COORDINATOR II	- (20.00)	- (12.00)
NEW POSITION PUBLIC INFO COORDINATOR	- (0.33)	-
UNCLASSIFIED POSITIONS	23,883 (1.00)	23,883 (1.00)
OTHER PERSONAL SERVICES	183,013	19,340
OTHER OPER EXPENSES	3,012,058	805,170
TOT 1. GUARDIAN AD LITEM	6,591,005 (104.33)	2,234,463 (37.85)

D500-DEPARTMENT OF ADMINISTRATION

	TOTAL FUNDS	GENERAL FUNDS
2. CHILDREN'S AFFAIRS		
UNCLASSIFIED POSITIONS	37,619	37,619
	(0.50)	(0.50)
CHILDREN'S CASE RESOLUTION	4,054	4,054
CHILDREN'S TRUST FUND	100,000	100,000
TOT 2. CHILDREN'S AFFAIRS	141,673	141,673
	(0.50)	(0.50)
3. FOSTER CARE		
CLASSIFIED POSITIONS	666,168	234,692
	(22.08)	(5.40)
UNCLASSIFIED POSITIONS	126,004	28,351
	(2.00)	(0.45)
OTHER PERSONAL SRVCS	189,689	17,489
OTHER OPER EXPENSES	320,324	42,938
TOT 3. FOSTER CARE	1,302,185	323,470
	(24.08)	(5.85)
4. CONTINUUM OF CARE		
CLASSIFIED POSITIONS	2,628,602	1,038,510
	(68.00)	(25.75)
UNCLASSIFIED POSITIONS	73,952	73,952
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	953,246	
OTHER OPER EXPENSES	2,208,835	144,890
CASE SERVICES	363,031	142,885
TOT 4. CONTINUUM OF CARE	6,227,666	1,400,237
	(69.00)	(26.75)
TOT B. CHILDREN'S SRVCS	14,262,529	4,099,843
	(197.91)	(70.95)
C. CONSTITUENT SRVCS		
1. VICTIM'S ASSISTANCE		
CLASSIFIED POSITIONS	1,626,865	
	(28.80)	
NEW POSITION ADMIN	-	
SPECIALIST II	(1.00)	

D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITION ADMIN ASSISTANT	-	
	(3.00)	
NEW POSITION AUDITOR III	-	
	(2.00)	
NEW POSITION PROGRAM ASSISTANT	-	
	(2.00)	
NEW POSITION PROGRAM COORDINATOR I	-	
	(2.00)	
UNCLASSIFIED POSITIONS	76,042	
	(1.00)	
OTHER PERSONAL SERVICES	278,939	
OTHER OPER EXPENSES	13,133,376	
ALLOC CNTY - RESTRICTED	650,000	
ALLOC OTHER ST AGENCIES	367,479	
ALLOC OTHER ENTITIES	158,000	
VICTIM'S RIGHTS	120,000	120,000
TOT 1. VICTIM'S ASSIST	16,410,701	120,000
	(39.80)	
2. VETERANS' AFFAIRS		
a. VETERANS' AFFAIRS		
CLASSIFIED POSITIONS	577,526	577,526
	(16.85)	(16.85)
UNCLASSIFIED POSITIONS	65,967	65,967
	(1.00)	(1.00)
OTHER OPER EXPENSES	61,192	61,192
CASE SERVICES	550,000	
POW COMMISSION	2,080	2,080
VETERANS COUNSELING	65,279	65,279
TOT a. VETERANS' AFFAIRS	1,322,044	772,044
	(17.85)	(17.85)
b. VETERANS' CEMETERY		
CLASSIFIED POSITIONS	253,256	253,256
	(8.15)	(8.15)
OTHER OPERATING EXPENSES	349,730	104,730
TOT b. VETERANS' CEMETERY	602,986	357,986
	(8.15)	(8.15)

D500-DEPARTMENT OF ADMINISTRATION

	TOTAL FUNDS	GENERAL FUNDS
TOT 2. VETERANS' AFFAIRS	1,925,030	1,130,030
	(26.00)	(26.00)
 3. OMBUDSMAN		
CLASSIFIED POSITIONS	272,723	133,100
	(9.00)	(2.95)
UNCLASSIFIED POSITIONS	123,694	56,100
	(4.50)	(2.50)
OTHER PERSONAL SRVCS	18,720	
OTHER OPER EXPENSES	106,560	19,629
TOTAL 3. OMBUDSMAN	521,697	208,829
	(13.50)	(5.45)
 4. DEVELOPMENTAL DISABILITIES		
CLASSIFIED POSITIONS	176,342	10,568
	(3.75)	(0.33)
UNCLASSIFIED POSITIONS	77,870	10,817
	(1.00)	(0.18)
OTHER PERSONAL SRVCS	27,500	825
OTHER OPER EXPENSES	113,007	36,007
ALLOC MUNICIPALITIES - RESTRICTED	60,000	
ALLOC SCHOOL DIST	300,000	
ALLOC OTHER STAGENCIES	400,000	
ALLOC OTHER ENTITIES	890,000	
TOTAL 4. DEVELOPMENTAL DISABILITIES	2,044,719	58,217
	(4.75)	(0.51)
 5. SMALL & MINORITY BUSINESS		
CLASSIFIED POSITIONS	87,299	87,299
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	20,000	20,000
OTHER OPER EXPENSES	35,148	35,148
TOT 5. SMALL & MINORITY BUSINESS	142,447	142,447
	(2.00)	(2.00)

D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
6. ECONOMIC OPPORTUNITY		
CLASSIFIED POSITIONS	750,946	
	(16.00)	
UNCLASSIFIED POSITIONS	70,380	
	(1.00)	
OTHER PERSONAL SERVICES	286,548	
OTHER OPER EXPENSES	3,546,883	
ALLOC OTHER ENTITIES	59,127,661	
TOT 6. ECONOMIC OPPORTUNITY	63,782,418	
	(17.00)	
TOT C. CONSTITUENT SERVICES	84,827,012	1,659,523
	(103.05)	(33.96)
TOT III. EXEC POLICY & PROGRAMS	99,705,266	6,375,091
	(313.63)	(117.58)
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	15,887,470	5,389,946
TOT IV. EMPLOYEE BENEFITS	15,887,470	5,389,946
TOTAL DEPARTMENT OF ADMINISTRATION	279,656,524	57,793,690
	(878.62)	(277.26)

SECTION 94
D250-OFFICE OF INSPECTOR GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. OFFICE OF INSPECTOR GENERAL		
INSPECTOR GENERAL	117,829	117,829
	(1.00)	(1.00)
CLASSIFIED POSITIONS	316,102	316,102
	(6.00)	(6.00)
OTHER OPER EXPENSES	62,012	62,012
FRAUD HOTLINE	321	321
TOTAL I. OFFICE OF INSPECTOR GENERAL	496,264	496,264
	(7.00)	(7.00)

D250-OFFICE OF INSPECTOR GENERAL

	TOTAL FUNDS	GENERAL FUNDS
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	138,191	138,191
TOT II. EMPLOYEE BENEFITS	138,191	138,191
TOT OFFICE OF INSPECTOR GENERAL	634,455 (7.00)	634,455 (7.00)

SECTION 95
E040-LIEUTENANT GOVERNOR'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
LIEUTENANT GOVERNOR	46,545	46,545
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	297,734	297,734
	(5.00)	(5.00)
OTHER PERSONAL SRVCS	15,749	15,749
OTHER OPER EXPENSES	70,169	70,169
TOT I. ADMINISTRATION	430,197 (6.00)	430,197 (6.00)
II. OFFICE ON AGING		
A. SENIOR SERVICES ADMIN		
CLASSIFIED POSITIONS	2,319,010	1,089,528
	(50.00)	(27.40)
UNCLASSIFIED POSITIONS	127,686	31,250
	(1.00)	(0.25)
OTHER PERSONAL SERVICES	62,090	35,840
OTHER OPER EXPENSES	2,104,500	1,114,463
SILVER HAired LEGISLATURE	15,000	15,000
HOME AND COMMUNITY BASED SERVICES	10,972,000	10,972,000
TOTAL A. SENIOR SERVICES ADMINISTRATION	15,600,286 (51.00)	13,258,081 (27.65)

E040-LIEUTENANT GOVERNOR'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. OFFICE ON AGING ASSISTANCE		
CLASSIFIED POSITIONS	66,000	
	(1.50)	
OTHER OPER EXPENSES	20,000	
CASE SERVICES	2,825,000	
ALLOC OTHER ST AGENCIES	100,000	
ALLOC OTHER ENTITIES	27,225,963	
AID TO OTHER ENTITIES	1,625,445	1,135,245
ALZHEIMERS	150,000	150,000
GERIATRIC PHYS LOAN PGM	35,000	35,000
FAMILY CAREGIVERS	2,000,000	2,000,000
TOT B. OFFICE ON AGING ASSISTANCE	34,047,408	3,320,245
	(1.50)	
TOTAL II. OFFICE ON AGING	49,647,694	16,578,326
	(52.50)	(27.65)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,030,289	582,706
TOT III. EMPLOYEE BENEFITS	1,030,289	582,706
TOTAL LIEUTENANT GOVERNOR'S OFFICE	51,108,180	17,591,229
	(58.50)	(33.65)

SECTION 96**E080-SECRETARY OF STATE'S OFFICE**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
SECRETARY OF STATE	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,284,795	638,598
	(30.00)	(18.00)
OTHER PERSONAL SRVCS	65,000	
OTHER OPER EXPENSES	786,711	
TOT I. ADMINISTRATION	2,228,513	730,605
	(31.00)	(19.00)

STATUTES AT LARGE
General and Permanent Laws--2016
E080-SECRETARY OF STATE'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	482,804	333,895
TOT II. EMPLOYEE BENEFITS	482,804	333,895
TOT SECRETARY OF STATE'S OFFICE	2,711,317 (31.00)	1,064,500 (19.00)

SECTION 97
E120-COMPTROLLER GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATIVE SERVICES		
COMPTROLLER GENERAL	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	81,020	81,020
	(2.00)	(2.00)
UNCLASSIFIED POSITIONS	38,111	38,111
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	17,000	2,000
OTHER OPERATING EXPENSES	59,301	1,500
TOTAL I. ADMINISTRATIVE SERVICES	287,439 (6.00)	214,638 (6.00)
II. STATEWIDE PAYROLL/ACCOUNTS PAYABLE		
CLASSIFIED POSITIONS	769,677	659,196
	(19.00)	(13.50)
UNCLASSIFIED POSITIONS	35,500	35,500
OTHER OPERATING EXPENSES	75,779	2,000
TOTAL II. STATEWIDE PAYROLL/ACCOUNTS PAYABLE	880,956 (19.00)	696,696 (13.50)
III. STATEWIDE FINANCIAL REPORTING		
CLASSIFIED POSITIONS	282,140	282,140
	(6.00)	(6.00)
UNCLASSIFIED POSITIONS	35,556	35,556
OTHER PERSONAL SERVICES	40,773	5,773

E120-COMPTROLLER GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	139,390	1,748
TOTAL III. STATEWIDE	497,859	325,217
FINANCIAL REPORTING	(6.00)	(6.00)
IV. INFORMATION TECHNOLOGY		
CLASSIFIED POSITIONS	228,381	119,889
	(2.00)	(1.00)
OTHER PERSONAL SERVICES	15,070	70
OTHER OPERATING EXPENSES	119,811	1,065
TOTAL IV. INFORMATION	363,262	121,024
TECHNOLOGY	(2.00)	(1.00)
V. STATEWIDE ACCOUNTING SERVICES		
CLASSIFIED POSITIONS	418,804	373,370
	(6.00)	(4.00)
UNCLASSIFIED POSITIONS	35,556	35,556
OTHER PERSONAL SERVICES	3,000	3,000
OTHER OPERATING EXPENSES	32,023	1,351
TOTAL V. STATEWIDE	489,383	413,277
ACCOUNTING SERVICES	(6.00)	(4.00)
VI. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	580,715	503,328
TOT VI. EMPLOYEE BENEFITS	580,715	503,328
TOTAL COMPTROLLER	3,099,614	2,274,180
GENERAL'S OFFICE	(39.00)	(30.50)

SECTION 98
E160-STATE TREASURER'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
STATE TREASURER	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	66,122	66,122
	(2.00)	(2.00)

STATUTES AT LARGE
General and Permanent Laws--2016
E160-STATE TREASURER'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPERATING EXPENSES	14,115	14,115
TOTAL I. ADMINISTRATION	172,244	172,244
	(3.00)	(3.00)
 II. PROGRAMS AND SERVICES		
CLASSIFIED POSITIONS	3,392,796	997,613
	(64.00)	(34.00)
NEW POSITION PROGRAM	74,000	35,000
COORDINATOR I	(2.00)	(1.00)
NEW POSITION PROGRAM	50,000	50,000
MANAGER I	(1.00)	(1.00)
NEW POSITION INFORMATION	120,000	
SYS/BUSINESS ANALYST III	(2.00)	
UNCLASSIFIED POSITIONS	221,340	
	(3.00)	
OTHER PERSONAL SERVICES	75,000	
OTHER OPERATING EXPENSES	3,455,980	52,641
TOTAL II. PROGRAMS AND SERVICES	7,389,116	1,135,254
	(72.00)	(36.00)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,397,536	458,616
TOT III. EMPLOYEE BENEFITS	1,397,536	458,616
 TOTAL STATE TREASURER'S OFFICE	 8,958,896	 1,766,114
	(75.00)	(39.00)

SECTION 99

E190-RETIREMENT SYSTEM INVESTMENT COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
DIRECTOR	230,000	
	(1.00)	
UNCLASSIFIED POSITIONS	5,938,745	
	(50.00)	

E190-RETIREMENT SYSTEM INVESTMENT COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	2,461,255	
OTHER OPER EXPENSES	6,803,053	
TOT I. ADMINISTRATION	15,433,053	
	(51.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,875,085	
TOT II. EMPLOYEE BENEFITS	1,875,085	
TOT RETIREMENT SYSTEM	17,308,138	
INVESTMENT COMMISSION	(51.00)	

SECTION 100
E240-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
ADJUTANT GENERAL	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,196,033	837,033
	(19.20)	(12.87)
OTHER PERSONAL SERVICES	129,911	114,911
OTHER OPERATING EXPENSES	739,389	738,389
BURIAL FLAGS	11,871	11,871
FUNERAL CAISSON	100,205	100,205
CIVIL AIR PATROL	55,000	55,000
TOT I. ADMINISTRATION	2,324,416	1,949,416
	(20.20)	(13.87)
II. ARMORY OPERATIONS		
CLASSIFIED POSITIONS	21,424	
	(0.55)	
OTHER PERSONAL SERVICES	74,000	
OTHER OPERATING EXPENSES	4,504,580	2,000,004
TOT II. ARMORY OPERATIONS	4,600,004	2,000,004
	(0.55)	

STATUTES AT LARGE
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E240-ADJUTANT GENERAL'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
III. BUILDINGS & GROUNDS		
CLASSIFIED POSITIONS	256,583	115,088
	(13.75)	(8.25)
OTHER PERSONAL SERVICES	7,244	3,344
OTHER OPERATING EXPENSES	102,034	59,896
TOTAL III. BUILDINGS & GROUNDS	365,861	178,328
	(13.75)	(8.25)
IV. ARMY CONTRACT SUPPORT		
CLASSIFIED POSITIONS	1,138,975	62,226
	(8.75)	(0.25)
OTHER PERSONAL SERVICES	3,925,954	
OTHER OPERATING EXPENSES	11,545,685	154,000
TOTAL IV. ARMY CONTRACT SUPPORT	16,610,614	216,226
	(8.75)	(0.25)
V. ENTERPRISE OPERATIONS		
CLASSIFIED POSITIONS	98,857	
	(2.00)	
OTHER PERSONAL SERVICES	839,436	
OTHER OPERATING EXPENSES	3,500,000	
TOTAL V. ENTERPRISE OPERATIONS	4,438,293	
	(2.00)	
VI. MCENTIRE ANG BASE		
CLASSIFIED POSITIONS	937,407	57,740
	(20.75)	(2.81)
OTHER PERSONAL SERVICES	1,245,685	58,668
OTHER OPERATING EXPENSES	3,006,805	322,951
TOT VI. MCENTIRE ANG BASE	5,189,897	439,359
	(20.75)	(2.81)
VII. EMERGENCY PREPAREDNESS		
CLASSIFIED POSITIONS	2,496,975	868,111
	(58.00)	(21.25)
OTHER PERSONAL SERVICES	330,448	10,326
OTHER OPERATING EXPENSES	3,962,452	530,999
ALLOC MUNICIPALITIES - RESTRICTED	4,500,000	

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E240-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC COUNTIES - RESTRICTED	7,990,342	36,410
ALLOC OTHER STATE AGENCIES	693,766	
ALLOC OTHER ENTITIES	60,000	
TOTAL VII. EMERGENCY	20,033,983	1,445,846
PREPAREDNESS	(58.00)	(21.25)
 VIII. STATE GUARD		
CLASSIFIED POSITIONS	72,034	72,034
	(2.50)	(2.50)
OTHER PERSONAL SERVICES	51,935	51,935
OTHER OPERATING EXPENSES	203,064	203,064
TOTAL VIII. STATE GUARD	327,033	327,033
	(2.50)	(2.50)
 IX. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	5,426,651	919,667
TOT IX. EMPLOYEE BENEFITS	5,426,651	919,667
 TOTAL ADJUTANT	 59,316,752	 7,475,879
GENERAL'S OFFICE	(126.50)	(48.93)

SECTION 101
E280-ELECTION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	90,281	90,281
	(1.00)	(1.00)
CLASSIFIED POSITIONS	116,379	52,582
	(9.50)	(7.00)
NEW POSITION PROGRAM	179,000	179,000
COORDINATOR II	(3.00)	(3.00)
OTHER OPERATING EXPENSES	689,101	473,198
TOTAL I. ADMINISTRATION	1,074,761	795,061
	(13.50)	(11.00)
 II. VOTER SERVICES		
CLASSIFIED POSITIONS	292,555	292,555
	(10.00)	(10.00)

STATUTES AT LARGE
General and Permanent Laws--2016
E280-ELECTION COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPERATING EXPENSES	668,845	668,845
TOTAL II. VOTER SERVICES	961,400	961,400
	(10.00)	(10.00)
 III. PUBLIC INFORMATION/ TRAINING		
CLASSIFIED POSITIONS	19,246	19,246
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	135,000	100,000
TOTAL III. PUBLIC INFORMATION/TRAINING	154,246	119,246
	(3.00)	(3.00)
 IV. DISTRIBUTION TO SUBDIV AID TO COUNTIES - LOCAL REGIS EXP		
	533,000	533,000
TOTAL IV. DISTRIBUTION TO SUBDIVISIONS	533,000	533,000
 V. STWIDE/SPEC PRIMARIES		
STATEWIDE PRIMARIES	4,200,000	3,000,000
SPECIAL PRIMARIES	100,000	
TOT V. STWIDE/SPECIAL PRIMARIES	4,300,000	3,000,000
 VI. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	359,371	333,371
TOT VI. EMPLOYEE BENEFITS	359,371	333,371
 TOT ELECTION COMMISSION	 7,382,778	 5,742,078
	(26.50)	(24.00)

SECTION 102
E500- REVENUE & FISCAL AFFAIRS OFFICE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	156,450	156,450
	(1.00)	(1.00)

E500-REVENUE & FISCAL AFFAIRS OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CHAIRMAN'S ALLOWANCE	10,000	10,000
APPOINTEE ALLOWANCE	16,000	16,000
TOT I. ADMINISTRATION	182,450	182,450
	(1.00)	(1.00)
II. PROGRAM SERVICES		
CLASSIFIED POSITIONS	4,179,449	2,530,310
	(69.75)	(43.25)
UNCLASSIFIED POSITIONS	130,621	130,621
	(2.00)	(1.70)
OTHER PERSONAL SERVICES	897,176	47,500
OTHER OPERATING EXPENSES	3,326,255	829,966
TOT II. PROGRAM SERVICES	8,533,501	3,538,397
	(71.75)	(44.95)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,951,891	1,032,721
TOT III. EMPLOYEE BENEFITS	1,951,891	1,032,721
TOTAL REVENUE & FISCAL AFFAIRS OFFICE	10,667,842	4,753,568
	(72.75)	(45.95)

SECTION 104

E550-STATE FISCAL ACCOUNTABILITY AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	166,082	
	(1.00)	
CLASSIFIED POSITIONS	1,093,918	
	(21.00)	
UNCLASSIFIED POSITIONS	801,000	
	(5.00)	
OTHER OPER EXPENSES	272,000	
TOT I. ADMINISTRATION	2,333,000	
	(27.00)	

E550-STATE FISCAL ACCOUNTABILITY AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. PROCUREMENT SRVCS		
CLASSIFIED POSITIONS	3,290,000	975,000
	(57.50)	(17.50)
UNCLASSIFIED POSITIONS	177,000	120,000
	(2.00)	(1.00)
OTHER PERSONAL SRVCS	52,000	
OTHER OPER EXPENSES	2,536,534	124,100
TOTAL II. PROCUREMENT SERVICES	6,055,534	1,219,100
	(59.50)	(18.50)
III. INSURANCE SERVICES		
A. INSURANCE RESERVE FUND		
CLASSIFIED POSITIONS	2,620,000	
	(49.00)	
UNCLASSIFIED POSITIONS	245,000	
	(2.50)	
OTHER OPER EXPENSES	3,681,000	
TOT A. INSURANCE RESERVE FUND	6,546,000	
	(51.50)	
B. SECOND INJURY FUND SUNSET		
OTHER PERSONAL SRVCS	155,000	
OTHER OPER EXPENSES	175,000	
TOT B. SECOND INJURY FUND SUNSET	330,000	
TOTAL III. INSURANCE SERVICES	6,876,000	
	(51.50)	
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,719,170	336,425
TOT IV. EMPLOYEE BENEFITS	2,719,170	336,425
TOTAL STATE FISCAL ACCOUNTABILITY AUTHORITY	17,983,704	1,555,525
	(138.00)	(18.50)

SECTION 105
F270-SFAA - STATE AUDITOR'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
STATE AUDITOR	141,396	141,396
	(1.00)	(1.00)
CLASSIFIED POSITIONS	163,462	163,462
	(3.00)	(3.00)
OTHER OPER EXPENSES	261	261
TOT I. ADMINISTRATION	305,119	305,119
	(4.00)	(4.00)
II. AUDITS		
CLASSIFIED POSITIONS	2,380,128	1,737,099
	(47.00)	(30.00)
NEW POSITION PROGRAM	86,500	86,500
MANAGER III	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	111,512	111,512
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	1,958,229	443,229
TOT II. AUDITS	4,536,369	2,378,340
	(49.00)	(32.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,031,361	809,751
TOT III. EMPLOYEE BENEFITS	1,031,361	809,751
TOTAL SFAA - STATE	5,872,849	3,493,210
AUDITOR'S OFFICE	(53.00)	(36.00)

SECTION 106
F300-STATEWIDE EMPLOYEE BENEFITS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. STATE EMPLOYEE BENEFITS		
A. BASE PAY INCREASE		
BASE PAY INCREASE	54,270,993	54,270,993
TOT A. BASE PAY INCREASE	54,270,993	54,270,993

F300-STATEWIDE EMPLOYEE BENEFITS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. RATE INCREASES		
HLTH INSURANCE-EMPLOYER CONTRIBUTIONS	25,727,161	25,727,161
SCRS EMPLOYER CONTRIBS	16,911,868	16,911,868
PORS EMPLOYER CONTRIBS	1,649,037	1,649,037
DENTAL	1,511,000	1,511,000
TOT B. RATE INCREASES	45,799,066	45,799,066
TOT II. STATE EMPLOYEE BENEFITS	100,070,059	100,070,059
TOTAL STATEWIDE EMPLOYEE BENEFITS	100,070,059	100,070,059

SECTION 107
F310-CAPITAL RESERVE FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. RESERVE FUND		
CAPITAL RESERVE FUND	139,207,789	139,207,789
TOTAL I. RESERVE FUND	139,207,789	139,207,789
TOT CAP RESERVE FUND	139,207,789	139,207,789

SECTION 108
F500-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	157,290	
	(1.00)	
PUBLIC EMPLOYEE BENEFIT AUTHORITY	132,000	
TOTAL I. ADMINISTRATION	289,290	
	(1.00)	

F500-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. PROGRAM AND SERVICES		
A. EMPLOYEE INSURANCE		
CLASSIFIED POSITIONS	5,894,806	
	(106.43)	
UNCLASSIFIED POSITIONS	337,513	
	(3.00)	
OTHER PERSONAL SRVCS	177,700	
OTHER OPER EXPENSES	5,253,720	
ADOPTION ASSIST PROGRAM	300,000	
TOT A. EMPLOYEE INSURANCE	11,963,739	
	(109.43)	
B. SC RETIREMENT SYSTEMS		
CLASSIFIED POSITIONS	8,121,138	
	(155.00)	
UNCLASSIFIED POSITIONS	482,548	
	(5.00)	
OTHER PERSONAL SRVCS	100,181	
OTHER OPER EXPENSES	5,795,716	
TOTAL B. SC RETIREMENT SYSTEMS	14,499,583	
	(160.00)	
TOTAL II. PROGRAM AND SERVICES	26,463,322	
	(269.43)	
III. STATEWIDE EMPLOYER CONTRIBUTIONS		
RETIRE SUPP - ST EMPLOYEES	267,031	267,031
RETIRE SUPP - PUBLIC SCHOOL	239,672	239,672
RET - POLICE INSURANCE & ANNUITY FUND	960	960
RET SUPP - POLICE OFFICERS	21,259	21,259
PENSIONS - RET NATIONAL GUARD	4,590,798	4,590,798
OPEB TRUST FUND	2,375,300	2,375,300
TOTAL III. STATEWIDE EMPLOYER CONTRIBUTIONS	7,495,020	7,495,020

F500-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	TOTAL FUNDS	GENERAL FUNDS
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	5,277,479	
TOT IV. EMPLOYEE BENEFITS	5,277,479	
TOT PUBLIC EMPLOYEE BENEFIT AUTHORITY	39,525,111 (270.43)	7,495,020

SECTION 109
R440-DEPARTMENT OF REVENUE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATIVE & PROGRAM SUPPORT		
DIRECTOR	160,650 (1.00)	160,650 (1.00)
CLASSIFIED POSITIONS	239,658 (10.00)	239,658 (10.00)
UNCLASSIFIED POSITIONS	123,375 (2.00)	123,375 (2.00)
OTHER OPERATING EXPENSES	35,000	35,000
TOTAL I. ADMINISTRATIVE & PROGRAM SUPPORT	558,683 (13.00)	558,683 (13.00)
II. PROGRAMS AND SERVICES		
A. SUPPORT SERVICES		
CLASSIFIED POSITIONS	7,528,362 (152.50)	5,954,161 (117.75)
UNCLASSIFIED POSITIONS	- (1.00)	- (1.00)
OTHER PERSONAL SERVICES	150,000	100,000
OTHER OPERATING EXPENSES	36,872,089	6,996,060
TOTAL A. SUPPORT SERVICES	44,550,451 (153.50)	13,050,221 (118.75)
B. REVENUE & REGULATORY		
CLASSIFIED POSITIONS	18,134,545 (601.50)	17,765,191 (589.50)

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	350,000	
OTHER OPERATING EXPENSES	6,431,052	5,376,963
TOTAL B. REVENUE & REGULATORY	24,915,597 (601.50)	23,142,154 (589.50)
 C. LEGAL, POLICY & LEGISLATIVE		
CLASSIFIED POSITIONS	505,992	505,992
	(12.00)	(12.00)
OTHER OPERATING EXPENSES	80,000	80,000
TOTAL C. LEGAL, POLICY & LEGISLATIVE	585,992 (12.00)	585,992 (12.00)
TOTAL II. PROGRAMS AND SERVICES	70,052,040 (767.00)	36,778,367 (720.25)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	11,965,038	11,061,618
TOT III. EMPLOYEE BENEFITS	11,965,038	11,061,618
TOTAL DEPARTMENT OF REVENUE	82,575,761 (780.00)	48,398,668 (733.25)

SECTION 110
R520-STATE ETHICS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	72,736	72,736
	(1.00)	(1.00)
CLASSIFIED POSITIONS	726,263	498,215
	(10.00)	(7.00)
NEW POSITION AUDITOR III	90,000	90,000
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	18,187	3,187

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R520-STATE ETHICS COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
OTHER OPER EXPENSES	289,300	59,300
TOT I. ADMINISTRATION	1,196,486	723,438
	(13.00)	(10.00)
 II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	225,765	181,305
TOT II. EMPLOYEE BENEFITS	225,765	181,305
 TOTAL STATE ETHICS	 1,422,251	 904,743
COMMISSION	(13.00)	(10.00)

SECTION 111
S600-PROCUREMENT REVIEW PANEL

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
CLASSIFIED POSITIONS	82,562	82,562
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	3,771	3,771
OTHER OPER EXPENSES	44,910	42,376
TOTAL I. ADMINISTRATION	131,243	128,709
	(2.00)	(2.00)
 II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	29,977	29,977
TOT II. EMPLOYEE BENEFITS	29,977	29,977
 TOTAL PROCUREMENT	 161,220	 158,686
REVIEW PANEL	(2.00)	(2.00)

SECTION 112
V040-DEBT SERVICE

	TOTAL FUNDS	GENERAL FUNDS
I. GENERAL OBLIGATION		
BONDS		
CAPITAL IMPROVE BONDS	49,343,728	49,343,728

	TOTAL FUNDS	GENERAL FUNDS
AIR CARRIER HUB BONDS	4,308,400	4,308,400
ST SCH FACILITIES BONDS	57,992,525	57,992,525
ECO DEV BONDS	55,200,280	55,200,280
RESEARCH UNIV BONDS	24,220,344	24,220,344
TOT I. GENERAL OBLIG BONDS	191,065,277	191,065,277
 II. SPECIAL BONDS/STOCKS/ OTHER		
INT PAYMENT - AGRIC COLLEGE STOCK	11,508	11,508
INT PYMNT - CLEMSON STOCK	3,513	3,513
RICHARD B RUSSELL PROJECT	550,000	550,000
TOTAL II. SPECIAL BONDS/STOCKS/OTHER	565,021	565,021
 TOTAL DEBT SERVICE	 191,630,298	 191,630,298

SECTION 113
X220-AID TO SUBDIVISIONS - STATE TREASURER

	TOTAL FUNDS	GENERAL FUNDS
I. AID TO SUBDIV-FORMULA FUNDED		
AID TO FIRE DISTRICTS	13,496,453	13,496,453
AID - LOCAL GOVMNT FUND	212,619,411	212,619,411
AID PLANNING DISTRICTS	556,253	556,253
AID TO COUNTY VETERANS' OFFICES	260,031	260,031
TOTAL I. AID TO SUBDIV-FORMULA FUNDED	226,932,148	226,932,148
 II. AID TO SUBDIV-CATEGOR GRANTS		
AID TO CNTY - CLERKS OF COURT	72,450	72,450
AID TO CNTY - PROBATE JUDGES	72,450	72,450

X220-AID TO SUBDIVISIONS - STATE TREASURER

	TOTAL FUNDS	GENERAL FUNDS
AID TO CNTY - SHERIFFS	72,450	72,450
AID TO CNTY - REGISTER OF DEEDS	33,075	33,075
AID TO CNTY - CORONERS	72,450	72,450
AID TO CNTY - AUDITORS	1,338,326	1,338,326
AID TO CNTY - TREASURERS	1,338,325	1,338,325
TOTAL II. AID TO SUBDIV-CATEGOR GRANTS	2,999,526	2,999,526
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	19,265	19,265
TOT III. EMPLOYEE BENEFITS	19,265	19,265
 TOT AID TO SUBDIVISIONS	 229,950,939	 229,950,939

SECTION 114

X440-AID TO SUBDIVISIONS - DEPARTMENT OF REVENUE

	TOTAL FUNDS	GENERAL FUNDS
I. AID TO SUBDIVISIONS		
AID TO CNTY - HOMESTEAD EXEMPTION FUND	49,176,000	49,176,000
TOT I. AID TO SUBDIV	49,176,000	49,176,000
 TOT AID TO SUBDIV	 49,176,000	 49,176,000

SECTION 115

X500-TAX RELIEF TRUST FUND

	TOTAL FUNDS	GENERAL FUNDS
I. AID TO SUBDIVISIONS		
HOMESTEAD EXEMP-DIST TO SCHOOL DISTRICTS	329,962,479	
HOMESTEAD EXEMPTION REIMB-65YRS/DISABLED	133,112,184	

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
MANUFACTURERS'	74,357,080	
DEPRECIATION REIMBURS		
MERCHANTS' INVENTORY	40,557,257	
TAX EXEMPTION		
TOT I. AID TO SUBDIV	577,989,000	
TOTAL TAX RELIEF	577,989,000	
TRUST FUND		

RECAPITULATION

<u>AGENCY</u>	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
H630 DEPARTMENT OF EDUCATION	4,543,517,756	2,873,002,961
H660 LOTTERY EXPENDITURE ACCOUNT	418,675,000	
A850 EDUCATION OVERSIGHT COMMITTEE	1,793,242	
H710 WIL LOU GRAY OPPORTUNITY SCHOOL	7,129,912	5,939,591
H750 SCHOOL FOR THE DEAF AND THE BLIND	25,134,945	14,725,490
L120 JOHN DE LA HOWE SCHOOL	5,741,491	4,604,217
H670 EDUCATIONAL TELEVISION COMM	19,192,532	277,532
H030 COMMISSION ON HIGHER EDUCATION	44,904,235	35,755,215
H060 HIGHER EDUCATION TUITION GRANTS	31,250,199	26,250,199
H090 THE CITADEL	146,926,357	10,058,294
H120 CLEMSON UNIVERSITY (EDUC & GEN)	948,718,169	77,291,817
H150 UNIVERSITY OF CHARLESTON	258,663,867	24,101,091
H170 COASTAL CAROLINA UNIVERSITY	201,668,521	11,791,478
H180 FRANCIS MARION UNIVERSITY	64,578,696	14,516,433
H210 LANDER UNIVERSITY	73,443,721	7,389,072
H240 SOUTH CAROLINA STATE UNIVERSITY	119,482,323	13,225,021
H270 UNIVERSITY OF SOUTH CAROLINA	1,108,648,548	122,515,574
H290 USC - AIKEN CAMPUS	57,386,774	7,732,805
H340 USC - UPSTATE	93,819,137	10,692,157
H360 USC - BEAUFORT CAMPUS	32,116,232	3,431,306
H370 USC - LANCASTER CAMPUS	20,044,336	2,169,835
H380 USC - SALKEHATCHIE CAMPUS	13,925,688	1,671,689
H390 USC - SUMTER CAMPUS	15,578,642	2,952,539
H400 USC - UNION CAMPUS	6,888,690	799,377
H470 WINTHROP UNIVERSITY	152,758,512	15,267,692
H510 MEDICAL UNIVERSITY OF SC	649,270,468	63,049,912
H530 AREA HEALTH EDUCATION CONSORT	13,875,835	10,222,208
H590 TECHNICAL & COMPREHENSIVE EDUC	727,406,476	140,515,257
H790 DEPARTMENT OF ARCHIVES & HIST	4,743,759	2,552,018
H870 STATE LIBRARY	15,080,155	12,112,009
H910 ARTS COMMISSION	4,545,147	2,985,799
H950 STATE MUSEUM COMMISSION	6,532,145	3,532,145
H960 CONFEDERATE RELIC ROOM AND MIL	1,245,024	825,772
H730 VOCATIONAL REHABILITATION	166,814,176	15,386,236
J020 DEPT OF HEALTH & HUMAN SERV	7,354,277,153	1,271,015,600
J120 DEPARTMENT OF MENTAL HEALTH	462,541,832	216,320,260
J160 DEPT OF DISABILITIES & SPECIAL	728,421,802	231,643,470
J200 DEPT OF ALCOHOL & OTHER DRUG A	49,304,719	8,398,181

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
L040 DEPARTMENT OF SOCIAL SRVCS	713,455,638	148,831,173
L240 COMMISSION FOR THE BLIND	12,262,048	3,425,793
L320 HOUSING FINANCE & DEVELOP	182,071,667	
P120 FORESTRY COMMISSION	30,306,119	15,863,846
P160 DEPARTMENT OF AGRICULTURE	16,973,167	7,860,337
P200 CLEMSON UNI (PUBLIC SERVICE AU)	76,432,260	36,511,692
P210 SC STATE UNI (PUBLIC SERVICE AU)	7,582,705	3,408,964
P240 DEPT OF NATURAL RESOURCES	99,064,483	24,098,671
P260 SEA GRANT CONSORTIUM	5,483,881	651,881
P280 DEPT OF PARKS, RECREATION & TOUR	94,459,242	43,188,027
P320 DEPARTMENT OF COMMERCE	108,944,128	35,087,613
P340 JOBS-ECONOMIC DEVELOPMENT AUT	423,150	
P360 PATRIOTS POINT DEVELOPMENT AUT	13,836,012	
P400 S.C. CONSERVATION BANK	15,000,000	
P450 RURAL INFRASTRUCTURE AUT	42,480,856	20,511,856
B040 JUDICIAL DEPARTMENT	71,100,347	47,766,954
C050 ADMINISTRATIVE LAW COURT	3,929,857	2,459,617
E200 ATTORNEY GENERAL'S OFFICE	27,740,697	10,360,403
E210 PROSECUTION COORDINATION COMM	35,687,287	27,081,704
E230 COMMISSION ON INDIGENT DEFENSE	43,615,582	29,693,710
D100 STATE LAW ENFORCEMENT DIVISION	95,527,724	44,979,679
K050 DEPARTMENT OF PUBLIC SAFETY	171,047,852	81,489,262
N200 LAW ENFORCEMENT TRAINING COUNC	13,318,792	4,168,792
N040 DEPARTMENT OF CORRECTIONS	464,711,719	398,045,209
N080 DEPT OF PROBATION, PAROLE & PARD	54,792,768	33,698,377
N120 DEPARTMENT OF JUVENILE JUSTICE	125,512,127	105,596,555
L360 HUMAN AFFAIRS COMMISSION	3,109,365	2,132,540
L460 COMMISSION ON MINORITY AFFAIRS	1,259,824	998,010
R040 PUBLIC SERVICE COMMISSION	4,710,308	
R060 OFFICE OF REGULATORY STAFF	13,315,656	
R080 WORKERS' COMPENSATIONCOMMISS	6,663,160	1,993,752
R120 STATE ACCIDENT FUND	9,959,480	
R140 PATIENTS' COMPENSATION FUND	996,001	
R200 DEPARTMENT OF INSURANCE	17,691,020	4,060,266
R230 BOARD OF FINANCIAL INSTITUTIONS	4,304,353	
R280 DEPARTMENT OF CONSUMER AFFAIRS	3,373,543	1,313,877
R360 DEPAT OF LABOR, LICENSING & REG	41,056,657	1,354,785
R400 DEPARTMENT OF MOTOR VEHICLES	91,047,596	85,000,000
R600 DEPARTMENT OF EMPLOY AND WORK	190,675,732	500,000
U120 DEPARTMENT OF TRANSPORTATION	1,804,212,026	50,057,271
U150 INFRASTRUCTURE BANK BOARD	270,458,276	
U200 COUNTY TRANSPORTATION FUNDS	209,220,080	
U300 DIVISION OF AERONAUTICS	9,061,474	2,030,135
A010 LEG DEPT - THE SENATE	14,203,930	13,903,930
A050 LEG DEPT - HOUSE OF REPRESENTAT	21,938,408	21,938,408
A150 LEG DEPT - CODIFICATION OF LAWS	4,116,277	3,816,277
A170 LEG DEPT - LEGISLATIVE SRVCS	5,775,780	5,775,780
A200 LEG DEPT - LEG AUDIT COUNCIL	2,211,181	1,811,181
D050 GOVERNOR'S OFF - EXECUTIVE CONTR	1,976,092	1,976,092
D200 GOVERNOR'S OFF - MANSION AND GRO	512,771	312,771
D500 DEPARTMENT OF ADMINISTRATION	279,656,524	57,793,690
D250 OFFICE OF INSPECTOR GENERAL	634,455	634,455
E040 LIEUTENANT GOVERNOR'S OFFICE	51,108,180	17,591,229

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	TOTAL FUNDS	GENERAL FUNDS
E080 SECRETARY OF STATE'S OFFICE	2,711,317	1,064,500
E120 COMPTROLLER GENERAL'S OFFICE	3,099,614	2,274,180
E160 STATE TREASURER'S OFFICE	8,958,896	1,766,114
E190 RETIREMENT SYS INVESTMENT COMM	17,308,138	
E240 ADJUTANT GENERAL'S OFFICE	59,316,752	7,475,879
E280 ELECTION COMMISSION	7,382,778	5,742,078
E500 REVENUE & FISCAL AFFAIRS OFFICE	10,667,842	4,753,568
E550 STATE FISCAL ACCOUNTABILITY AU	17,983,704	1,555,525
F270 SFAA - STATE AUDITOR'S OFFICE	5,872,849	3,493,210
F300 STATEWIDE EMPLOYEE BENEFITS	100,070,059	100,070,059
F310 CAPITAL RESERVE FUND	139,207,789	139,207,789
F500 PUBLIC EMPLOYEE BENEFIT AU	39,525,111	7,495,020
R440 DEPARTMENT OF REVENUE	82,575,761	48,398,668
R520 STATE ETHICS COMMISSION	1,422,251	904,743
S600 PROCUREMENT REVIEW PANEL	161,220	158,686
V040 DEBT SERVICE	191,630,298	191,630,298
X220 AID TO SUBDIV - STATE TREAS	229,950,939	229,950,939
X440 AID TO SUBDIV - DEPT OF REV	49,176,000	49,176,000
X500 TAX RELIEF TRUST FUND	577,989,000	
GRAND TOTAL	26,337,021,543	
STATE OF SOUTH CAROLINA		7,579,528,892
SOURCE OF FUNDS		
APPROP GENERAL FUNDS	7,579,528,892	
FEDERAL FUNDS	8,359,343,259	
OTHER FUNDS	10,398,149,392	
GRAND TOTAL	26,337,021,543	

STATEMENT OF REVENUES

ESTIMATE OF GENERAL, SCHOOL, TRANSPORTATION,
EDUCATION IMPROVEMENT ACT AND
EDUCATION LOTTERY REVENUES
FISCAL YEAR 2016-17

General Fund	
Sales And UseTax	2,874,667,000
Individual Income Tax	4,063,649,260
Corporation Income Tax	387,554,000
Insurance Tax	240,186,000
Admissions Tax	30,893,000
Aircraft Tax	4,859,000
Alcoholic Liquor Tax	74,070,000
Bank Tax	33,820,000
Beer and Wine Tax	108,035,000

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Bingo Tax	3,110,000
Business Filing Fees	5,375,000
Circuit & Family Court Fines	8,616,000
Corporation License Tax	105,510,000
Documentary Tax	47,236,000
Earned on Investments	17,000,000
Indirect Cost Recoveries	14,473,000
Motor Vehicle Licenses	11,031,000
Nursing Homes Fees	3,700,000
Parole & Probation Supervision Fees	3,393,000
Private Car Lines Tax	4,458,000
Public Service Authority	20,806,000
Purchasing Card Rebates	2,500,000
Record Search Fees	4,461,000
Savings & Loan Association Tax	1,835,000
Security Dealer Fees	24,000,000
Surcharge on Vehicle Rentals	2,900,000
Tobacco Tax	24,724,000
Uncashed Checks	2,000,000
Unclaimed Property Fund	15,000,000
Workers' Compensation Insurance Tax	8,009,000
Other Sources of Revenue	<u>9,647,632</u>
 Total General Fund Revenues	 8,157,517,892
 Less: Revenue Transferred to Tax Relief Trust Funds (§11-11-150)	 <u>577,989,000</u>
 Net General Fund Revenue	 7,579,528,892
 Education Improvement Act Revenue	 751,585,000
 Transportation Fund Revenue	 1,754,154,755
 Education Lottery Revenue	 376,300,000
FY 2015-16 Estimated Lottery Surplus	78,375,000
 Total Estimated Revenue (§11-11-410)	 <u>11,117,932,647</u>

END OF PART IA

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: DHEC - 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: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act to include an inflation factor projected by the Revenue and Fiscal Affairs Office to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year has been determined to be \$2,350. For the current fiscal year, the total pupil count is projected to be 723,953. The average per pupil funding is projected to be \$5,827 state, \$1,245 federal, and \$5,542 local. This is an average total funding level of \$14,210 excluding revenues of local bond issues. 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 EFA funds to the charter school as determined by one hundred percent of the current year's base student cost, as funded by the General Assembly multiplied by the weighted students pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

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

SECTION 1 - H630 - DEPARTMENT OF EDUCATION

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.

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 prescribed in Section 59-20-40(1)(c) Special Programs | |
| (3) Precareer and Career Technology | 1.29 |
| (4) 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 | 0.20 |
| (E) Dual Credit Enrollment | 0.15 |

No local match is required for the additional weightings for personalized instruction in school year 2016-17. Charter school per pupil calculations for locally sponsored charters will continue to be calculated according to Section 59-40-140 of the 1976 Code. Students may receive multiple weights for personalized instruction; however, within each weight, students should only be counted once. These weights are defined below:

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP) and International Baccalaureate (IB) 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.

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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.

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

Students identified for dual credit enrollment must be identified in PowerSchool as taking a course that will lead to both high school credit and post-secondary credit. Districts must assist students in accessing Lottery Tuition Assistance when applicable.

For the current school year, the Department of Education will continue to use counts from the prior school year to determine poverty funding for the add-on weighting. The Department of Education will continue to work with school districts to determine students eligible for the poverty add-on using the data elements used to determine USDA community eligibility to be used in future years.

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, 2017. The department must provide districts with technical assistance with regard to student count changes in PowerSchool.

1.4. (SDE: EFA - Formula) The amount appropriated in Part IA, Section 1 for "Education Finance Act" shall be the maximum paid under the provisions of Act 163 of 1977 (the South Carolina Education Finance Act of 1977) to the aggregate of all recipients. The South Carolina Education Department shall develop formulas to determine the state and required local funding as stipulated in the South Carolina Education Finance Act of 1977. Such formulas shall require the approval of the

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State Board of Education and the State Fiscal Accountability Authority. After computing the EFA allocations for all districts, the department shall determine whether any districts' minimum required local revenue exceeds the districts' total EFA Foundation Program. When such instance is found, the department shall adjust the index of taxpaying ability to reflect a local effort equal to the cost of the districts' EFA Foundation Program. The districts' weighted pupil units are to be included in determination of the funds needed for implementation of the Education Finance Act statewide.

In the event that the formulas as devised by the Department of Education and approved by the State Board of Education and the State Fiscal Accountability Authority should provide for distribution to the various school districts totaling more than the amount appropriated for such purposes, subject to the provisions of this proviso, the Department of Education shall reduce each school district entitlement by an equal amount per weighted pupil so as to bring the total disbursements into conformity with the total funds appropriated for this purpose. If a reduction is required in the state's contribution, the required local funding shall be reduced by the proportionate share of local funds per weighted pupil unit. The Department of Education shall continually monitor the distribution of funds under the provisions of the Education Finance Act and shall make periodic adjustments to disbursements to ensure the aggregate of such disbursements do not exceed the appropriated funds.

Local districts shall not be mandated or required to inflate the base number in their respective salary schedules by any percentage greater than the percentage by which the appropriated base student cost exceeds the appropriated base student cost of the prior fiscal year.

1.5. (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.

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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.

1.6. (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.

1.7. (SDE: Governor's School for Science & Math) 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.

1.8. (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. This also applies to John de la Howe School who also has the

SECTION 1 - H630 - DEPARTMENT OF EDUCATION

authority to seek reimbursement in any situation that the school district has participation in the placement of the student. John de la Howe School shall be reimbursed 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 Disabilities and Special Needs, 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

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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.

1.9. (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.

1.10. (SDE: Revenue Authorization) The State Department of Education is hereby authorized to collect, expend, and carry forward

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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.

1.11. (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.

1.12. (SDE: School Lunch Program Aid) The amount appropriated herein for School Lunch Program Aid shall be divided among the District and/or County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in

SECTION 1 - H630 - DEPARTMENT OF EDUCATION

each district during the prior school year. The travel expenses of the District and/or County School Lunch Supervisor shall be paid from this appropriation at the prevailing rate of mileage allowed by the State. These funds may be used as an aid in improving the School Lunch Program. These funds may not be used to supplement the salaries of school lunch supervisors. In the absence of a County Board of Education in multi-district counties, the funds will be divided among the school districts of the county on the basis of the number of schools participating in the School Lunch Program in each district during the prior school year.

1.13. (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.

1.14. (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.

1.15. (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.

1.16. (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.

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1.17. (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.

1.18. DELETED

1.19. (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.

1.20. (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

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compared to the specifications set forth by the School Bus Specifications Committee.

1.21. (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.

1.22. (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.

1.23. (SDE: Status Offenders/John de la Howe) The funds appropriated for the Status Offender Program shall be distributed to John de la Howe School to expand residential programs to include court ordered status offenders. Components of such a program shall include collaboration between the home school district and the residential school and treatment or related services to the families of students in placement.

1.24. (SDE: Governor's School Leave Policy) The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their respective board of directors. This policy shall address their respective school calendars in order to comply with the instructional needs of students attending both special schools.

1.25. DELETED

1.26. (SDE: School Board Meetings) Of the funds appropriated through the Department of Education for technology related expenses, school districts that have a website shall place a notice of a regularly scheduled school board meeting twenty-four hours in advance of such meeting. The notice shall include the date, time, and agenda for the board meeting. The school district shall place the minutes of the board meeting on their website within ten days of the next regularly scheduled board meeting.

1.27. (SDE: Proviso Allocations) In the event an official General Fund revenue shortfall is declared by the Board of Economic Advisors,

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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, except the additional EFA allocation to the South Carolina Public Charter School District. The reduction may not be greater than the total percentage of reduction of the Section 1 appropriation. Should the department hold back funds in excess of the total percentage reduction those funds must be allocated per the proviso. No allocation for teacher salaries shall be reduced as a result of this proviso.

1.28. (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, 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 required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

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.

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“InSite” 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. Formative assessments for grades one, two, and nine, 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

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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.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, 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.

1.29. (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

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required to undergo a national security background check because of the required Hazmat endorsement to their CDL.

1.30. (SDE: Budget Reduction) In compensating for any reduction in funding, 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.

1.31. (SDE: Governor's School for the Arts and Humanities 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.

1.32. (SDE: Governor's Schools' Fees) The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to charge, collect, expend, and carry forward student fees as approved by their respective Board of Directors. The purpose and amount of any such fees will be to maintain program quality in both academics and residential support. No student will be denied admittance or participation due to financial inability to pay. The respective Board of Directors shall promulgate administrative policy governing the collection of all student fees. Both schools shall conspicuously publish a fee schedule on their respective websites.

1.33. (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

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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.

1.34. (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

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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.

1.35. (SDE: SCGSAH Certified Teacher Designation) Because of the unique nature of the South Carolina 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.

1.36. (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.

1.37. (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.

1.38. (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.

1.39. (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.

1.40. (SDE: Education Finance Act 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 Education Finance Act Reserve Fund. All unexpended general funds appropriated to the Department of Education for the Education Finance Act in the current fiscal year shall be transferred to the Education Finance Act Reserve Fund. In the event that the amount appropriated for the Education Finance Act is insufficient to fully fund the base student cost as established by this act, revenues from the Education Finance Act Reserve Fund may be used to supplement the funds appropriated. The General Assembly may make direct appropriations to this fund. All

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unexpended funds in the Education Finance Act Reserve Fund and any interest accrued by the fund must remain in the fund and may be carried forward into the current fiscal year.

1.41. (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.

1.42. (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

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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 Homebound pupils of 2.10, as set forth in Section 59-20-40 of the 1976 Code 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 \$45 per student per day. 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

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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.

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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 services 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

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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.

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

1.44. (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.

1.45. (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.

1.46. (SDE: Administrative Costs Report Posting) School districts must report the amount of funds spent on administrative costs, as defined by InSight 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 base student cost by one percent until such time as the requirement is met. Once in compliance, any funds withheld will be returned to the district.

1.47. (SDE: Governor's Schools Residency Requirement) Of the funds appropriated, the Governor's School for the Arts and the Humanities and the Governor's School for Science and Mathematics are to ensure that a parent(s) or guardian(s) of a student attending either the Governor's School for the Arts and the Humanities or 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 the

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Arts and the Humanities and Governor's School for Science and Mathematics may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

1.48. (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.

1.49. DELETED

1.50. (SDE: Student Health and Fitness) Funds appropriated for Student Health and Fitness shall be allocated to school districts to increase the number of physical education teachers to the extent possible and to provide licensed nurses for elementary public schools. Twenty-seven percent of the funds shall be allocated to the districts based on average daily membership of grades K-5 from the preceding year for physical education teachers. The remaining funds will be made available for school nurses and shall be distributed to the school districts on a per school basis. Schools that provide instruction in grades K-5 are eligible to apply for the school nurse funds.

1.51. (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 EFA and other applicable provisions of law.

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

1.53. (SDE: Health Education) 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. Each district shall publish on its website the title and publisher

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of all health education materials it has approved, adopted, and used in the classroom. 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 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. If the department determines that a district is non-compliant with mandated health education or if the district fails to publish the title and publisher of materials on its website, then the Department of Education shall withhold one 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.

1.54. (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.

1.55. DELETED

****1.56.** (SDE: Lee County Bus Shop) *From the funds appropriated in program VII.B. Bus Shops, in the current fiscal year, the department must fund the Lee County School District Bus Shop and the Kershaw County School District Bus Shop at the same level as they were funded in the previous fiscal year.*

1.57. (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.

** See note at end of Act.

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1.58. (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.

1.59. (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.

1.60. (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.

1.61. (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.

1.62. (SDE: Full-Day 4K) Eligible students residing in a school district that met the poverty level for participation in the prior school year are eligible to participate in the South Carolina Early Reading Development and Education Program in the current school year. Public and private providers will be reimbursed for instructional costs at a rate of \$4,323 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 a reimbursement of \$550 per eligible child transported. 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 up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. 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

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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.

Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. To aid in this evaluation, the Education Oversight Committee shall determine 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. 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 private provider. 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.

1.63. (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 based on the poverty index utilized the prior fiscal year that was student eligibility for the free or reduced price lunch program and Medicaid. 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

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conform to that of the school district in which the program is located. The Education Oversight Committee will document and evaluate the partnerships and the impact of the partnerships on student academic success and make recommendations on the characteristics of effective partnerships and on methods of duplicating effective partnerships throughout the state; 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.

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1.64. (SDE: Interscholastic Athletic Association Dues) 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

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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;

(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) 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.

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.

1.65. (SDE: Governor's Schools Informational Access to Students) For the current fiscal year, school districts must permit both the Governor's School for the Arts and Humanities and 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 respective Governor's Schools, 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 and 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 two Governor's Schools will work with districts, the Department of Education and School Report Card administrators, to ensure that SAT scores of current Governor's Schools' students are included in the School Report Card of those students' resident schools and districts.

1.66. (SDE: Reading/Literacy Coaches) (A) Funds appropriated for Reading/Literacy Coaches must be allocated to school districts by the Department of Education as follows:

(1) for each elementary school in which twenty percent or more of the students scored below proficient on the reading and research test in the most recent year for which such data are available, the school district shall be eligible to receive the lesser of either up to \$62,730 or

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the actual cost of salary and benefits for a full-time reading/literacy coach; and

(2) for each elementary school in which fewer than twenty percent of the students scored below proficient on the reading and research test during the same period, the school district shall be eligible to receive the lesser of either up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full-time reading/literacy coach. A school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.

(B) 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, however, assign a reading/literacy coach to a primary school rather than to the elementary school to improve the early literacy skills of young children.

(C) Funds appropriated for reading/literacy Coaches are intended to be used to provide elementary schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155 of Title 59.

(D) 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.

(E) 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; or

(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. The provisions of subsection (A), including the local support

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requirements, shall also apply to any allocations made pursuant to this paragraph.

(F) The Department of Education must develop procedures for monitoring the use of funds appropriated for reading/literacy coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for reading/literacy coaches in order to implement this program, provided that this allocation does not exceed the department's actual costs.

(G) Prior to the close of the current fiscal year, any unspent or unallocated funds for reading/literacy coaches shall be used to fund Summer Reading Camps.

(H) The Department of Education shall require:

(1) any school district receiving funding under subsection (A) 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 under subsection (G) 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) Funds appropriated for reading/literacy coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

(K) For Fiscal Year 2016-17, if increased funding for reading/literacy coaches is not sufficient to provide additional reading/literacy coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment.

1.67. DELETED

1.68. (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.

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1.69. (SDE: Graduation Rates) For the current fiscal year, if a high school has a graduation rate below sixty percent, 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.

1.70. (SDE: South Carolina Community Block Grants for Education Pilot Program) There is created the South Carolina Community Block Grants for Education Pilot Program. The purpose of this matching grants program is to encourage and sustain partnerships between a community and its local public school district or school for the implementation of innovative, state-of-the-art education initiatives and models to improve student learning. The initiatives and models funded by the grant must be well designed, based on strong evidence of effectiveness, and have a history of improved student performance.

The General Assembly finds that the success offered by these initiatives and programs is assured best when vigorous community support is integral to their development and implementation. It is the intent of this proviso to encourage public school and district communities and their entrepreneurial public educators to undertake state-of-the-art initiatives to improve student learning and to share the results of these efforts with the state's public education community.

As used in this proviso:

(1) "Community" is defined as a group of parents, educators, and individuals from business, faith groups, elected officials, nonprofit organizations and others who support the public school district or school in its efforts to provide an outstanding education for each child. As applied to the schools impacted within a district or an individual school, "community" includes the school faculty and the School Improvement Council as established in Section 59-20-60 of the 1976 Code;

(2) "Poverty" is defined as the percent of students eligible in the prior year for the free and reduced price lunch program and or Medicaid; and

(3) "Achievement" is as established by the Education Oversight Committee for the report card ratings developed pursuant to Section 59-18-900 of the 1976 Code.

The Executive Director of the Education Oversight Committee is directed to appoint an independent grants committee to develop the process for awarding the grants including the application procedure, selection process, and matching grant formula. The grants committee

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will be comprised of seven members, three members selected from the education community and four members from the business community. The chairman of the committee will be selected by the committee members at the first meeting of the grants committee. The grants committee will review and select the recipients of the Community Block Grants for Education.

The criteria for awarding the grants must include, but are not limited to:

- (1) the establishment and continuation of a robust community advisory committee to leverage funding, expertise, and other resources to assist the district or school throughout the implementation of the initiatives funded through the Block Grant Program;
- (2) a demonstrated ability to meet the match throughout the granting period;
- (3) a demonstrated ability to implement the initiative or model as set forth in the application; and
- (4) an explanation of the manner in which the initiative supports the district's or school's strategic plan required by Section 59-18-1310 of the 1976 Code.

In addition, the district or school, with input from the community advisory committee, must include:

- (1) a comprehensive plan to examine delivery implementation and measure impact of the model;
- (2) a report on implementation problems and successes and impact of the innovation or model; and
- (3) evidence of support for the project from the school district administration when an individual school applies for a grant.

The match required from a grant recipient is based on the poverty of the district or school. No matching amount will exceed more than seventy percent of the grant request or be less than ten percent of the request. The required 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.

However, no grant may exceed \$250,000 annually unless the grants committee finds that exceptional circumstances warrant exceeding this amount.

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The Education Oversight Committee will review the grantee reports and examine the implementation of the initiatives and models to understand the delivery of services and any contextual factors. The Oversight Committee will then highlight the accomplishments and common challenges of the initiatives and models funded by the Community Block Grant for Education Pilot Program to share the lessons learned with the state's public education community.

For the current fiscal year, funds allocated to the Community Block Grant for Education Pilot Program must be used to provide or expand high-quality early childhood programs for a targeted population of at-risk four-year-olds. High-quality is defined as meeting the minimum program requirements of the Child Early Reading Development and Education Program and providing measurable high-quality child-teacher interactions, curricula and instruction. Priority will be given to applications that involve public-private partnerships between school districts, schools, Head Start, and private child care providers who collaborate to: (1) provide high-quality programs to four-year-olds to maximize the return on investment; (2) assist in making the transition to kindergarten; (3) improve the early literacy, social and emotional, and numeracy readiness of children; and (4) engage families in improving their children's readiness.

1.71. (SDE: Board of Education Funds) For the current fiscal year, the Department of Education is authorized to carry forward funds appropriated in Part IA, Section 1, II. Board of Education. The State Board of Education is permitted to utilize these funds for innovative educational opportunities and projects. The Board of Education shall develop guidelines and publish them on the board's website.

1.72. (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.

1.73. DELETED

1.74. (SDE: First Steps 4K Technology) During the current fiscal year, South Carolina Office of First Steps to School Readiness is authorized to expend up to \$75,000 from the four-year-old kindergarten carry forward funds to purchase electronic devices for the administration of required school readiness assessments to children enrolled in the full-day 4K program in private centers in the current fiscal year. The State Office of First Steps may purchase one device, which would be the property of the Office of First Steps, for every ten centers serving

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children in the program. The regional coordinators who provide support to the centers shall coordinate the usage of the devices among the centers. First Steps shall provide a report documenting its technology and materials expenditures to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 15, 2017.

1.75. (SDE: Teacher Salary Schedule Structure) The Department of Education shall convene stakeholders to include: Palmetto State Teachers Association, South Carolina School Business Officials, South Carolina Association of School Administrators, South Carolina School Boards Association, South Carolina Education Association, and the Education Oversight Committee to examine and make recommendations regarding changes to the statewide minimum state teacher salary schedule to include extending the steps on the state teacher salary schedule; an examination of the beginning teacher salary; and an examination of each district's salary schedule structure. The department shall also include information from each of the districts who are, or were, the original trial and plaintiff school districts in the Abbeville law suit regarding salary needs in those districts. Recommendations shall be provided to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

1.76. (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. 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.

1.77. (SDE: Digital Instructional Materials) The Department of Education shall 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 who wish to receive both the digital version and class sets of textbooks may be awarded that option. Funds appropriated for the purchase of textbooks and other instructional materials may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted textbook inventory, purchasing new kits 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

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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. Digital Instructional Materials shall include the digital equivalent of materials and devices.

1.78. DELETED

1.79. (SDE: CDEPP Unexpended Funds) For Fiscal Year 2016-17, the Office of First Steps to School Readiness is permitted to retain the first \$1,000,000 of any unexpended CDEPP funds of the prior fiscal year and expend these funds to enhance the quality of the full-day 4K program in private centers and provide professional development opportunities.

By August first, the Office of First Steps is directed to allocate any additional unexpended CDEPP funds from the prior fiscal year and any CDEPP funds carried forward from prior fiscal years that were transferred to the restricted account for the following purpose: Education Oversight Committee - \$1,000,000 for the South Carolina Community Block Grants for Education Pilot Program.

If carry forward funds are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

If by August first, school districts eligible to receive full-day 4K funding opt to not participate in the program, the Department of Education is authorized to utilize unexpended funds to increase participation on a per pupil basis for districts eligible for participation who have a documented waiting list. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this Act. Funds may also be used to provide professional development and quality evaluations of programs.

No later than April 1, 2017, the Office of First Steps must 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.

1.80. DELETED

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1.81. (SDE: Technology Technical Assistance) Of the funds appropriated 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.

1.82. (SDE: First Steps Accountability) Based on the need for stated intervention by the US Department of Education Office of Special Education and Rehabilitative Services (OSEP) in implementing Part C of the Individuals with Disabilities Education Act (IDEA), the Office of First Steps to School Readiness must meet federal compliance for the Part C program. Additionally, the Office of First Steps to School Readiness shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor the specific steps, timeline and progress made in improving meeting compliance standards its performance for those indicators with which the office was scored as being low performing. The report must include a statement regarding whether the additional employees authorized by this act are sufficient for compliance. The report shall also include any correspondence from the US Department of Education concerning the progress made on federal compliance with OSEP state standards. The report must be submitted no later than December 31, 2016. From the funds appropriated for BabyNet, the Office of First Steps to School Readiness may expend the funds necessary to meet the requirements of this proviso.

1.83. DELETED

1.84. (SDE: Data Maintenance and Collection) For the current fiscal year and from the funds appropriated to the department for the collection and maintenance of data, personally identifiable information of teacher candidates and teachers collected and maintained by the Department of Education shall be treated as personnel records and shall not be subject to public disclosure.

1.85. (SDE: Teacher Employment) Of the funds appropriated in the current fiscal year, a local school district superintendent or his designee shall provide a teacher with notice of dismissal and an opportunity for a hearing before the local board or its designee. Further, a local board may authorize a South Carolina licensed, practicing attorney to serve as hearing officer to conduct a hearing on the matter and make a report of its recommendations to the board within forty-five days after receipt of notice of appeal. A hearing officer may not be a member of the board or an employee of the district. If the board designates a hearing officer, the report and recommendations of the hearing officer must be presented to

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the board in the form of a written order. In considering the report and recommendations, the board must have available to it the exhibits presented at the hearing and shall permit limited oral argument on behalf of the district and the teacher, allowing each party thirty minutes to present its respective argument. The board shall uphold the decision of the hearing officer if the evidence shows good and just cause for dismissal. The board shall issue a decision affirming or withdrawing the notice of suspension or dismissal within thirty days. The decision of the board may be appealed to the circuit court.

1.86. DELETED

**1.87. (SDE: Moving Cost Study) The department shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Department of Administration no later than September 1, 2016, on the costs associated with relocating the Department of Education from the Rutledge building to a different location.*

1.88. (SDE: Technology Technical Assistance) Funds appropriated to the Department of Education for Technology Technical Assistance must be used to increase the capacity of districts who are or were the original trial and plaintiff school districts in the Abbeville law suit. Funds shall be used by the department to assist school districts in procuring appropriate technology to include devices and infrastructure in accordance with the recommendations made by the technology review team to begin 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.

1.89. DELETED

1.90. (SDE-Highly Qualified Teachers) For the current fiscal year teacher certification requirements for highly qualified educators aligned to No Child Left Behind shall be suspended. The department shall report to the General Assembly by February first on the updated Federal requirements under the Every Student Succeeds Act.

1.91. (SDE: Teacher Salaries Increase) For Fiscal Year 2016-17, the Department of Education is directed to increase the statewide salary schedule by two percent. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a two percent salary increase. Districts are to provide this increase using the district salary schedule utilized the prior fiscal year as its base. School

* See note at end of Act.

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districts shall utilize the additional funds made available from the Education Finance Act appropriation to provide one percent of the required two percent increase.

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 an amount equal to a step on the salary schedule for any teacher entering the twenty-third year if the district's salary schedule does not go beyond twenty-two years. Application of this provision must be applied uniformly for all eligible certified teachers. If a school district believes it will be unable to provide the required additional step without incurring a deficit, it may apply to the State Board of Education for a waiver from this requirement.

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

1.92. (SDE: Facilities Tracking System and Assessment Assistance) Of the funds appropriated to the department for Facilities Assessments and Efficiency Studies, the department is directed to issue a RFP to contract with one or more vendors to complete the reviews. The Facilities Assessments shall include, at a minimum: (1) facilities use and management; (2) energy management; (3) site review when needed; and (4) any technology needs and infrastructure as aligned to the district technology plan and the district technology assessment. The Efficiency Studies shall include, at a minimum: (1) overhead; (2) human resources; (3) procurement; (4) financial management; and (5) transportation and must be aligned to any diagnostic review that may be conducted in the district to avoid duplication. The Assessments and Studies shall be first conducted in school districts which are or were the Abbeville Plaintiff District and prioritized according to the prior year poverty index and for districts that have not had an efficiency study or facility assessment completed in the last two years. The completed Assessments and Studies shall be provided to each local school board of trustees and shall inform funding decisions for facilities and potential school or district consolidation. The department shall make the Assessments and the Studies available on the department website.

1.93. (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

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flexibility, and may be carried forward and expended for the same purposes.

1.94. (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.

1.95. (SDE: Abbeville Equity Districts Comprehensive Report) Of the appropriations and provision of services that are provided in the current fiscal year's budget for the Abbeville equity districts, the Department of Education must submit a comprehensive report to the General Assembly by January 1, 2017 on the current allocation of funds to the Abbeville equity districts and the provision of services to these districts.

1.96. (SDE: Coding Curriculum) Of the funds appropriated to the department for coding, the department shall develop or secure a basic computer science course that must include coding. The department shall recommend introductory keyboarding and computer skills be taught in elementary and primary schools.

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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 Fiscal Year 2016-17 not less than seventy percent of the funds carried forwarded must be expended for the development of additional instructional materials by nonprofit organizations selected through a grant process by the Department of Education.

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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, the John de la Howe School and the Department of Juvenile Justice under the ADEPT model.

1A.4. (SDE-EIA: Teacher Salaries/State Agencies) Each state agency which does not contain a school district but has instructional personnel shall receive an appropriation as recommended by the Education Oversight Committee and 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 South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics 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 both located.

Teacher salary increases recommended by the Education Oversight Committee and funded in this Act shall be incorporated into each agency's EIA appropriation contained in Section 1, VIII.E.

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/WIA geographic areas, (2) provide career development activities throughout all schools within the region, (3) be

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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) Of the funds appropriated in Part IA, Section 1, VIII.E. for the Teacher Recruitment Program, the South Carolina 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 South Carolina 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

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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.

With the funds appropriated CERRA shall also appoint and maintain the South Carolina Teacher Loan Advisory Committee. The Committee shall be composed of one member representing each of the following: (1) Commission on Higher Education; (2) State Board 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; (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 the public and private higher education institutions shall rotate among those institutions and shall serve a two-year term on the committee. The committee must be staffed by CERRA, and shall meet at least twice annually. The committee's responsibilities are limited to: (1) establishing goals for the Teacher Loan Program; (2) facilitating communication among the cooperating agencies; (3) advocating for program participants; and (4) recommending policies and procedures necessary to promote and maintain the program.

1A.7. (SDE-EIA: Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, South Carolina Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, VIII.E. 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 Comptroller General's Office is authorized to make necessary appropriation reductions in Part IA, Section 1, VIII.E. 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.E. 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 Comptroller General's Office to conform to the appropriations in Part

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IA, Section 1, VIII.E. 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. The Department of Revenue is also directed to provide the first quarter appropriation of the funding appropriated in Part IA, Section 1, VIII.G. Charter School District 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 State 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) 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 publically 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 two hundred seventy-five dollars each school year to offset expenses incurred by them for teaching supplies and materials. 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 these funds shall be disbursed to each teacher via

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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. Upon request of the teacher, a school district must give the teacher the option of being reimbursed by a debit card. This reimbursement shall not be considered by the state as taxable income. 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, John de la Howe School, 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.

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 2016 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 two hundred seventy-five dollars, 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 2016 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.

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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: Technical Assistance) In order to best meet the needs of underperforming schools, funds appropriated for technical assistance must be used to provide intensive support to schools and districts with an absolute rating of below average or at-risk on the most recent annual school report card or with the lowest percentages of students meeting state standards on state assessments on the most recent state assessments or with the lowest high school graduation rates. The department will create a system of tiers of technical assistance for low-performing schools and districts that will receive technical assistance. The tiers will be determined by factors that include, but are not limited to, length of time performance of the school or district has been at-risk/below average, annual achievement ratings, annual growth ratings, school or district accreditation, and/or financial risk status. The tiers of technical assistance may include a per student allocation, placement of a principal mentor, transformation coach, instructional leader, replacement of the principal, reconstitution of a school, and declaration of a state of emergency. Low-performing schools and districts shall be placed within the tiered technical assistance framework not later than December fifteenth.

Low-performing schools shall receive a diagnostic review through the department. In addition, newly identified low-performing schools and districts must be reviewed by an External Review Team in the year of designation, and every third year thereafter. These reports shall be made available on the Department of Education's website; any

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information pertaining to personnel matters or containing personally identifiable information shall be exempted. Based upon the recommendations in the review(s), low-performing schools and districts must develop and submit to the Department of Education an updated school renewal or district strategic plan outlining goals for improvements. The amended plans must address specific strategies designed to increase student achievement and must include measures to evaluate the success of implementation of the plan.

With the funds appropriated to the Department of Education, and any experts placed in the school or district for technical assistance services, the department will assist low-performing schools and districts in designing and implementing the strategies and measurement identified in the amended plans and in brokering for technical assistance personnel as stipulated in the plan. In addition, the department must monitor student academic achievement and progress on implementation and report their findings to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the local legislative delegation, and the Governor in the fall following the school or district designation as low-performing. If the school or school district does not provide the evaluation information necessary to determine effective use, the principal of the school or the district superintendent may be subject to receiving a public reprimand by the State Board of Education if it is determined that those individuals are responsible for the failure to provide the required information.

Funds must be used by the department for implementation and delivery of technical assistance services. Using previous report card data and monitoring reports on the status of implementation of the school renewal plan, the department shall identify priority schools. Funds appropriated for technical assistance shall be used by the department to work with those schools identified as low-performing and to support priority schools under the tiered system. These funds shall not be transferred to any other funding category by the school district without prior approval of the State Superintendent of Education and funds are not subject to agency flexibility provisions.

Reconstitution means the redesign or reorganization of the school, which may include the declaration that all positions in the school are considered vacant. Certified staff currently employed in priority schools must undergo an evaluation in the spring following the school's

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identification as a priority school and must meet determined goals to be rehired and continue their employment at that school. Educators who were employed at a school that is being reconstituted prior to July 2009 and to whom the employment and dismissal laws apply will not lose their rights in the reconstitution. If they are not rehired or are not assigned to another school in the school district they have the opportunity for a hearing. However, employment and dismissal laws shall not apply to educators who are employed in the district and assigned to the priority schools July 1, 2009, in the event of a reconstitution of the school in which the educator is employed. Those rights are only suspended in the event of a reconstitution of the entire school staff. Additionally, the rights and requirements of the employment and dismissal laws do not apply to educators who on July 1, 2009 were on an induction or annual contract, that subsequently were offered continuing contract status after the effective date of this proviso, and are employed at a school that is subject to reconstitution under this proviso.

The reconstitution of a school could take place if the school has been identified as a priority school that has failed to improve satisfactorily. The decision to reconstitute a school shall be made by the State Superintendent of Education in consultation with the principal the school board of trustees, and the district superintendent. The decision to reconstitute a school shall be made by April first, at which time notice shall be given to all employees of the school. The department, in consultation with the district superintendent, shall develop a staffing plan and a budget for each reconstituted school.

The State Superintendent of Education may declare a state of emergency in a district if the accreditation status is probation or denied, if a majority of the schools fail to show improvement, if the district is classified as being in "high risk" status financially, or for financial mismanagement resulting in a deficit. The State Superintendent of Education may declare a state of emergency in a school if the accreditation status is probation or denied, or if the school fails to show improvement. Upon declaration of a state of emergency, the Superintendent may take over management of the school or district. Management of the school or district may include direct management, consolidation with another district, charter management, public/private management, or contracting with an educational management organization or another school district.

1A.13. (SDE-EIA: Proviso Allocations) In the event an official EIA revenue shortfall is declared by the Board of Economic Advisors, the

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Department of Education may reduce any allocation in Section 1A 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 proviso.

1A.14. (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, 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 required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

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,

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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. Formative assessments for grades one, two, and nine, 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.

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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.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, 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.15. (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.16. (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

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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.17. (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 or 10th grade Aspire.

1A.18. (SDE-EIA: Report Card Information) The percentage each school district expended on classroom instruction as defined by the Department of Education's InSite classification for "Instruction" must be printed on the Annual School and District Report Card.

1A.19. (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.20. (SDE-EIA: Certified Staff Technology Proficiency) To ensure the effective and efficient use of the funding provided by the General Assembly in Part IA, Section 1 VIII.D. for school technology in the classroom and internet access, the State Department of Education shall approve district technology plans that specifically address and incorporate certified staff technology competency standards and local school districts must require certified staff to demonstrate proficiency in these standards as part of each certified staff's Professional Development plan. District adopted technology proficiency standards and plans should be, at minimum, aligned to the International Society for Technology in Education (ISTE) teacher standards. Evidence that districts are meeting the requirement is a prerequisite to expenditure of a district's technology funds.

1A.21. (SDE-EIA: Accountability Program Implementation) To support implementation of the accountability program, the Education Oversight Committee may carry forward unexpended Education

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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 EIA South Carolina Community Block Grants for Education Pilot Program funds not awarded by the grant committee. These funds must be used for an independent common evaluation of each awarded grant to ensure high quality programs that maximize a return on the state's investment.

1A.22. (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 qualifying for free or reduced-price lunch or Medicaid. 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.23. (SDE-EIA: Reading) Of the funds appropriated for reading/literacy, the Department of Education, schools, and districts shall ensure that resources are utilized to improve student achievement in reading/literacy. To focus on the importance of early reading and writing skills and to ensure that all students acquire reading/literacy skills by the end of grade three, fifty percent of the appropriation shall be directed toward acquisition of reading proficiency to include, but not be limited to, strategies in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Forty percent of the appropriation shall be directed toward classroom instruction and intervention to focus on struggling readers and writers in grades four through eight. Ten percent of the appropriation should be directed toward acceleration to provide additional opportunities for deepening and refinement of literacy skills.

Fifty percent of the funds shall be allocated to school districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty-five day count of the prior school year. Fifty percent of the funds shall be allocated to the Department of Education to provide districts with research-based strategies and professional development and to work directly with schools and districts to assist with implementation of research-based strategies. When providing professional development the department and school districts must use the most cost effective method

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and when able utilize ETV to provide such services throughout the state. The department shall provide for an evaluation to review first year implementation activities and to establish measurements for monitoring impact on student achievement.

1A.24. (SDE-EIA: Students at Risk of School Failure) For the current fiscal year, EIA funds appropriated for students at academic risk of school failure, must be allocated to school districts based two factors: (1) poverty as determined for the poverty add on weight in Proviso 1.3; and (2) the number of weighted pupil units identified in the prior fiscal year as in need of academic assistance. At least eighty-five percent of the funds allocated for students classified as at academic risk must be spent on instruction and instructional support for these students who generated the funds. Instructional support may include family literacy and parenting programs to students at-risk for school failure and their families. Students at academic risk are defined as students who score not met on grades three through eight in reading and mathematics state assessments. Public charter schools, the Palmetto Unified School District, and the Department of Juvenile Justice must also receive a proportionate per pupil allocation based on the number of students at academic risk of school failure served.

1A.25. (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 balance of EIA funds appropriated for professional development must be allocated to districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty-five day count of the prior school year. The funds must be expended on professional development for certificated instructional and instructional leadership personnel in grades kindergarten through twelve across all content areas, including teaching in and through the arts. No more than twenty-five percent of the funds appropriated for professional development may be retained by the Department of Education for the administration and provision of other professional development services which must be targeted to districts who are or were the original trial and plaintiff school districts in the Abbeville law suit to increase the capacity of educators and leaders in those districts. 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

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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.26. (SDE-EIA: Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Of the funds appropriated and/or authorized for assessment, up to \$5,400,000 shall be used for assessments to determine eligibility of students for gifted and talented programs and for the cost of Advanced Placement and International Baccalaureate exams.

1A.27. (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 (WorkKeys). 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.28. (SDE-EIA: Clemson Agriculture Education Teachers) The funds appropriated in Part IA, Section VIII.E. for Clemson Agriculture Education Teachers must be transferred to Clemson University PSA to

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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.29. (SDE-EIA: Incentive for National Board Certification After June 30, 2010) 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 the State Board of Education and who complete the application process on or after July 1, 2010 shall be paid a \$5,000 salary supplement in the year of achieving certification. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$5,000 salary supplement shall be added to the annual pay of the teacher, not to exceed ten years of the national certificate. However, the \$5,000 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer whereby teachers who are United States citizens or permanent resident aliens apply to the National Board for Professional Teaching Standards for certification on or after July 1, 2010. Should the program not be suspended, up to nine hundred applications shall be processed annually. Of the funds appropriated in Part IA, Section 1, VIII.C.2. for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of teachers applying to the National Board for Professional Teaching Standards for certification.

1A.30. (SDE-EIA: Full-Day 4K) Eligible students residing in a school district that met the poverty level for participation in the prior school year are eligible to participate in the South Carolina Early Reading Development and Education Program in the current school year. Public and private providers will be reimbursed for instructional costs at a rate of \$4,323 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.

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Private providers transporting eligible children to and from school shall also be eligible for a reimbursement of \$550 per eligible child transported. 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 up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. 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.

Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. To aid in this evaluation, the Education Oversight Committee shall determine 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. 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 private provider. 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.

1A.31. (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, VIII.A.1. Aid to Districts shall be dispersed to school districts based on the number of weighted pupil units.

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1A.32. (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.33. (SDE-EIA: IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section VIII.A.1. Aid to Districts according to Proviso 1A.31 for the current fiscal year, the department shall direct funds appropriated in Section VIII.A.1. Aid To Districts to school districts and special schools for supplemental support of programs and services for students with disabilities, to meet the estimated maintenance of effort for IDEA or to resolve pending litigation concerning the IDEA maintenance of effort. Funds provided for these purposes may not be transferred to any other purpose and therefore are not subject to flexibility. The department shall distribute these funds using the current fiscal year one hundred thirty-five day Average Daily Membership or as directed in any litigation settlement agreement. For continued compliance with the federal maintenance of efforts requirements of the IDEA, funding for children with disabilities must, to the extent practicable, be held harmless to budget cuts or reductions to the extent those funds are required to meet federal maintenance of effort requirements under the IDEA. In the event cuts to funds that are needed to maintain fiscal effort are necessary, when administering such cuts, the department must not reduce funding to support children with disabilities who qualify for services under the IDEA in a manner that is disproportionate to the level of overall reduction to state programs in general. By December 1, 2016, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor. For the current fiscal year, the department may carry forward IDEA Maintenance of Effort funds from the prior fiscal year and expend them in the same manner.

1A.34. (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

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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.35. (SDE-EIA: Partnerships/Other Agencies & Entities) For the current fiscal year, agencies and other entities receiving funds appropriated in Part IA, Section 1, VIII.E. will continue to report annually to the Education Oversight Committee (EOC). Any entity

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receiving funds that must flow through a state agency will receive those funds through the EOC. The EOC will make funding recommendations to the Governor and General Assembly as part of the agency's annual budget request.

1A.36. (SDE-EIA: ETV Teacher Training/Support) Of the funds appropriated in Part IA, Section 1, VIII.E. South Carolina Educational Television must provide training and technical support on the educational resources available to teachers and school districts.

1A.37. DELETED

1A.38. (SDE-EIA: Teacher Salaries/SE Average) 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 \$51,495. 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.

The statewide minimum teacher salary schedule used in Fiscal Year 2012-13 will continue to be used in Fiscal Year 2016-17 and be increased by two percent.

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 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.

Funds appropriated in Part IA, Section 1, VIII.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include 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.

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

1A.39. (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

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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.

1A.40. (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.41. DELETED

1A.42. (SDE-EIA: National Board Certification Incentive) 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 the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010, may receive a loan equal to the amount of the application fee. Teachers who applied to the

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National Board for Professional Teaching Standards for certification prior to July 1, 2010 shall have one-half of the loan principal amount and interest forgiven when the required portfolio is submitted to the national board. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 who attain certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous appropriation act. Funds collected from educators who are in default of the National Board loan shall be retained and carried forward by the department. The department may retain up to ten percent of the funds collected to offset the administrative costs of loan collection. All other funds shall be retained by the department and used for National Board loan purposes. Of the funds appropriated in Part IA, Section 1, VIII.C.2. for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of the loan program for teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010. In addition, teachers who have applied prior to July 1, 2010 and are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 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 national board certification.

Provided, further, that in calculating the compensation for teacher specialists, the Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.

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1A.43. (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.44. (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.45. (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 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 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.46. (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 when necessary, state law enforcement

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agencies in order to ensure that the district has an updated school safety plan in place. The safety plan must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated plan must be submitted to the Department of Education no later than September first, of the current fiscal year. 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.47. (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.48. (SDE-EIA: EEDA Regional Education Centers) Funds appropriated from the EEDA for Regional Education Centers must not be less than \$108,500.

1A.49. (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.50. (SDE-EIA: EOC-South Carolina Autism Society) Of the funds appropriated in Section 1A, VIII.E. 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. Beginning October 10, 2015, the South Carolina Autism Society shall provide a quarterly accounting report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Education Oversight Committee.

1A.51. (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

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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.52. (SDE-EIA: Surplus) For Fiscal Year 2016-17, EIA surplus funds from the prior fiscal year and not otherwise appropriated or authorized must be carried forward and expended on the following items:

1. EOC - Partnerships for Innovation - \$3,200,000;
2. Allendale County School District - \$150,000;
3. Modernize Vocational Equipment - \$1,501,307;
4. Industry Certification - \$3,000,000;
5. Adult Education - \$1,000,000;
6. Power Schools/Data Collection - \$1,952,000;
7. IT Academy - \$750,000;
8. Instructional Development and Digital Content Curation - \$393,443; and
9. EOC - Customized STEM labs for grades 6-8 located in school districts that are a trial or plaintiff district in the Abbeville equity lawsuit - \$200,000.

Any additional funds carried forward and not otherwise appropriated or authorized may be used for Instructional Materials.

If excess EIA revenues are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

1A.53. (SDE-EIA: Public Charter Pupil Counts) With funds appropriated to the South Carolina Public Charter School District, the district 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 shall then provide the data for each charter school to the Department of Education. Quarterly, the department will submit the information to the

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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 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.

1A.54. (SDE-EIA: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section VIII.G. - South Carolina Public Charter School District must be allocated in the following manner to students at charter schools within the South Carolina Public Charter School District: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District shall receive \$1,900 per weighted pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District shall receive \$3,600 per weighted pupil. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175. For Fiscal Year 2016-17, the timelines set forth for ruling on charter school applications are extended for sixty calendar days for all applications submitted to the South Carolina Public Charter School District if the district determines that an applicant should be permitted to amend its application to meet the requirements of Section 59-40-60 and Section 59-40-70, of the 1976 Code, based on an applicant's proposal to address an existing achievement gap utilizing an evidence-based educational program in an underserved geographical area of the state including, but not limited to, charter schools proposed to be located in any school district that is a plaintiff in the Abbeville law suit. The South Carolina Public Charter School District shall report to the Senate Finance Committee and the House Ways and Means Committee on the

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outcomes of this extended time for a hearing at the end of the application cycle.

1A.55. (SDE-EIA: Low Achieving Schools) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$500,000 must be allocated to support up to three low-achieving schools in designing and planning for implementation innovative, research-based strategies focused on recruiting and retaining highly effective teachers and on increasing time-on-task through the amount of time, the quality of instruction and the engagement of students. The committee will assist the schools in determining the evidence that will be collected to measure the effectiveness of the initiative and in identifying resources to support the initiative and in collaborating with TransformSC.

1A.56. DELETED

1A.57. (SDE-EIA: TransformSC) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, at least \$400,000 shall be allocated to the TransformSC public-private project.

1A.58. DELETED

1A.59. (SDE-EIA: CDEPP 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 CDEPP 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 first. 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 CDEPP report no later than November thirtieth.

1A.60. (SDE-EIA: BabyNet Early Intervention Autism Therapy) The \$814,348 in funds appropriated in this act to the Office of First Steps to School Readiness for BabyNet Autism Therapy must be used only to increase the BabyNet autism therapy provider hourly rate and the individual hourly pay of line therapists during the current fiscal year. The Office of First Steps must consult with the Department of Disabilities and Special Needs regarding the implementation of these increases. The Office of First Steps must ensure that, prior to payment, these line therapists meet all current state requirements. It is the intent of the General Assembly that these monies be used solely for the purpose of increasing the BabyNet autism therapy provider rate to \$13.58 per

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hour or the current Medicaid rate, whichever is higher, and the hourly pay to individual line therapists being increased to a minimum of \$10.00 per hour. Quarterly, the Office of First Steps must send a letter to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee reporting on their compliance with the requirements of this proviso. The report must include information regarding the expenditure of state funds as well as the receipt and expenditure of Federal Medicaid funds associated with the program.

1A.61. (SDE-EIA: Charter School Funding-Chartered by Institution of Higher Education) Pupils enrolled in a brick and mortar charter school authorized by an approved institution of higher education located in this state shall receive \$3,600 per weighted pupil and pupils enrolled in a virtual charter school authorized by an approved institution of higher education located in this state shall receive \$1,900 per weighted pupil from the funds appropriated in Part IA, Section VIII.G. - South Carolina Public Charter School - Institution of Higher Education. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175, of the 1976 Code.

1A.62. (SDE-EIA: Technology Professional Development) Of the funds appropriated in Section VIII.C.3 for Professional Development, \$4,000,000 shall be designated for use as professional development for the use of classroom technology. Funds designated for technology-related professional development shall be distributed to each school district or special school in proportion to the previous year's one hundred thirty-five day average daily membership. Districts must report by June fifteenth of the current fiscal year on the amount of funds expended, the types of activities funded by the district, and the number of teachers participating in the activity on a form prescribed by the department.

1A.63. DELETED

1A.64. (SDE-EIA: Rural Teacher Recruiting Incentive) (A) There is created a program within the South Carolina Center for Educator Recruitment, Retention, and Advancement (CERRA) to recruit and retain classroom educators in rural and underserved districts experiencing excessive turnover of classroom teachers on an annual basis.

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(B) During the current fiscal year CERRA 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 as 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, may make application to participate in the program.

(2) 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) of this section, pursuant to the obligations and restrictions stated for each.

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

(4) 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 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 classroom 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 alternative certification pathway to include, but not limited to, PACE, ABCTE, Teach for American and CATE Work-Based Certification.

At a minimum, the incentives shall include:

(1) South Carolina Teachers Loan forgiveness at a rate of one year for every two years of service as a teacher in an eligible district, unless otherwise eligible for a greater forgiveness rate under the guidelines of the South Carolina Teachers Loan Program.

(2) 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

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the South Carolina Student Loan Corporation or program other than the South Carolina Teachers Loan Program.

(3) 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.

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

(5) Other technical support and recruiting incentives as developed by CERRA 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 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 shall report by July thirty-first of the current fiscal year to the Governor, President pro Tempore of the Senate, and Speaker of the House on the incentives developed pursuant to item (C) of this section 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) 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.

1A.65. (SDE-EIA: Project Read) Of the funds appropriated in Section 1A. 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.

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1A.66. (SDE-EIA: Reading/Literacy Coaches) (A) Funds appropriated for Reading/Literacy Coaches must be allocated to school districts by the Department of Education as follows:

(1) for each elementary school in which twenty percent or more of the students scored below proficient on the reading and research test in the most recent year for which such data are available, the school district shall be eligible to receive the lesser of either up to \$62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach; and

(2) for each elementary school in which fewer than twenty percent of the students scored below proficient on the reading and research test during the same period, the school district shall be eligible to receive the lesser of either up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full-time reading/literacy coach. A school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.

(B) 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, however, assign a reading/literacy coach to a primary school rather than to the elementary school to improve the early literacy skills of young children.

(C) Funds appropriated for reading/literacy Coaches are intended to be used to provide elementary schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155 of Title 59.

(D) 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.

(E) 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; or

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

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(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. The provisions of subsection (A), including the local support requirements, shall also apply to any allocations made pursuant to this paragraph.

(F) The Department of Education must develop procedures for monitoring the use of funds appropriated for reading/literacy coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for reading/literacy coaches in order to implement this program, provided that this allocation does not exceed the department's actual costs.

(G) Prior to the close of the current fiscal year, any unspent or unallocated funds for reading/literacy coaches shall be used to fund Summer Reading Camps.

(H) The Department of Education shall require:

(1) any school district receiving funding under subsection (A) 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 under subsection (G) 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) Funds appropriated for reading/literacy coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

(K) For Fiscal Year 2016-17, if increased funding for reading/literacy coaches is not sufficient to provide additional reading/literacy coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment.

1A.67. (SDE-EIA: Digital Instructional Materials) The Department of Education shall create an instructional materials list composed of

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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 who wish to receive both the digital version and class sets of textbooks may be awarded that option. Funds appropriated for the purchase of textbooks and other instructional materials may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted textbook inventory, purchasing new kits 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. Digital Instructional Materials shall include the digital equivalent of materials and devices.

1A.68. (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. 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. 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,

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to the parent or guardian. The assessment may not be used to deny a student to admission to prekindergarten.

Furthermore, \$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 Developmental Reading Assessment® 2nd Edition PLUS to implement the progress monitoring system required by the Read to Succeed Act of 2014 and to evaluate the early literacy and language competencies of 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 and once during the last 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 or 504 Accommodations 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. In addition the department may pilot in kindergarten classes one or more comprehensive readiness assessments that address the other domains in numeracy, approaches to learning, social and emotional development, and physical well-being in the current school year.

1A.69. (SDE-EIA: Teacher Supply Study) With funds appropriated to the Center for Educator Recruitment, Retention, and Advancement (CERRA), in concert with the Commission on Higher Education, the Department of Education, and the Education Oversight Committee, CERRA shall initiate and conduct a study to identify and project the number of additional teachers needed annually in public school classrooms for grades K5 through 12, for school years beginning 2017 through 2027. The purpose of the study shall be to: (1) provide specific data and projections on the number of teachers expected to be needed as compared to the number available, by Subject Areas Taught as indicated

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in CERRA's annual Supply and Demand Report, and with a focus on critical need subject areas; (2) determine whether, individually and collectively, teaching programs at applicable institutions of higher learning in South Carolina have the capacity and infrastructure to fulfill projected needs in item (1); and (3) provide data for general use in estimating the fiscal impact of any new or revised programs being considered to incent more talented individuals to enter teacher training programs and more highly qualified teachers to remain in the profession for longer periods of time.

1A.70. DELETED

1A.71. (SDE-EIA: CDEPP Unexpended Funds) For Fiscal Year 2016-17, the Office of First Steps to School Readiness is permitted to retain the first \$1,000,000 of any unexpended CDEPP funds of the prior fiscal year and expend these funds to enhance the quality of the full-day 4K program in private centers and provide professional development opportunities.

By August first, the Office of First Steps is directed to allocate any additional unexpended CDEPP funds from the prior fiscal year and any CDEPP funds carried forward from prior fiscal years that were transferred to the restricted account for the following purpose: Education Oversight Committee - \$1,000,000 for the South Carolina Community Block Grants for Education Pilot Program.

If carry forward funds are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

If by August first, school districts eligible to receive full-day 4K funding opt to not participate in the program, the Department of Education is authorized to utilize unexpended funds to increase participation on a per pupil basis for districts eligible for participation who have a documented waiting list. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this Act. Funds may also be used to provide professional development and quality evaluations of programs.

No later than April 1, 2017, the Office of First Steps must 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.

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1A.72. (SDE-EIA: College and Career Readiness) Funds appropriated to the Department of Education for District College and Career Readiness Assistance must first be used to increase the capacity of districts that are or were the original trial and plaintiff school districts in the Abbeville law suit. Funds shall be used by the department to provide assistance to districts using appropriately experienced educators with demonstrated effectiveness in instructional leadership. Support shall include professional development, standards and learning support, instructional support, data analysis and leadership development resources to ensure that educators are equipped with the tools to provide students with high quality, personalized learning that supports the Profile of the South Carolina Graduate. The department shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on how these funds were expended.

1A.73. (SDE-EIA: Industry Certifications/Credentials) The funds appropriated for Industry Certifications/Credentials must be allocated to school districts based upon the number of national industry exams administered in the prior schoolyear. 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.

1A.74. (SDE-EIA: Career and Technical Equipment Funding) Funds appropriated for Modernize Career and Technical Equipment 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. Funds may be expended for the purchase of career and technical equipment, the up fitting of facilities and the purchase of consumables. 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

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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.

1A.75. (SDE-EIA: Digital Learning) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$1,600,000 will be authorized to be utilized to enter into one-year memoranda of agreements with public and private entities to pilot computer science initiatives in schools and school districts. The initiatives must focus on improving the digital literacy skills of students and teachers, expanding opportunities for students to learn coding, or providing computer science curriculum. To this end, at least \$1,300,000 must be authorized for schools or school districts that have poverty indices of eighty percent or greater based on the poverty index utilized the prior fiscal year that was student eligibility for the free or reduced price lunch program and Medicaid, or are a trial or plaintiff district in the Abbeville equity lawsuit. In these districts, the EOC will pilot a program that provides school districts with digital learning tools, digital resources, the curriculum foundry, technical support, and professional development.

1A.76. (SDE-EIA: South Carolina IT Academy) Of the funds appropriated for the South Carolina IT Academy, the Department of Education shall procure an IT Academy for public schools statewide in the coming school year. The IT Academy must offer certification opportunities for educators to receive Teacher Certification Exams and for students to receive certifications in an office suite of products in the middle grades and programming credentials in high school. The procurement shall include official curriculum, e-learning, E-books, exams, software and lesson plans.

1A.77. (SDE-EIA: Family Connection South Carolina) Funds appropriated in Part IA, Section 1, VIII.E, 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

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later than July fifteenth of the current fiscal year, and quarterly reporting of expenditures thereafter; and a performance report submitted annually.

1A.78. (SDE-EIA: Low Achieving Schools) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$500,000 shall be allocated to parent support initiatives and afterschool programs in historically underachieving communities.

1A.79. (SDE-EIA: Teacher Salaries Increase) For Fiscal Year 2016-17, the Department of Education is directed to increase the statewide salary schedule by two percent. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a two percent salary increase. Districts are to provide this increase using the district salary schedule utilized the prior fiscal year as its base. School districts shall utilize the additional funds made available from the Teacher Salary Supplement appropriation to provide one percent of the required two percent increase.

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 an amount equal to a step on the salary schedule for any teacher entering the 23rd year if the district's salary schedule does not go beyond 22 years. Application of this provision must be applied uniformly for all eligible certified teachers. If a school district believes it will be unable to provide the required additional step without incurring a deficit, it may apply to the State Board of Education for a waiver from this requirement.

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

1A.80. (SDE-EIA: College Readiness Assessments) For the current fiscal year, with the funds appropriated for assessment, the Department of Education is directed to manage the administration of the same college readiness assessment that was administered in the prior fiscal year to students in grade 11. The assessment, or an alternate college readiness measure approved by the department as set forth by the student's Individualized Education Program, must be administered to all students in grade 11. For the purposes of administering the assessment, "eleventh grade students" is defined as students in the third year of high school after their initial enrollment in the ninth grade. Valid accommodations must be provided according to the student's IEP/504 plan. If a student also chooses to use the results of the college readiness assessment for post-secondary admission or placement, the student, his parent, or his

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guardian must indicate that choice in compliance with the testing vendor's deadline to ensure that the student may receive allowable accommodations consistent with the IEP or 504 plan that may yield a college-reportable score.

1A.81. (SDE-EIA: EOC Military-Connected Children) Of the funds allocated for Partnerships for Innovation, the Education Oversight Committee is directed to expend \$100,000 to initiate in at least two school districts with high military density, a pilot program that will provide training, services, resources and research to teachers, counselors, mental health professionals, school nurses, service providers and military parents. The objective of the pilot is to increase the level of educational quality and support for military-connected children. The training and services must be provided by a non-profit entity that is an NBCC-Approved Continuing Education Provider and is an authorized provider by the international Association for Continuing Education and Training (IACET). Pursuant to its responsibilities under Act 289 of 2014, the Education Oversight Committee will report on the expenditure of these funds and post-training evaluations in its annual report on the educational performance of military-connected children.

1A.82. (SDE-EIA: STEM Labs) Of the funds appropriated for customized STEM labs, the Education Oversight Committee shall work with the Department of Education, Office of Standards and Learning to solicit interested middle schools from the Abbeville trial and plaintiff districts to participate in implementing a STEM based curriculum. The pilot sites will receive a customized 6th - 8th grade STEM curriculum designed to address the needs of local industry. The curriculum provided will be aligned to state standards and certified by ACT WorkKeys and will include hands-on, problem based student labs. The curriculum will also be certified by ACT WorkKeys. Teachers in the pilot sites will receive ongoing, year-long professional development on cross curricular STEM implementation that will be aligned to state standards as well and the district strategic plan.

1A.83. (SDE-EIA: Baby Net Financial Audit Reimbursement) For Fiscal Year 2016-17, of the funds appropriated or carried forward, First Steps to School Readiness is directed to reimburse the Department of Education up to \$50,000 for the costs of the financial audit of Baby Net.

1A.84. (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

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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.85. (SDE-EIA: Report Cards) With the funds appropriated for assessment and the achievement results obtained from these assessments, the Education Oversight Committee shall not calculate absolute or growth performance ratings for the 2016-17 school year for schools or districts. Instead, the Education Oversight Committee shall determine the format of a transitional report card released to the public in the fall of 2016 that will also identify underperforming schools and districts. These transitional reports will, at a minimum, include the following: (1) school, district and statewide student assessment results in reading and mathematics in grades 3 through 8; (2) high school and district graduation rates; and (3) measures of student college and career readiness at the school, district, and statewide level. These transitional reports shall inform schools and districts, the public, and the Department of Education of school and district general academic performance and assist in identifying potentially underperforming schools and districts and in targeting technical assistance support and interventions in the interim before ratings are issued.

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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, 2016, 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

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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, 2016. 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, 2016.

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. DELETED

3.4. DELETED

3.5. DELETED

3.6. (LEA: FY 2016-17 Lottery Funding) 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.

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.

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.

Certified net lottery proceeds and investment earnings for Fiscal Year 2016-17 are appropriated as follows:

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- (1) Commission on Higher Education--LIFE Scholarships
as provided in Chapter 149, Title 59 \$ 199,754,741;
- (2) Commission on Higher Education--HOPE Scholarships as
provided in Section 59-150-370 \$ 9,552,955;
- (3) Commission on Higher Education--Palmetto Fellows
Scholarships as provided in
Section 59-104-20 \$ 49,274,030;
- (4) Commission on Higher Education and State Board for
Technical and Comprehensive Education--Tuition
Assistance \$ 51,100,000;
- (5) Commission on Higher Education--
Need-Based Grants \$ 17,537,078;
- (6) Higher Education Tuition Grants Commission--
Tuition Grants \$ 8,330,008; and
- (7) Department of Education--K-12 Technology
Initiative \$ 23,822,432.

Fiscal Year 2015-16 surplus net lottery proceeds and investment earnings certified for Fiscal Year 2016-17 are appropriated as follows:

- (1) Department of Education--School Bus
Lease/Purchase \$ 6,500,000;
- (2) Commission on Higher Education--Technology-Public
Four-Year Institutions, Two-Year Institutions, and State
Technical Colleges \$ 2,242,212;
- (3) State Board for Technical and Comprehensive Education--
Critical Training Equipment \$ 2,000,000;
- (4) Department of Education--Instructional
Material \$ 18,000,000;
- (5) Department of Education--College and
Career Readiness \$ 3,000,000;
- (6) Department of Education--Efficiency Study \$ 3,100,000;
- (7) Department of Education--Dynamic Report
Card System \$ 1,695,000;
- (8) Department of Education--Reading Partners \$ 400,000;
- (9) Department of Education--Mobile Device Access and
Management \$ 3,000,000;
- (10) Commission on Higher Education--
Need Based Grants \$ 1;
- (11) Department of Education--K12 Technology
Initiative \$ 5,466,544; and

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- (12) Higher Education Tuition Grants Commission--SREB
Program and Assessments \$ 313,456.

For Fiscal Year 2016-17, net lottery proceeds and investment earnings above the Fiscal Year 2015-16 certified surplus are appropriated pro-rata as follows:

- (1) State Board for Technical and Comprehensive Education--
Workforce Scholarships/Grants \$ 5,000,000;
- (2) Commission on Higher Education--Higher Education
Excellence Enhancement Program \$ 567,475;
- (3) Department of Education--School Bus
Lease/Purchase \$ 2,100,000;
- (4) Department of Education--Mobile Device Access and
Management \$ 1;
- (5) Department of Education--Efficiency Study \$ 1;
- (6) State Board for Technical and Comprehensive Education--
Critical Training Equipment \$ 912,307;
- (7) Commission on Higher Education--Technology-Public
Four-Year Institutions, Two-Year Institutions, and State
Technical Colleges \$ 5,000,000;
- (8) University of South Carolina-Columbia--
Maintenance-Critical Care and
Replacement - 1 to 1 Match \$ 1;
- (9) Clemson University--Maintenance-Critical Care and
Replacement - 1 to 1 Match \$ 1; and
- (10) Medical University of South Carolina--Maintenance-Critical
Care and Replacement - 1 to 1 Match \$ 1.

For Fiscal Year 2016-17, funds certified from unclaimed prizes are appropriated as follows:

- (1) Department of Education--School Bus
Lease/Purchase \$ 3,500,000;
- (2) State Board for Technical and Comprehensive Education--
Workforce Scholarships/Grants \$ 1;
- (3) South Carolina State University \$ 2,500,000;
- (4) Commission on Higher Education--Higher Education
Excellence Enhancement Program \$ 5,504,999;
- (5) Commission on Higher Education--National Guard Tuition
Repayment Program as provided in
Section 59-111-75 \$ 4,545,000;
- (6) Department of Alcohol and Other Drug Abuse Services--
Gambling Addiction Services \$ 50,000;

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- (7) School for the Deaf and the Blind--
Technology \$ 200,000; and
(8) State Library--Aid to County Libraries \$ 1,700,000.

If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2016-17 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.

Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate shall be appropriated as follows:

- (1) Commission on Higher Education--PASCAL
Program \$ 1,412,514;
(2) Department of Education--School Bus
Lease/Purchase \$ 1,000,000;
(3) State Board for Technical and Comprehensive Education--
Manufacturing, Healthcare, and STEM Education
and Training \$ 15,000,000;
(4) Commission on Higher Education--Higher Education
Excellence Enhancement Program \$ 2,631,137; and
(5) Commission on Higher Education--
Need-Based Grants \$ 3,000,000.

Fiscal Year 2016-17 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.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

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.

Fiscal Year 2016-17 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 2016-17 are fully funded.

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If the lottery revenue received for Fiscal Year 2016-17 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, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$345,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process and to provide for a Scholarship Compliance Auditor.

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," the commission shall allocate the realized funds on a proportional basis as follows:

- (1) The Citadel \$ 307,628;
- (2) University of Charleston \$ 643,395;
- (3) Coastal Carolina University \$ 573,411;
- (4) Francis Marion University \$ 293,497;
- (5) Lander University \$ 301,439;
- (6) South Carolina State University \$ 276,399;
- (7) USC - Aiken Campus \$ 269,987;
- (8) USC - Upstate \$ 366,549;
- (9) USC - Beaufort Campus \$ 200,669;
- (10) USC - Lancaster Campus \$ 75,440;
- (11) USC - Salkehatchie Campus \$ 75,440;
- (12) USC - Sumter Campus \$ 75,440;
- (13) USC - Union Campus \$ 75,440;
- (14) Winthrop University \$ 388,130;

and

- (15) State Technical Colleges and State Board for
Technical and Comprehensive Education \$ 3,319,348.

In accordance with Section 59-150-356 of the 1976 Code, 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.

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.

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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.

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 they continue to meet the requirement of this provision.

Of the funds appropriated above to the State Board for Technical and Comprehensive Education for "Critical Training Equipment," the State Board shall allocate the realized funds on a proportional basis as follows:

(1) Aiken Technical College	\$ 157,732;
(2) Central Carolina Technical College	\$ 165,234;
(3) Denmark Technical College	\$ 83,432;
(4) Florence-Darlington Technical College	\$ 172,296;
(5) Greenville Technical College	\$ 269,810;
(6) Horry-Georgetown Technical College	\$ 213,535;
(7) Midlands Technical College	\$ 221,557;
(8) Northeastern Technical College	\$ 128,984;
(9) Orangeburg-Calhoun Technical College	\$ 161,357;
(10) Piedmont Technical College	\$ 198,705;
(11) Spartanburg Community College	\$ 171,418;
(12) Technical College of the Lowcountry	\$ 144,362;
(13) Tri-County Technical College	\$ 199,914;
(14) Trident Technical College	\$ 325,470;
(15) Williamsburg Technical College	\$ 124,150;

and

(16) York Technical College	\$ 174,351.
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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.

Funds appropriated to the Department of Education for the K-12 Technology Initiative shall be distributed to the public school districts of the state, the special schools of the state and the South Carolina Public Charter School District, per pupil, based on the previous year's one hundred thirty-five day average daily membership, according to the below calculations: (1) For a school district with a poverty index of less than 75: \$35 per ADM; (2) For a school district with a poverty index of at least 75 but no more than 85: \$50 per ADM; or (3) For a school district

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

with a poverty index of greater than 85 or a special school with no defined poverty index: \$70 per ADM. Poverty will be defined as determined for the poverty add on weight in Proviso 1.3 of this Act.

The Department of Education may adjust the per-ADM rates for each of the three classes defined above in order to conform to actual levels of student attendance and available appropriations, provided that the per-ADM rate for each class is adjusted by the same percentage.

Funds distributed to a school district through the K-12 Technology Initiative may only be used for the following purposes: (1) To improve external connections to schools, with a goal of reaching at least 100 kilobits per second, per student in each school by 2017; (2) To improve internal connections within schools, with a goal of reaching at least 1 megabit per second, per student in each school by 2017; or (3) To develop or expand one-to-one computing initiatives.

A school district that has achieved each of the above goals may submit a plan to the K-12 Technology Initiative Committee for permission to expend its allocation on other technology-related uses; such permission shall not be unreasonably withheld and the K-12 Technology Committee must permit districts to appeal any process should a district not receive approval and must provide technical assistance to districts in developing plans should the district request such.

Funds appropriated for the K-12 Technology Initiative may not be used to supplant existing school district expenditures on technology. By June 30, 2017, each school district that receives funding through the K-12 Technology Initiative during Fiscal Year 2016-17 must provide the K-12 Technology Initiative Committee with an itemized report on the amounts and uses of these funds, using a form developed by the Education Oversight Committee. In this report, a school district must provide information on its efforts to obtain reimbursements through the "E-Rate" Schools and Libraries Program administered by the Universal Service Administrative Company. Within its available resources, the K-12 Technology Initiative Committee shall support school districts' efforts to obtain these reimbursements.

Funds appropriated to the Department of Education for Reading Partners shall be allocated to Reading Partners and must be used to increase the number of reading interventions for students in low performing schools in grades K-5. The Office of Early Learning and Literacy shall specify planning criteria to be submitted by Reading Partners no later than July 15, 2016. Planning criteria shall include, but is not limited to, pre and post assessment data, parental and family

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

literacy engagement, summer learning support and building school level capacity for intervention. The department shall report to the Governor, 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 Committee by June 15, 2017 on the impact of the program.

Funds appropriated to the Department of Education for Mobile Device Access and Management shall be disbursed to school districts to procure high-speed mobile internet service for students that lack such internet service at home and are participating in a course of study that requires such access, as demonstrated by the school district. Districts requesting funding shall make application to the South Carolina K-12 Technology Committee in a form approved by the committee and the Department of Education detailing, at a minimum, the proposed uses of such mobile internet service, the number of students eligible for the service, the process used to determine student eligibility, and the process by which the devices will be secured and use-restricted to prevent breach or misuse. The Committee may approve requests in whole or in-part as funds are available.

The Department of Administration, Division of Technology may disapprove applications if the district's mobile device management plans are insufficient to properly secure mobile internet devices issued to students. The Division of Technology may offer mobile device management services to applicant districts in lieu of a district-specific plan.

The funds appropriated above for South Carolina State University shall be utilized by the Interim Board of Trustees for administrative functions of the interim board, payments of debt, and for any other purpose deemed necessary by the interim board.

The funds appropriated to State Board for Technical and Comprehensive Education for Workforce Scholarships and Grants shall be used to provide grants for tuition, fees, transportation, or textbook expenses to South Carolina residents enrolled in a career education program that meets all eligibility guidelines promulgated by the State Board for Technical and Comprehensive Education in consultation with the Department of Education. Grants may be awarded from the fund in an amount not exceeding ten thousand dollars or the total cost of attendance, whichever is less, for students to attend the program of their choice at a South Carolina technical school or professional certification program. By March fifteenth of the academic year provided, the State

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

Board for Technical and Comprehensive Education shall provide a report to the Chairman of House Ways and Means Committee and the Chairman of the Senate Finance Committee containing a list of programs, amount of funding spent per program, number of students that received grants, and the grant amount per student.

On or before December 31, 2016, the Department of Education, in cooperation with the Commission on Higher Education, shall provide a report to the Governor, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee regarding the costs and opportunities of the change to the State's Uniform Grading Policy from a 7-point scale to a 10-point scale. The report shall include, but not necessarily be limited to, the projected impact, if any, that the change may have on the State's merit based scholarship programs, recommendations on how to fund the projected impact, if any, to the State's merit based scholarship programs, and suggested alternatives to mitigate the projected impact, if any, to the State's merit based scholarship programs. Alternatives, if any, may include potential changes to the State's merit based scholarship criteria including GPA or testing requirements.

Any lottery revenue in excess of the total amount of money appropriated by this proviso shall be held for appropriation by the General Assembly in the future to offset scholarship needs as a result of population growth and changes to the state's grading scale by the Department of Education.

**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

**SECTION 5 - H710 - WIL LOU GRAY OPPORTUNITY
SCHOOL**

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: Improved Forestry Practices) The Trustees of the Wil Lou Gray Opportunity School may carry out improved forestry practices on the timber holdings of the school property and apply the revenues derived from them and any other revenue source on the property for the further improvement and development of the school forest and other school purposes.

5.5. (WLG: Educational Program Initiatives) Wil Lou Gray Opportunity School is authorized to utilize funds received from the Department of Education for vocational equipment on educational program initiatives.

5.6. (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.

5.7. (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.

5.8. (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.

5.9. DELETED

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

6.1. (SDB: Student Activity Fee) The School for the Deaf and the Blind is authorized to charge to the parents of students at the school a student activity fee, differentiated according to the income of the family. The required student activity fee shall not exceed \$40.00. Such revenue may be retained and carried forward into the current fiscal year and expended for the purpose of covering expenses for student activities.

6.2. (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.

6.3. (SDB: Admissions) Deaf, blind, multi-disabled and other disabled students identified by the Board of Commissioners as target groups for admission to the South Carolina School for the Deaf and the Blind may be admitted by the School either through direct application by parents or on referral from the local school district. The Board of Commissioners shall define the appropriate admissions criteria including mental capacity, degree of disability, functioning level, age, and other factors deemed necessary by the board. All placement hearings for admission to the South Carolina School for the Deaf and the Blind shall be organized by the School. The South Carolina School for the Deaf and the Blind shall obtain information from the local school district concerning the needs of the student and shall prepare an Individualized Education Plan for each student admitted. All parents applying for admission of their children must sign a statement certifying that they feel the South Carolina School for the Deaf and the Blind is the most appropriate placement which constitutes the least restrictive environment for the individual student, based upon needs identified in the placement meeting and the Individualized Education Plan. The decision concerning placement and least restrictive environment shall be reviewed annually at the IEP Conference.

6.4. (SDB: Adult Vocational Program Fees) The School for the Deaf and the Blind is authorized to charge appropriate tuition, room and board, and other fees to students accepted into the Adult Vocational Program. Such fees will be determined by the School Board of Commissioners, and such revenue shall be retained and carried forward into the current fiscal year and expended by the School for the purpose of covering expenses in the Adult Vocational Program.

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

6.5. (SDB: Mobility Instructor Service Fee) The School for the Deaf and the Blind is authorized to charge a fee for the services of a mobility instructor to provide service on a contractual basis to various school districts in the state, and such revenue shall be retained and carried forward into the current fiscal year and expended by the School for the purpose of covering expenses in the Blind School.

6.6. (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.

6.7. (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.

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

6.9. (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.

6.10. (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.

6.11. (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.

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

6.12. (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.

6.13. DELETED

6.14. (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.

6.15. (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.

6.16. (SDB: Buildings) For the current fiscal year; the South Carolina School for the Deaf and Blind will be subject to the same requirements as a local education agency for the purposes of building renovation and construction.

6.17. (SDB: Early Childhood Center) The School for the Deaf and the Blind shall be authorized to redirect and transfer the \$500,000 appropriated for the Thackston Hall Roof Replacement in Act 91 of 2015 by proviso 118.14(B)(5)(a) to the Early Childhood Center Construction project.

SECTION 7 - L120 - JOHN DE LA HOWE SCHOOL

7.1. (JDLHS: Status Offender Carry Forward) Unexpended status offender funds distributed to John de la Howe School from the Department of Education may be carried forward and used for the same purpose.

7.2. (JDLHS: Campus Private Residence Leases) John de la Howe School 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.

7.3. (JDLHS: Deferred Salaries Carried Forward) John de la Howe School is authorized to carry forward into the current fiscal year the

SECTION 7 - L120 - JOHN DE LA HOWE SCHOOL

amount of 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.

7.4. DELETED

7.5. DELETED

7.6. (JDLH: Transition) In accordance with the purposes of the will of Dr. John de la Howe, by September thirtieth of the current fiscal year, the Board of Trustees of John de la Howe is directed to work with an advisory group comprised of one person each designated by the Director of the Department of Social Services, the Director of the Department of Mental Health, the Director of the Department of Juvenile Justice, the State Superintendent of Education, the Director of the Department of Alcohol and Other Drug Abuse Services, the Chair of the Joint Citizens and Legislative Committee on Children, a Representative appointed by the Speaker of the House, and a Senator appointed by the President Pro Tempore of the Senate to recommend an educational, vocational, and life skills training program at the John de la Howe School for older youth who are at risk and who are aging out of the foster care or the juvenile justice supervisory programs of the Department of Social Services or the Department of Juvenile Justice. The program will utilize the funds appropriated to John de la Howe School for the costs of the program that will include school drop-out recovery to complete a high school degree, a GED program, vocational and employment training, and an aftercare program for transition of the youth to independent living and employment. Clemson University will collaborate with the advisory group regarding the development of a vocational farming component for the program.

In consultation with the advisory group and as set forth herein, by November thirtieth, the John de la Howe Board of Trustees will procure a contract with a child-service provider to operate the program. The child-service provider must be a nationally accredited (AdvancED) educational organization experienced in both child protection and juvenile justice programs and must be able to demonstrate a history of success in the operation of educational and vocational residential training programs for youth. The Department of Administration and the Executive Budget Office will assist John de la Howe as needed in the transition.

With funds appropriated and with technical assistance from Clemson University, the Department of Administration and the Executive Budget

SECTION 7 - L120 - JOHN DE LA HOWE SCHOOL

Office, the John de la Howe School Board of Trustees will continue to provide wilderness camp programs to students in the current fiscal year; and identify initiatives to provide agricultural education opportunities on campus for students.

John de la Howe will work with the Department of Social Services and the Department of Juvenile Justice to provide for the safe transition of the existing residents from John de la Howe School into such placements, programs and services as determined appropriate based on an assessment of their individual needs.

In the development of the program and in the qualifications and selection of the child-service provider, considerations by the John de la Howe Board of Trustees in consultation with the advisory group will include the following:

(1) the overlap of needs of children who crossover for services between the Department of Social Services and the Department of Juvenile Justice;

(2) educational, school drop-out recovery, GED, vocational programs, life skills training programs, career and employment opportunities, and independent living programs for these older youth clients that can be provided using the John de la Howe School facilities, resources, and funding to assist these youth who are at risk and aging out of state services to prepare for success as adults;

(3) aftercare programs that will follow these youths into the community and help them to become established in viable employment and living situations that encourage a future free of homelessness, unemployment, poverty, alcohol and other substance abuse, criminal behavior, and dependence on public assistance;

(4) provide the existing child clients at John de la Howe School with a proper, safe transition to family reunification or other appropriate placements and services;

(5) provide consideration of current John de la Howe School employees, where appropriate, for employment pursuant to the new provider contract for program services; and,

(6) how the existing funds and youth vocational training programs can be applied to provide repairs and maintenance to the John de la Howe School buildings and grounds.

The John de la Howe Board of Trustees, with technical assistance from the Department of Education will provide procurement for the contract, fiscal administration of the funds, contract accountability, compliance, and reporting and will submit reports by June thirtieth of

SECTION 7 - L120 - JOHN DE LA HOWE SCHOOL

the current fiscal year to the House Ways and Means Committee, the Senate Finance Committee, and the Joint Citizens and Legislative Committee on Children to inform the Committees regarding the status and progress of programs, operations, client data, facilities, and budget information. The John de la Howe Board of Trustees, in consultation with the advisory group will make recommendations to the Governor and General Assembly regarding the future role of the John De La Howe School.

**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) If the Educational Television Commission receives any proceeds from the Federal Communication Commission TV Auction, the commission is authorized to receive and retain the proceeds for the development of a capital reserve declining balance fund. Up to \$40,000,000 of the proceeds shall be used to fund several critical capital needs at ETV, including an expected broadcast industry standards change. Proceeds shall also be deployed for existing equipment repair, maintenance and replacement needs and operational costs. Any proceeds received above \$40,000,000 must be placed into a segregated account and shall require General Assembly approval prior to the expenditure of these funds. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose. Subject to the FCC requirements for a specified quiet period, the commission shall report to the Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the intent to enter the auction; dates of the auction; potential revenue estimates; and actual received revenue.

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

**SECTION 8 - H670 - EDUCATIONAL TELEVISION
COMMISSION**

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.

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) Of the funds appropriated to the Commission on Higher Education for the African-American Loan Program, 73.7 percent shall be distributed to South Carolina State University and 26.3 percent shall be distributed to Benedict College, 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.

SECTION 11 - H030 - COMMISSION ON HIGHER
EDUCATION

11.3. (CHE: GEAR-UP) Funds appropriated for GEAR-UP shall be used for state grants programs to reach disadvantaged middle school students to improve their preparation for college. Eligible South Carolina public schools and public institutions of higher education shall cooperate with the Commission on Higher Education in the provision of services under the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.

11.4. (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.

11.5. (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.

11.6. (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.

11.7. (CHE: Troop-to-Teachers) Members of the Armed Forces either active-duty, retired, or separated who are admitted to and enrolled in the South Carolina Troop-to-Teachers Alternative Route to Certification program are entitled to pay in-state rates at participating state institutions for requisite program work.

11.8. (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 \$2,000 above

**SECTION 11 - H030 - COMMISSION ON HIGHER
EDUCATION**

the \$2,500 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 \$100,000 may be expended from currently appropriated need-based grants funding for this additional assistance.

11.9. (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 Division of Veterans Affairs on the grounds of a serious extenuating health condition.

11.10. (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.

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

11.12. (CHE: College Transition Need-Based Grants) Of the currently appropriated need-based grants funding, no more than \$350,000 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

SECTION 11 - H030 - COMMISSION ON HIGHER
EDUCATION

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.

11.13. (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.

11.14. (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.

11.15. (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

**SECTION 11 - H030 - COMMISSION ON HIGHER
EDUCATION**

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.

11.16. (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.

11.17. DELETED

11.18. DELETED

11.19. DELETED

**SECTION 14 - H120 - CLEMSON UNIVERSITY -
EDUCATIONAL & GENERAL**

14.1. DELETED

SECTION 15 - H150 - UNIVERSITY OF CHARLESTON

15.1. (UoC: Science Center Renovation) In the current fiscal year, the University of Charleston may use funds appropriated in Fiscal Year 2005-06 for the School of Science and Mathematics' Grice Marine Biology Laboratory, for the School of Science and Mathematics' renovation of the Rita L. Hollings Science Center.

**SECTION 19 - H240 - SOUTH CAROLINA STATE
UNIVERSITY**

***19.1.** (SCSU: Loan Funds) (A) Pursuant to Proviso 19.2, Part IB, of Act 286 of 2014, South Carolina State University was approved for a loan to be disbursed through a series of scheduled installments. Any

* See note at end of Act.

SECTION 19 - H240 - SOUTH CAROLINA STATE
UNIVERSITY

funds not disbursed to the university pursuant to the schedule shall be carried forward to the current fiscal year and disbursed to the university no later than August 1, 2016.

(B) (1) The State Auditor shall review and audit, if necessary, the financial structure and activities of the university to ensure sufficient financial and internal controls are in place to protect the financial integrity of the university. A report of findings and recommendations shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office, by December 30, 2016.

(2) In order to assist the State Auditor, provide for the adequate training of university financial staff, and provide for technical assistance to the university board and State Fiscal Accountability Authority, the Executive Director of the State Fiscal Accountability Authority shall engage a third-party accounting consultant to assist the university and the authority in evaluating and promoting the financial integrity of the university. The university shall reimburse the authority for the actual expenses of the consultant, not to exceed \$150,000 in the current fiscal year.

(C) No later than July 31, 2016, the Executive Director of the State Fiscal Accountability Authority shall enter into a loan repayment agreement with the university for the \$12,000,000 loan referenced in item (A) of this provision. The terms of the agreement shall, at a minimum, include a provision that the loan funds disbursed to South Carolina State University pursuant to Proviso 19.2, Part IB, of Act 286 of 2014, including any associated interest, shall be forgiven at a rate of \$4,000,000 per year beginning in Fiscal Year 2016-17, provided that the university has met the following benchmarks:

(1) For Fiscal Year 2016-17 the university must have attained accreditation status from the Southern Association of Colleges and Schools (SACS); and

(2) For each subsequent fiscal year the university must:

(a) maintain such accreditation status;

(b) attain an increase in net financial position as demonstrated by the university's published audited financial statements beginning with Fiscal Year 2016-17 after such adjustments for pension and other liabilities as recommended by the accounting consultant and SACS, until such time as the university has achieved

SECTION 19 - H240 - SOUTH CAROLINA STATE
UNIVERSITY

and can maintain a balanced budget and positive net financial position; and

(c) achieve a one percent growth in full-time student enrollment above the prior fiscal year enrollment.

(3) South Carolina State University must provide a report on a quarterly basis to the House Ways and Means Higher Education and Technical Schools Subcommittee and the Senate Finance Higher Education Subcommittee that includes, but is not limited to, the status of their fiscal affairs and enrollment growth. The format and contents of this report shall be developed in consultation with and approved by the Commission on Higher Education, which shall cooperatively develop with South Carolina State University reasonable metrics, benchmarks, and the process for measuring such metrics to be included in the quarterly report.

The Commission on Higher Education, by November 1st, shall certify to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office that the university has met and maintained the required benchmarks each fiscal year.

The provisions contained in this proviso shall not be implemented if a permanent loan repayment schedule is adopted by the General Assembly, whether before, or after the effective date of this act.

19.2. DELETED

**19.3. (SCSU: State Fiscal Accountability Authority Loan Funds) No later than July 31, the Executive Director of the State Fiscal Accountability Authority shall enter into a repayment schedule with South Carolina State University to retire the debt incurred by the university pursuant to the April 30, 2014 loan from the Budget and Control Board, succeeded in interest by the State Fiscal Accountability Authority. The repayment terms shall establish installment payments at the rate of \$355,036 annually. The provisions contained in this proviso shall not be implemented if preempted by a permanent loan repayment schedule adopted by the General Assembly.*

* See note at end of Act.

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: Child Abuse Medical Response Program) Of the funds appropriated to the University of South Carolina School of Medicine, not less than \$750,000 shall be expended for the Child Abuse and Neglect Medical Response Program. 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 Child Abuse and Neglect Medical Response Program greater than such stipulated percentage.

20.4. (USC: Palmetto College - Operating) The University of South Carolina is directed to allocate \$373,010 to the USC campuses at Lancaster, Salkehatchie, Sumter and Union in order to reduce the per-student funding disparity that exists between each of these campuses. The university shall determine the appropriate enrollment measure to guide the distribution of these additional, recurring state appropriations. The allocation of state funds shall be reported to the Commission on Higher Education, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

SECTION 23 - H510 - MEDICAL UNIVERSITY OF SOUTH CAROLINA

23.1. (MUSC: Rural Dentist Program) The Rural Dentist Program, in coordination with the Department of Health and Environmental Control's Public Health 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

**SECTION 23 - H510 - MEDICAL UNIVERSITY OF SOUTH
CAROLINA**

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 DHEC'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: Telemedicine) From the funds appropriated to the Medical University of South Carolina for the MUSC Hospital Authority, the Authority is directed to continue the development of South Carolina Statewide Telemedicine network. The South Carolina Telehealth Alliance shall submit a proposal to the MUSC Hospital Authority to determine which hospitals are best suited for a Telemedicine partnership. The MUSC Hospital Authority shall provide bi-annual reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing the distribution of funds.

23.3. (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 to ensure that these regions maintain access to medical care.

**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

**SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND
COMPREHENSIVE EDUCATION**

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 Pro Tempore 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 Pro Tempore 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

**SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND
COMPREHENSIVE EDUCATION**

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: MSSC) The funds appropriated to the State Board for Technical and Comprehensive Education for the Manufacturing Skills Standards Council Initiative may not be used for consulting associated with the Initiative.

25.5. (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.

25.6. (TEC: Aeronautics Training Center) Funds appropriated for the S.C. Aeronautics Training Center may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose.

25.7. (TEC: Study of Employment of Entry-Level CDL Drivers by State and Local Agencies) From the funds appropriated to and/or authorized for the State Board for Technical and Comprehensive Education, the board shall establish a study committee to identify how best to facilitate and incentivize state and local government fleet operations in the hiring of entry-level Commercial Drivers' License holders. The study committee shall develop recommendations for the General Assembly to consider which include, but are not limited to, coordination and cooperation with the Department of Education and the State Technical College system; minimal and/or targeted agency entry-level employment-level objectives; state-sponsored incentives; limitations on liability; state-sponsored insurance coverage underwriting for some initial period of employment; payroll tax exemptions or incentives; and other state-sponsored support.

The study committee shall be comprised of twelve members as follows:

**SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND
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(1) two members appointed by the Governor, one of whom is an employee of the South Carolina Insurance Reserve Fund and one of whom is an employee of the Department of Administration;

(2) two members appointed by the Chairman of the House Education and Public Works Committee, one of whom is a member of the committee and one of whom is an employee of the Department of Education;

(3) two members appointed by the Chairman of the Senate Transportation Committee, one of whom is a member of the committee and one of whom is an employee of the Technical College System;

(4) one member appointed by the Secretary of Transportation;

(5) one member appointed by the South Carolina Municipal Association;

(6) one member appointed by the South Carolina Association of Counties;

(7) one member appointed by the South Carolina Trucking Association;

(8) one member appointed by the Motor Coach Association of South Carolina; and

(9) one member appointed by the Carolina Association of General Contractors.

Members of the study committee shall possess experience and expertise in human resources, safety, risk, fleet management, or other areas consistent with this objective. Staff support shall be provided by the State Board for Technical and Comprehensive Education, with assistance from the staffs of the Senate Transportation Committee and the House Education and Public Works Committee, upon request. Findings and recommendations shall be submitted to the General Assembly by October 31, 2016.

25.8. DELETED

25.9. (TEC: Workforce Pathways Funding Distribution) Of the funds appropriated to the State Board for Technical and Comprehensive Education for the Workforce Pathways Program, the State Board must first distribute \$740,000 to Tri-County Technical College and \$602,000 to Central Carolina Technical College in order for each school to maintain operations of the existing Workforce Pathways programs established pursuant to Act 286 of 2014.

Any remaining funds shall be set aside in a separate and distinct account until a formula for distribution is developed by the State Board.

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The formula shall specify criteria for the Workforce Pathways program that each technical school must adhere to in order to receive their respective share of the set aside funding. At a minimum, each Workforce Pathways program must expand current best practices in technical career pathways for youth and unemployed or underemployed adults leading to immediate employment in high skill, high demand jobs with emphasis in STEM fields. The program shall utilize all credit and non-credit delivery systems within the technical college, include cohort training options for adults, provide dual credit for youth via college courses taught by college faculty, provide opportunities for prior learning credit for adults, include structured work-based learning or other apprenticeship training approaches, and result in industry-recognized work certifications as well as stackable postsecondary credentials. Workforce Pathways programs shall establish or build on existing collaborative design and coordination efforts with area school districts and career centers and with area employers. All technical colleges receiving funding through the Workforce Pathways must provide comprehensive evaluation and reporting mechanisms that include long-range tracking of individual and economic impacts as well as return-on-investment analyses.

The State Board shall report the formula for distribution and required criteria to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by August 31, 2016.

**SECTION 26 - H790 - DEPARTMENT OF ARCHIVES AND
HISTORY**

26.1. (AH: Use of Proceeds) The proceeds of facilities rentals, gift shop operations, training sessions, sales of publications, reproductions of documents, repair of documents, research fees, handling charges, and the proceeds of sales of National Register of Historic Places certificates and plaques by the Archives Department shall be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of facility operations and maintenance, gift shop inventory, additional training sessions, publication, reproduction expenses, repair expenses, and National Register of Historic Places certificates and plaques, and selected Historic Preservation Grants.

**SECTION 26 - H790 - DEPARTMENT OF ARCHIVES AND
HISTORY**

26.2. (AH: Disposal of Materials) For the current fiscal year, the Department of Archives and History, upon prior approval of the commission, may sell from its collections certain record and non-record materials, which are not eligible for public auction, in a manner most advantageous to the department.

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 2010, as aid to the County Library. No county shall be allocated less than \$75,000 under this provision. 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.

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) The State Library may accept money for the South Carolina Library Evergreen 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.

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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.

27.9. DELETED

27.10. DELETED

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

SECTION 28 - H910 - ARTS COMMISSION

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) Of the funds appropriated and/or authorized to the Arts Commission for Distribution to Subdivisions, the following amounts shall be distributed in the same manner as the funds were distributed in the prior fiscal year, subject to requests received and availability of funds: \$65,000 for Alloc Mun-Restricted; \$34,012 for Alloc Cnty-Restricted; \$928,569 for Alloc School Dist; \$40,000 for Alloc Other State Agencies; \$459,026 for Alloc-Private Sector; \$42,750 for Alloc Private Sector; \$75,449 for Aid Mun-Restricted; \$41,155 for Aid Cnty-Restricted; \$243,241 for Aid School Districts; \$389,171 for Aid Other State Agencies; \$1,580,603 for Aid To Private Sector; \$45,221 for Aid To Private Sector-Reportable; and 3,750 for Aid to County Libraries.

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

SECTION 29 - H950 - STATE MUSEUM 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 \$1,800,000 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 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.

**SECTION 32 - H730 - DEPARTMENT OF VOCATIONAL
REHABILITATION**

32.5. (VR: Basic Services Program - Educational Scholarships) For those persons with disabilities who are eligible for and are receiving services under an approved plan of the South Carolina Vocational Rehabilitation Department (consistent with the 1973 Rehabilitation Act, as amended) tuition costs at state supported institutions (four year, technical, or trade schools) will not increase beyond the 1998 tuition rate, will be provided, or will be waived by the respective institution after the utilization of any other federal or state student aid for which the student is eligible. Persons eligible for this tuition reduction or sponsorship must meet all academic requirements of the particular institution and be eligible for State need-based scholarships as defined in Chapter 142, Title 59, Code of Laws of South Carolina, 1976.

**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

**SECTION 33 - J020 - DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

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.

**SECTION 33 - J020 - DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

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.

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

**SECTION 33 - J020 - DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

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 to the Children's Health Insurance Program (CHIP) and must use available state agency program data including, but not limited to, that housed in the Revenue and Fiscal Affairs Office, to include the Department of Social Services' Supplemental Nutritional Assistance Program (SNAP) and the department may use the poverty-related information from the Department of Education. Use of this data and cooperative efforts between state agencies reduces the cost of outreach and maintenance of eligibility for CHIP.

33.16. (DHHS: Carry Forward) The Department of Health and Human Services is authorized to carry forward 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 Pro Tempore 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

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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. DELETED

33.20. (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.

33.21. (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) Healthy Outcomes Initiative - The Department of Health and Human Services may tie Disproportionate Share Hospital (DSH) payments to participation in the Healthy Outcomes Initiative and may expand the program as DSH funding is available.

(B) To improve community health, the department may explore various health 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.

(C) Rural Hospital DSH Payment - Medicaid-designated rural hospitals in South Carolina may be eligible to receive up to one hundred percent of costs associated with uncompensated care as part of the DSH program. Funds shall be allocated from the existing DSH program. To be eligible, rural hospitals must participate in reporting and quality

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guidelines published by the department and outlined in the Healthy Outcomes Initiative. In addition to the requirements placed upon them by the department, rural hospitals must actively participate with the department and any other stakeholder identified by the department, in efforts to design an alternative health care delivery system in these regions.

(D) Primary Care Safety Net - The department shall implement a methodology to reimburse safety net providers participating in a hospital Healthy Outcomes Initiative program to provide primary care, behavioral health services, and pharmacy services for chronically ill individuals that do not have access to affordable insurance. Qualifying safety net providers are approved, licensed, and duly organized Federally Qualified Health Centers (FQHCs and other entities receiving funding under Section 330 of the Public Health Services Act), Rural Health Clinics (RHCs), local alcohol and drug abuse authorities established by Act 301 of 1973, Free Clinics, other clinics serving the uninsured, and Welvista. The department shall formulate a methodology and allocate \$4,000,000 for innovative care strategies for qualifying safety net providers. The department shall formulate a separate methodology and allocate \$6,400,000 of funding to FQHCs, at least \$1,600,000 of funding for Free Clinics, and \$1,600,000 of funding for local alcohol and drug abuse authorities created under Act 301 of 1973. The department shall develop a process for obtaining encounter-level data that may be used to assess the cost and impact of services provided through this proviso. The department shall also explore a transition to a prospective payment system for FQHCs to provide greater predictability and stability for FQHC budgets.

(E) Rural and Underserved Area Provider Capacity - The department shall incentivize the development of primary care access in rural and underserved areas through the following mechanisms:

(1) the department shall leverage Medicaid spending on Graduate Medical Education (GME) by implementing methodologies that support recommendations contained in the January 2014 report of the South Carolina GME Advisory Group;

(2) the department shall develop or continue a program to leverage the use of teaching hospitals to provide rural physician coverage, expand the use of Telemedicine, and ensure targeted placement and support of OB/GYN services in at least four counties with

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a demonstrated lack of adequate OB/GYN resources by June 30, 2017;
and

(3) during the current fiscal year the department shall contract with the MUSC Hospital Authority in the amount of \$10,000,000 to lead the development and operation of an open access South Carolina Telemedicine Network. 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. MUSC Hospital Authority must provide the department with quarterly reports regarding the funds allocation and progress of telemedicine transformation efforts and networks. MUSC Hospital Authority shall publish a summary report to the General Assembly indicating the overall progress of the state's telemedicine transformation by March 1, 2017. In addition, the department shall also contract with the MUSC Hospital Authority in the amount of \$1,000,000, and the USC School of Medicine in the amount of \$2,000,000 to further develop statewide teaching partnerships.

(4) 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. Any funding supplied by the department in support of the Rural Health Initiative may be deducted from the allocation made to the USC School of Medicine in section (E)(3) of this proviso.

(F) The department shall allocate funds to be used for obesity education for patients, reimbursement payments for providers, and continuing education for all providers through partnerships with the Department.

(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 DSH 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 may pilot an all-inclusive health intervention program for wrap-around care to vulnerable mental health patients who

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frequent the emergency room in hotspots and underserved areas within the state. The pilot program must provide reports detailing progress on the target population and health outcomes achieved. These programs may be expanded as their potential to improve health and lower costs are identified by the department.

(I) The department shall publish quarterly reports on the agency's website regarding the department's progress in meeting the goals established by this provision.

33.22. (DHHS: Medicaid Healthcare Initiatives Outcomes) Prior to February fifteenth of the current fiscal year, the Director of the Department of Health and Human Services shall make a presentation to the House Ways and Means Healthcare Budget Subcommittee on the outcomes of Medicaid healthcare initiatives enacted during the current fiscal year to improve the well-being of persons enrolled in the Medicaid program and receiving services from Medicaid providers.

33.23. (DHHS: Carry Forward Authorization) For the current fiscal year, the Department of Health and Human Services is authorized to carry forward and expend any General Fund balances for the Medicaid program. Within thirty days after the close of the fiscal year, the department shall report the balance carried forward to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

33.24. DELETED

33.25. DELETED

33.26. DELETED

33.27. (DHHS: Rural Health Initiative) From the funds appropriated to the Department of Health and Human Services for the Rural Health Initiative, 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.

(A) The Department of Health and Human Services shall take appropriate action to facilitate the following provisions:

(1) Rural Healthcare and Education - The USC School of Medicine shall consult with the South Carolina Office of Rural Health in preparing a proposal for 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

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collaboration with other state agencies and institutions. The center's activities must be centered on efforts to improve access to care and expand healthcare provider capacity in rural communities. The department shall authorize at least \$1,000,000 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 1st 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.

(2) Rural Medicine Workforce Development - The department, in consultation with the Medical Education Advisory Committee (MEAC), 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. The department shall ensure that each in-state member of the Association of American Medical Colleges is afforded the opportunity to participate in MEAC. New training sites and/or residency positions are subject to approval as specified by the Accreditation Council for Graduate Medical Education (ACGME). Applications to the ACGME must be developed no later than June 30, 2017. 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. Up to \$500,000 of the recurring funds appropriated to the department for the Rural Health Initiative may be used for this purpose.

(B) The department shall investigate the potential use of DSH and/or any other allowable and appropriate source of funds in order to improve access to emergency medical services in one or more communities identified by the department in which such access has been degraded due to a hospital's closure during the past five years. In the current fiscal

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year, the department is authorized to establish a DSH pool for this purpose and/or if deemed necessary to implement transformation plans for which conforming applications were filed with the department on or before April 1, 2016, but for which additional negotiations or development were required. An emergency department that is established within 35 miles of its sponsoring hospital during the current fiscal year and which receives dedicated funding pursuant to this proviso shall be exempt from any Department of Health and Environmental Control Certificate of Need requirements or regulations. Any such facility shall participate in the Statewide Telemedicine Network.

(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.

33.28. DELETED

****33.29. (DHHS: Notice of Proposed Rate Reductions, Fee Increases, Policy Decisions) The Department of Health and Human Services may not reduce Medicaid provider rates, increase Medicaid fees or implement an agency policy decision with a similar effect, until the department has provided notice of the proposed rate reduction, fee increase or policy decision and has given a minimum of thirty days from the date of notification for written comments to be submitted. Following this thirty day comment period, the department must take a maximum of fifteen days to review and respond to the comments received. The department must not implement a provider rate reduction, fee increase, or policy decision with a similar effect until forty-five days has elapsed from the date of notification.***

This does not restrict the annual updating of cost base rates and those rates which are indexed to methodologies provided for in the Medicaid State Plan.

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34.1. (DHEC: County Health Departments Funding) 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

* See note at end of Act.

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commissioner, with the approval of the Board of Department of Health and Environmental Control, 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.

The provisions of this proviso shall not supersede or suspend the provisions of Section 13-7-30 of the 1976 Code.

34.2. (DHEC: County Health Units) General funds made available to the Department of Health and Environmental Control for the allocation to the counties of the State for operation of county health units be allotted on a basis approved by the Board of the Department of Health and Environmental Control. 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.

34.3. (DHEC: Camp Burnt Gin) 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.

34.4. (DHEC: 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.

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34.5. (DHEC: Cancer/Hemophilia) 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 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 assistance program provided for herein greater than such stipulated percentage.

34.6. (DHEC: 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.

34.7. (DHEC: Insurance Refunds) The Department of Health and Environmental Control is authorized to budget and expend monies resulting from insurance refunds for prior year operations for case services in family health.

34.8. (DHEC: 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

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funds appropriated herein. The Department of Health and Environmental Control 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 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. 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.

34.9. (DHEC: Rape Violence Prevention Contract) Of the amounts appropriated in Rape Violence Prevention, \$1,103,956 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.

34.10. (DHEC: 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.

34.11. (DHEC: Sickle Cell Programs) \$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 DHEC.

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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 DHEC. The balance of the total appropriation must be used for Sickle Cell Services operated by the Independent Living program of DHEC. The funds appropriated to the community based sickle cell centers shall be reduced to reflect any percent reduction assigned to the Department of Health and Environmental Control 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 DHEC budget. For the current fiscal year, the department shall not reduce these funds below the current funding level.

34.12. (DHEC: 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 Health and Environmental Control 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.

34.13. (DHEC: Revenue Carry Forward Authorization) The Department of Health and Environmental Control 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, Spoil Easement Areas revenue, performance bond forfeiture revenue for

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restoring damaged critical areas, beach renourishment appropriations, 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-DHEC employees. Any unexpended balance carried forward must be used for the same purpose.

34.14. (DHEC: Medicaid Nursing Home Bed Days) Pursuant to Section 44-7-84(A) of the 1976 Code, the maximum number of Medicaid patient days for which the Department of Health and Environmental Control is authorized to issue Medicaid nursing home permits is 4,452,015.

34.15. (DHEC: Health Licensing Fee) Funds resulting from an increase in the Health Licensing Fee Schedule shall be retained by the department to fund increased responsibilities of the health licensing programs. Failure to submit a license renewal application or fee to the department by the license expiration date shall result in a late fee of \$75 or twenty-five percent of the licensing fee amount, whichever is greater, in addition to the licensing fee. Continual failure to submit completed and accurate renewal applications and/or fees by the time period specified by the department shall result in enforcement actions. The department may waive any or all of the assessed late fees in extenuating circumstances, as long as it is with public knowledge.

34.16. (DHEC: Infectious Waste Contingency Fund) The Department of Health and Environmental Control 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.

34.17. (DHEC: Nursing Home Medicaid Bed Day Permit) When transfer of a Medicaid patient from a nursing home is necessary 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. The receiving facility shall apply to permanently retain the Medicaid patient day permit within sixty days of receipt of the patient.

34.18. (DHEC: Mineral Sets Revenue) The department is authorized to charge a reasonable fee for mineral sets. Funds generated from the

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sale of mineral sets may be retained by the department in a revolving account with a maximum carry forward of \$2,000 and must be expended for mineral set supplies and related mining and reclamation educational products.

34.19. (DHEC: 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.

34.20. (DHEC: Per Visit Rate) The SC DHEC 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.

34.21. (DHEC: Allocation of Indirect Cost and Recoveries) The department shall continue to deposit in the general fund all indirect cost recoveries derived from state general funds participating in the calculation of the approved indirect cost rate. Further administration cost funded with other funds used in the indirect cost calculation may, based on their percentage, be retained by the agency to support the remaining administrative costs of the agency.

34.22. (DHEC: Permitted Site Fund) The South Carolina Department of Health and Environmental Control 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.

34.23. (DHEC: Shift Increased Funds) The director is authorized to shift increased appropriated funds in this act to offset shortfalls in other critical program areas.

34.24. (DHEC: Health Licensing Monetary Penalties) In the course of regulating health care facilities/services, the Bureau of Health

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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.

34.25. (DHEC: 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.

34.26. (DHEC: Radiological Health Monetary Penalties) In the course of regulating health care facilities/services, the Bureau of Radiological Health (BRH) assesses civil monetary penalties against nonconforming providers. BRH 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 that Bureau. These funds shall be separately accounted for in the department's fiscal records.

34.27. (DHEC: Prohibit Use of Funds) The Department of Health and Environmental Control must not use any state appropriated funds to terminate a pregnancy or induce a miscarriage by chemical means.

34.28. (DHEC: 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.

34.29. (DHEC: 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

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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.

34.30. (DHEC: Beach Renourishment and Monitoring and Coastal Access Improvement) If state funds are made available or carried forward from any general revenue, capital, surplus or bond funding appropriated to the department for beach renourishment and maintenance, the department shall be able to expend not more than \$100,000 of these funds annually to support annual beach profile monitoring. Additional funds made available or carried forward for beach renourishment projects that are certified by the department as excess may be spent for beach renourishment and departmental activities that advance the policy goals contained in the State Beachfront Management Plan, R.30-21.

34.31. (DHEC: 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 fee, 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 of the South Carolina Code of Laws. 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 Health and Environmental Control shall promulgate regulations as required in Section 44-61-540 of the 1976 Code for the administration and oversight of the Trauma Care Fund.

34.32. (DHEC: Pandemic Influenza) The Department of Health and Environmental Control 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

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state's readiness condition. The department shall report on preparedness measures to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor by November first, 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.

34.33. (DHEC: Pharmacist Services) For the current fiscal year, provisions requiring that all department facilities distributing or dispensing prescription drugs be permitted by the Board of Pharmacy and that each pharmacy have a pharmacist-in-charge are suspended. Each Department of Health and Environmental Control Public Health Region shall be required to have a permit to distribute or dispense prescription drugs. A department pharmacist may serve as the pharmacist-in-charge without being physically present in the pharmacy. The department is authorized to designate one pharmacist-in-charge to serve more than one department facility. Only pharmacists, nurses, or physicians are allowed to dispense and provide prescription drugs/products/vaccines for conditions or diseases that the department treats, monitors, or investigates. In the event of a public health emergency or upon activation of the strategic national stockpile, other medications may be dispensed as necessary.

34.34. (DHEC: Coastal Zone Appellate Panel) The Coastal Zone Appellate Panel as delineated in Section 48-39-40 of the 1976 Code under the Department of Health and Environmental Control shall be suspended for the current fiscal year.

34.35. (DHEC: 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,

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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.

34.36. (DHEC: 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.

34.37. (DHEC: Metabolic Screening) The department may suspend any activity related to blood sample storage as outlined in Section 44-37-30 (D) and (E) of the 1976 Code, 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.

34.38. (DHEC: Fetal Pain Awareness) (A) The department must utilize at least one hundred dollars to prepare printed materials concerning information that unborn children at twenty weeks gestation and beyond are fully capable of feeling pain and the right of a woman seeking an abortion to ask for and receive anesthesia to alleviate or eliminate pain to the fetus during an abortion procedure. The materials must be provided to each abortion provider in the State and must be placed in a conspicuous place in each examination room at the doctor's office. The materials must contain only the following information:

"Fetal Pain Awareness

An unborn child who is twenty weeks old or more is fully capable of experiencing pain. Anesthesia provided to a woman for an abortion typically offers little pain prevention for the unborn child. If you choose to end your pregnancy, you have a right to have anesthesia or analgesic administered to alleviate the pain to your unborn child during the abortion."

(B) The materials must be easily comprehensible and must be printed in a typeface large and bold enough to be clearly legible.

34.39. (DHEC: SCHIDS) 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

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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.

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.

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.

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

34.41. (DHEC: 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.

34.42. (DHEC: Obesity) The Department of Health and Environmental Control is charged with addressing the public health of our citizens and shall be the convener and coordinator of the fight against Obesity in South Carolina. Because addressing the obesity epidemic requires behavioral, educational, systemic, medical, and community involvement, the following state agencies should use their best efforts to cooperate with the requests of the department and its partners to facilitate an environment that decreases body mass index (BMI): Department of Education; Department of Health and Human Services; Department of Social Services; Department of Mental Health; Medical University of South Carolina; University of South Carolina Arnold School of Public Health; Department of Parks, Recreation and Tourism; Department of Commerce; Department of Transportation; and Commission for the Blind.

In addition, school districts must provide the Department of Health and Environmental Control with information regarding their progress

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towards meeting certain provisions of the Student Health and Fitness Act of 2005, specifically: Section 59-10-10 regarding the average number of minutes students exercise weekly; Section 59-10-50 regarding the SC Physical Education Assessment; Section 59-10-310 regarding efforts to promote healthy eating patterns; Section 59-10-320 regarding assessment of school district health education programs; Section 59-10-340 regarding snacks in vending machines; and Section 59-10-360 regarding health curriculum. The department is given the authority to collect, compile and assess the progress of the State and the School Districts in meeting the goals of this act.

34.43. (DHEC: Residential Treatment Facilities Swing Beds) For Fiscal Year 2016-17 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.

34.44. (DHEC: Tuberculosis Outbreak) (A) Upon discovery of a tuberculosis outbreak, the Department of Health and Environmental Control may expend any funds available to the agency, for the purpose of surveillance, investigation, containment, and treatment activities related thereto.

(B) During an investigation of an index tuberculosis patient, the Department of Health and Environmental Control, through the South Carolina Health Alert Network, must notify the patient's community that a tuberculosis contact investigation is being conducted into the possible exposure to tuberculosis. This subsection only applies if the investigation of the patient has met all of the following criteria:

- (1) abnormal chest x-rays;
- (2) positive Acid Fast Bacilli (AFB) sputum results; and
- (3) first round of contact investigation completed with results of individuals testing positive outside of the index patient's family.

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(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.

34.45. (DHEC: Abstinence-Until-Marriage Emerging Programs) (A) From the funds appropriated to DHEC 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.

(B) Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

(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.

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

(F) 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.

Organizations or individuals awarded grants must provide quarterly reports on expenditures and participation to the Department of Health and Environmental Control and the Department of Social Services within fifteen days of the end of each quarter.

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

34.46. (DHEC: Abstinence Until Marriage Evidence-Based Programs Funding) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, contracts 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. Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code. 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 contractual agreement. 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.

34.47. (DHEC: Wave Dissipation Device) From funds appropriated to the department for the Coastal Resource Improvement program, the department shall permit a Wave Dissipation Device pilot program to be initiated.

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The deployment of a qualified wave dissipation device seaward of the setback line or baseline pursuant to a study conducted by the Citadel or a research university is not construction and meets the permitting exception contained in Section 48-39-130(D)(2). Prior to deploying or expanding a qualified wave dissipation device, a person proposing to deploy or expand the device must pay the department a fee of ten cents per linear foot of the proposed deployment or expansion. The department may order the removal of all or any portion of a qualified wave dissipation device that the department determines causes material harm to the flora, fauna, physical or aesthetic resources of the area under Section 48-39-130(D)(2) of the 1976 Code.

A 'qualified wave dissipation device' is a device that:

- (1) is placed mostly parallel to the shoreline;
- (2) is designed to dissipate wave energy;
- (3) is designed to minimize scouring seaward of and adjacent to the device by permitting sand to move landward and seaward through the device;
- (4) the horizontal panels designed to dissipate wave energy can be deployed within one-hundred twenty hours or less and can be removed within one-hundred twenty hours or less;
- (5) does not negatively impact or inhibit sea turtle nesting or other fauna;
- (6) can be adjusted after initial deployment in response to fluctuations in beach elevations; and
- (7) otherwise prevents down-coast erosion, protects property, and limits negative impacts to public safety and welfare, beach access, and the health of the beach dune system.

34.48. (DHEC: Birthing Center Inspections) For this fiscal year, birthing centers, accredited by the Commission on Accreditation of Birth Centers, must register an on-call agreement and any transfer policies with the Department of Health and Environmental Control. The on-call agreement shall contain provisions which provide that 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 birthing center or hospital, must be licensed in the State of South Carolina, and shall provide consultation and advice to the birthing center at all times it is serving the public. Furthermore, a birthing center shall document in its practice guidelines and policies the ability to transfer care to an acute

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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 privileges at one or more hospitals with appropriate obstetrical and newborn services by a birthing center's consulting physician. The department shall require a \$25.00 registration fee upon receipt and review of the agreements containing these provisions. Birthing 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) of the South Carolina Code and any implementing regulations for this fiscal year.

34.49. (DHEC: Abortion Clinic Certification) Prior to January 31, 2017, a facility other than a hospital that is licensed and certified by the department to perform abortions must file a report with the department that provides the number of physicians that performed an abortion at the facility between July 1, 2016 and December 31, 2016, who did not have admitting privileges at a local certified hospital and staff privileges to replace on-staff physicians at the certified hospital and the percentage of these physician in relation to the overall number of physicians who performed abortions at the facility. The report must include a summation of any abortion that resulted in an outcome which required a level of aftercare that exceeds what is customarily provided by physicians in such cases in accordance with accepted medical practice and indicate whether or not the abortion was performed by a physician with admitting privileges at a local certified hospital and staff privileges to replace on-staff physicians at the certified hospital. Any summation of any abortion must not divulge any information that is privileged or required to be maintained as confidential by any provision of law. An applicable facility must remit a twenty-five dollar filing fee to the department for the report required by this provision.

34.50. DELETED

34.51. DELETED

34.52. (DHEC: Data Center Migration) Of the funds appropriated to the Department of Health and Environmental Control 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,

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servers, managed servers, storage, network services and disaster recovery services.

34.53. (DHEC: AIDS Service Provision Program) For the current fiscal year, funds appropriated and authorized to the Department of Health and Environmental Control 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.

34.54. (DHEC: Home Health License Transfer) From the funds made available through the transfer of licenses for Home Health Services from the Department of Health and Environmental Control to Capital Care Resources of South Carolina, LLC, the department shall use the first \$750,000 for the final close out of Home Health including coverage of contractual obligations for the Home Health information system and to transition those records to another format to meet record retention requirements and cover the one-time, non-recurring expenses for the following items:

- | | |
|--|-------------------|
| (1) Data Center Infrastructure | \$ 2,618,400; |
| (2) Pinewood Custodial Site Capital Improvements and Repairs | \$ 5,200,000; |
| (3) Electronic Medical Records | \$ 5,781,600; and |
| (4) Flood Recovery Operations | \$ 3,150,000. |

34.55. (DHEC: Coastal Zone Boundary) Of the funds appropriated, the Department of Health and Environmental Control shall report to the General Assembly by January 1, 2017, with an initial recommendation to revise the coastal zone boundary, if any, and the study shall begin with Dorchester County.

****34.56. (DHEC: Indoor Aquatic and Community Center Match Requirement) The 2:1 match requirement associated with the appropriation of \$100,000 non-recurring funds through the***

* See note at end of Act.

SECTION 34 - J040 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Department of Health and Environmental Control for the Indoor Aquatic and Community Center - Richland County (Requires 2:1 Match) in Act 91 of 2015 by proviso 118.14(B)(22)(j) shall be amended to require a 1:1 match.

34.57. DELETED

SECTION 35 - J120 - DEPARTMENT OF MENTAL HEALTH

35.1. (DMH: Patient Fee Account) The Department 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 department 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 department 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.

35.2. (DMH: Institution Generated Funds) The Department of Mental Health is authorized to retain and expend institution generated funds which are budgeted.

35.3. (DMH: Alzheimer's Funding) Of the funds appropriated to the Department of Mental Health for Community Mental Health Centers, \$900,000 must be used for contractual services to provide respite care and diagnostic services to those who qualify as determined by the Alzheimer's Disease and Related Disorders Association. The department must maximize, to the extent feasible, federal matching dollars. On or before September thirtieth of each year, the Alzheimer's Disease and Related Disorders Association must submit to the department, Governor, Senate Finance Committee, and House Ways and Means Committee an annual financial statement and outcomes measures attained for the fiscal year just ended. These funds may not be expended or transferred during the current fiscal year until the required reports have been received by the department, Governor, Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain

SECTION 35 - J120 - DEPARTMENT OF MENTAL HEALTH

percentage, the department may not reduce the funds transferred to the Alzheimer's Disease and Related Disorders Association greater than such stipulated percentage.

35.4. (DMH: Crisis Intervention Training) Of the funds appropriated to the department, \$170,500 shall be utilized for the National Alliance on Mental Illness (NAMI) SC for Crisis Intervention Training (CIT).

35.5. (DMH: Uncompensated Patient Medical Care) There is created an Uncompensated Patient Care Fund to be used by the department 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.

35.6. (DMH: 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.

35.7. (DMH: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Department of Mental Health 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 36 - J160 - DEPARTMENT OF DISABILITIES
AND SPECIAL NEEDS**

36.1. (DDSN: Work Activity Programs) All revenues derived from production contracts earned by individuals served by the department in Work Activity Programs be retained by the South Carolina Department of Disabilities and Special Needs 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.

36.2. (DDSN: Sale of Excess Real Property) The department is authorized to retain revenues associated with the sale of excess real property owned by, under the control of, or assigned to the department and may expend these funds as grants to purchase or build community residences and day program facilities for the individuals DDSN serves.

**SECTION 36 - J160 - DEPARTMENT OF DISABILITIES
AND SPECIAL NEEDS**

The department shall follow all the policies and procedures of the Department of Administration or State Fiscal Accountability Authority and the Joint Bond Review Committee.

36.3. (DDSN: Prenatal Diagnosis) Revenues not to exceed \$126,000 from client fees, credited to the debt service fund and not required to meet the department's 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.

36.4. (DDSN: Medicaid-Funded Contract Settlements) The department is authorized to carry forward and retain settlements under Medicaid-funded contracts.

36.5. (DDSN: Departmental Generated Revenue) The department is authorized to continue to expend departmental generated revenues that are authorized in the budget.

36.6. (DDSN: Transfer of Capital/Property) The department may transfer capital to include property and buildings to local DSN providers with State Fiscal Accountability Authority approval.

36.7. (DDSN: Unlicensed Medication Providers) The provision of selected prescribed medications may be performed by selected unlicensed persons in community-based programs sponsored, licensed or certified by the South Carolina Department of Disabilities and Special Needs, provided such selected unlicensed persons have documented medication training and skill competency evaluation. Licensed nurses may train and supervise selected unlicensed persons to provide medications and, after reviewing competency evaluations, may approve selected unlicensed persons for the provision of medications. The provision of medications by selected unlicensed persons is limited to oral and topical medications and to regularly scheduled insulin and prescribed anaphylactic treatments under established medical protocol and does not include sliding scale insulin or other injectable medications. The selected unlicensed persons shall be protected against tort liability provided their actions are within the scope of their job duties and the established medical protocol.

The Department of Disabilities and Special Needs 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.

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AND SPECIAL NEEDS**

36.8. (DDSN: Pervasive Developmental Disorder) The Department of Disabilities and Special Needs, as the agency authorized to treat autistic disorder, is designated for a Medicaid project to treat children who have been diagnosed by eight years of age with a pervasive developmental disorder. The project must target the youngest ages feasible for treatment effectiveness, treatment for each individual child shall not exceed three years without a special exception as defined in the waiver, and reimbursement for each individual participant may not exceed \$50,000 per year. The Department of Disabilities and Special Needs and the Department of Health and Human Services will determine the areas of the State with the greatest need and availability of providers. Children participating in the project will be selected based upon an application system developed in compliance with the Medicaid waiver. Treatment will be provided as authorized and prescribed by the department according to the degree of the developmental disability. In authorizing and prescribing treatment the department may award grants or negotiate and contract with public or private entities to implement intervention programs, which must comply with Medicaid reimbursement methodologies, for children who have been diagnosed with a pervasive developmental disorder. "Pervasive developmental disorder" means a neurological condition, including autistic disorder and Asperger's syndrome, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association. The department shall report semi-annually to the General Assembly and the Governor on the developmental progress of the children participating in the project and the fiscal status of the project, to include expenditure data and appropriation balances. This provision does not establish or authorize creation of an entitlement program or benefit.

The Department of Disabilities and Special Needs and the Department of Health and Human Services shall develop a plan to transition children in the Pervasive Developmental Disorder Program (PDD) to Medicaid State Plan services in a manner that minimizes any break in service. Private insurance benefits which include Autism Spectrum Disorder services shall be sought prior to the expenditure of Medicaid or State funds for these services. For children not Medicaid eligible, the Department of Disabilities and Special Needs shall develop a sliding fee scale based on a means test for determining payment by a family for PDD services.

**SECTION 36 - J160 - DEPARTMENT OF DISABILITIES
AND SPECIAL NEEDS**

36.9. (DDSN: Child Daycare Centers) Of the funds appropriated to the department, the department 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 department must transfer \$100,000 to the Anderson County Disabilities Board for the provision of these services.

36.10. (DDSN: Debt Service Account) The department 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 department 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.

36.11. (DDSN: 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 department 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.

36.12. (DDSN: Greenwood Genetic Center Autism Research) The department is authorized to transfer up to \$500,000 of unencumbered funds from the PDD autism waiver to the Greenwood Genetic Center for autism research.

36.13. (DDSN: Medicaid Direct Billing) The department 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 department 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 departmental grant funds is altered without the department's approval, the entity must repay the department 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.

36.14. (DDSN: Carry Forward Authorization) For the current fiscal year, the department is authorized to carry forward any balance of

**SECTION 36 - J160 - DEPARTMENT OF DISABILITIES
AND SPECIAL NEEDS**

General Funds appropriated for the reduction of the department'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 department shall report the balance carried forward to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

36.15. (DDSN: Service Providers Expenditure Requirement) For the current fiscal year, in order to accommodate service provider infrastructure needs resulting from the reductions in the department's waiting lists, service providers including local disabilities and special needs boards are authorized to carry forward from the prior fiscal year unexpended funds based on a ninety percent expenditure requirement for capitated services. Service providers shall not withhold services in order to generate funds to be carried forward. The expenditure requirement shall not affect the department's three month reserve limitation policy. If the department's Medicaid allowable costs, in the aggregate, do not meet the level of certified public expenditures (CPEs) reported to the Department of Health and Human Services, the department is allowed to recoup funds necessary to remain in compliance with federal Medicaid CPE rules.

36.16. DELETED

**SECTION 37 - J200 - DEPARTMENT OF ALCOHOL AND
OTHER DRUG ABUSE SERVICES**

37.1. (DAODAS: Training & Conference Revenue) The department may charge fees for training events and conferences. The revenues from such events shall be retained by the department to increase education and professional development initiatives.

37.2. (DAODAS: Gambling Addiction Services) In that gambling is a serious problem in South Carolina, the department through its local county commissions may provide, from funds appropriated to the department, information, education, and referral services to persons experiencing gambling addictions.

37.3. (DAODAS: Medicaid Match Transfer) At the beginning of the fiscal year, the Department of Alcohol and Other Drug Abuse Services will transfer \$1,915,902 to the Department of Health and Human Services to meet federal Medicaid Match participation

**SECTION 37 - J200 - DEPARTMENT OF ALCOHOL AND
OTHER DRUG ABUSE SERVICES**

requirements for the delivery of alcohol and other drug abuse services to the Medicaid beneficiary population.

37.4. DELETED**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. Funds of \$800,000 collected under the Child Support Enforcement Program (Title IV-D) which are state funds shall be remitted to the State Treasurer and credited to the General Fund of the State. All state funds above \$800,000 shall be retained by the department to fund Self-Sufficiency and Family Preservation and Support initiatives.

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 "set off" program offered through the Internal Revenue Service, the withholding of unemployment insurance benefits through the Department of Employment and Workforce and reimbursement for expenditures related to blood 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 Enforcement Program. Such funds may not be expended for any other purpose. However, this shall not include Child Support Enforcement Program 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: Foster Children Burial) The expenditure of funds allocated for burials of foster children shall not exceed one thousand five hundred dollars per burial.

SECTION 38 - L040 - DEPARTMENT OF SOCIAL SERVICES

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

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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.

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

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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) 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	\$404	per month
ages	6 - 12	\$469	per month
ages	13 +	\$535	per month

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

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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 Support Enforcement System) From the funds appropriated in Part IA, Section 38(F), the Department of Social Services shall prepare a detailed report on the status of the Child Support

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Enforcement System. The report shall include, but not be limited to, actions currently being undertaken to become compliant with federal government requirements; the cost required to meet minimum federal guidelines; total funds spent so far on the system; the amount of fines assessed by the federal government associated with noncompliance; how much has been spent to satisfy actions taken by the state judicial system; and how much has been spent related to actions taken by any other entity which may have altered the amount required for meeting minimum federal guidelines. The report shall be submitted to the General Assembly by August thirty-first of the current fiscal year.

38.18. (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.

38.19. (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.

38.20. (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.

38.21. (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.

38.22. (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.

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(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.

38.23. (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 grocery stores or farmers markets with SNAP benefits through their EBT cards. Each coupon shall allow the beneficiary to double the amount of produce purchased, up to ten dollars per month. The agency shall utilize all funds received in the prior and current fiscal years from the U.S. Department of Agriculture as a bonus for reducing the error rate in processing SNAP applications to fund the program. The agency shall work to identify and utilize funds as matching dollars for the continued success of the "Healthy Bucks" program and 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.

38.24. (DSS: Internal Child Fatality Review Committees) For Fiscal Year 2016-17, the Director of the Department of Social Services shall create and fund 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) of the 1976 Code 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

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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.

38.25. (DSS: Tuition Reimbursement/Student Loan Repayment) The Department of Social Services is allowed to spend state, federal, and other sources of revenue to provide 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 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.

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 disciplinary actions. Participants in this program must agree to remain at the department for a period of five years. The department may pay these employees up to \$7,500 each year over a five-year period in accordance with a program developed by the department. Payments will be made directly to the employee at the end of each year of employment. Payments cannot exceed the balance of the student loan or the cost of tuition.

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38.26. (DSS: Federally Certified Child Support Enforcement System Project) In order to expedite the completion and certification of the Automated Child Support Enforcement System required by the Social Security Act (42 U.S.C. Section 654a), the Department of Social Services is authorized to adopt, to the fullest extent possible, the system and operating procedures of the Delaware Transfer System. To the extent the Transfer System operating processes deviate from, or are incompatible with, current South Carolina practice, the department is authorized to determine the most effective and efficient practice to comply with federal requirements. The department shall work with Clerks of Court to identify and prepare for the changes involved in the implementation of the Transfer System which may impact their current operating practices with regards to performance of required child support functions. Pursuant to the Social Security Act and S.C. Code Section 63-17-610, Clerks of Court shall utilize the federally certifiable child support system and the state disbursement unit developed by the department to perform required child support functions.

38.27. DELETED

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.

**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.

**SECTION 42 - L320 - HOUSING FINANCE AND
DEVELOPMENT AUTHORITY**

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.

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.

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

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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 IV. Marketing Services, D. 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: Farmers Market Revenue) The revenues associated with the sale of the State Farmers Market shall be deposited into a separate restricted special account under the authority of the State Fiscal Accountability Authority. These funds and accrued interest may only be expended for relocating and reestablishing the State Farmers Market after approval by the Joint Bond Review Committee and the State Fiscal Accountability Authority.

44.7. (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.

44.8. (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.

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Revenues generated by these fees shall be retained and used by the department to offset expenses incurred in operating the Feed Inspection Program.

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 employee testifying as an expert witness 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 \$0.50 per ton on Agricultural Liming Materials sold or distributed in

SECTION 45 - P200 - CLEMSON UNIVERSITY - PSA

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 ($\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$) and is incapable of neutralizing soil acidity. It shall contain not less than seventy percent $\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$. 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.

**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

**SECTION 47 - P240 - DEPARTMENT OF NATURAL
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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 \$15,000 per district for general assistance to the district's program. Available funding above \$15,000 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.

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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: Cormorant Control) The Department of Natural Resources shall continue to coordinate a public Cormorant control program with the US Fish and Wildlife Service for Lake Marion and Moultrie. The department shall try to coordinate with the Army Corp of Engineers, Santee Cooper, and the USFWS to include waters above and below each spillway, Wildlife Management Areas, and national refuges. The department shall assess the need to expand the program to other public waters and implement a plan if warranted. If the USFWS allows continuation of the control program, the department shall establish an online method of permitting.

47.9. (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.

*****47.10. (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. They must tag and release four coyotes in each of the four game zones and apply a reward of a complimentary lifetime hunting license per tagged coyote to the hunter/trapper, or his designee.***

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

** See note at end of Act.

SECTION 48 - P260 - SEA GRANT CONSORTIUM

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.

**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 Grandstrand Tourism Region's funds shall be divided, with \$50,000 distributed to the Myrtle Beach Chamber of Commerce, \$115,000 distributed to the Georgetown Chamber of Commerce, \$30,000 distributed to the City of Georgetown, and \$30,000 distributed to the Williamsburg Chamber of Commerce for tourism related activities. 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; (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

**SECTION 49 - P280 - DEPARTMENT OF PARKS,
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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

**SECTION 49 - P280 - DEPARTMENT OF PARKS,
RECREATION AND TOURISM**

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 may be used by the department for the same purpose, deferred maintenance and capital projects at state parks and Welcome Centers, and for Marketing/Advertising. Prior to the funds being utilized for the state's Welcome Centers the funds shall be placed in a separate and distinct fund prior to July thirtieth of the current fiscal year and the interest accrued by the fund must remain in the fund. Of the funds placed into the separate and distinct fund in the current fiscal year, up to ten percent may be utilized for operating costs directly related to the Welcome Centers. These funds shall be carried forward from the prior fiscal year into the current fiscal year and be expended for the same 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

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grantees from current year funds for prior year expenditures for a period of three years as allowed in Section 51-23-30 of the 1976 Code.

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. DELETED

49.14. (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.

***49.15.** (PRT: Welcome Center Complex Mowing) *Of the funds appropriated and/or authorized for State Welcome Centers, the department is directed to ensure that at every Welcome Centers complex, the outer edge of the pavement of the adjacent highway, the highway control of access right of way line, and all boundaries surrounding the complex must be mowed in a manner to ensure that the entirety of the grounds are uniform in appearance.*

****49.16.** (PRT: Beach Access) *Of the funds appropriated for state parks, the department shall utilize such funds to open pedestrian, non-motorized vehicular and golf cart ingress and egress to Myrtle Beach State Park at the intersection of US Highway 17 and Center South Road in Myrtle Beach, and/or at other location(s) which legally and safely affords such ingress and egress. Said access shall be subject to the rules and regulations of the department governing uniform closure of park ingress during periods of peak usage.*

* See note at end of Act.

** See note at end of Act.

**SECTION 49 - P280 - DEPARTMENT OF PARKS,
RECREATION AND TOURISM**

49.17. (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.

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

SECTION 50 - P320 - DEPARTMENT OF COMMERCE

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 Pro Tempore 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 Fiscal Year 2016-17 for Regional Economic Development

SECTION 50 - P320 - DEPARTMENT OF COMMERCE

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 | \$ 460,000; |

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.

The remaining \$140,000 shall be provided to Beaufort County, provided it meets the requirements established above.

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.

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 Mfg 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

SECTION 50 - P320 - DEPARTMENT OF COMMERCE

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. DELETED

50.19. (CMRC: Road Closures Related to Navy Base Intermodal Facility) The Division of Public Railways 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.

50.20. (CMRC: Water System Corrective Action Plan) The \$500,000 appropriated through the Department of Commerce for the Hartsville Downtown Revitalization - Center Theater (Requires 2:1 Match) in Act 91 of 2015 by proviso 118.14(B)(42)(i) shall be redirected to the Town of Lamar for the Water System Corrective Action Plan.

**SECTION 51 - P340 - JOBS-ECONOMIC DEVELOPMENT
AUTHORITY**

51.1. (JEDA: Bonds Interest Rates) Pursuant to Sections 41-43-100 and 41-43-110(A) of the 1976 Code, the interest rate of bonds issued by the authority are not subject to approval by the State Fiscal Accountability Authority.

**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: Conservation Bank Trust Fund) All revenues designated for the South Carolina Conservation Bank pursuant to Sections 12-24-95 and 12-24-97 of the 1976 Code must be credited to the South Carolina Conservation Bank Trust Fund.

**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 to 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.

**SECTION 54 - P450 - RURAL INFRASTRUCTURE
AUTHORITY**

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.

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: Commitments to Treatment Facilities) The appropriation 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

SECTION 57 - B040 - JUDICIAL DEPARTMENT

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 State Court Administrator, and the South Carolina Department of Mental Health with the approval of the Attorney General. The Judicial Department shall notify the Senate Finance Committee and the House Ways and Means Committee of any fee adjustment or change in schedule before implementation.

57.4. (JUD: Judicial Commitment) Except as otherwise provided in Section 117.5, no money appropriated pursuant to Item VI, Judicial Commitment 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.

57.5. (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 five hundred dollars per month as expense allowance.

57.6. (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.

57.7. (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.

57.8. (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.

57.9. (JUD: Travel Reimbursement) State employees of the Judicial Department traveling on official state business must be reimbursed in accordance with Section 117.20(J) of this act.

57.10. (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

SECTION 57 - B040 - JUDICIAL DEPARTMENT

shall be determined under such guidelines as may be established by the Chief Justice of the Supreme Court.

57.11. (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.

57.12. (JUD: Surplus Property Disposal) Technology equipment that has been declared surplus may be donated directly to counties for use in court-related activities.

57.13. (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.

57.14. (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.

57.15. (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;

- (8) procedures and other matters relating to issuing orders of protection from domestic violence.

57.16. (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.

SECTION 57 - B040 - JUDICIAL DEPARTMENT

57.17. (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.

57.18. (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.

57.19. (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.

57.20. (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.

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

SECTION 58 - C050 - ADMINISTRATIVE LAW COURT

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.

SECTION 59 - E200 - OFFICE OF THE ATTORNEY GENERAL

59.1. (AG: Prior Year Expenditures) The Office of the 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 the 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) After the provisions of Section 35-1-702(b) of the 1976 Code have been satisfied, and upon notification to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee that such provisions have been satisfied, the next \$20,500,000 of Securities Fee revenues collected during the current fiscal year by the Office of the Attorney General shall be remitted to the General Fund of the State. The Office of the Attorney General may retain the next \$400,000 collected and may utilize these funds for operations to include expert witness expenses, investigative costs, trial preparation, and other related expenses associated with the

SECTION 59 - E200 - OFFICE OF THE ATTORNEY GENERAL

increase in licensed securities agents. These funds may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose. Remaining Securities Fee revenues collected during the current fiscal year 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 during the current fiscal year. 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 Pro Tempore 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. DELETED

**SECTION 60 - E210 - PROSECUTION COORDINATION
COMMISSION**

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 five hundred dollars (\$500.00) 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 \$4,692,961 shall be distributed on a per capita basis based upon the current official census. The next \$1,179,041 shall be distributed on a pro-rata basis. Payment shall be made as soon after the beginning of each quarter as practical.

60.4. (PCC: Solicitor Carry Forward) Any unexpended balance on June 30, of the prior fiscal year, may be carried forward into the current fiscal year and expended for the operation of the solicitor's office 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 Prosecution Coordination Commission shall collect and retain information and data regarding Criminal Domestic Violence Prosecution and shall include: the number of dispositions,

**SECTION 60 - E210 - PROSECUTION COORDINATION
COMMISSION**

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.

**SECTION 60 - E210 - PROSECUTION COORDINATION
COMMISSION**

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 Prosecution Coordination Commission 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 \$3,450,000 distributed at an amount of \$75,000 per county. The remaining \$4,376,872 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 upon ten percent of the average incoming caseload for each county as reported by the South Carolina Judicial Department for the prior 3 fiscal years.

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 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, 2005. 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 set aside \$3,000,000 (Death Penalty Trial Fund) annually for use of the defense in capital cases pursuant to Section 16-3-26 of the 1976

SECTION 61 - E230 - COMMISSION ON INDIGENT DEFENSE

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 set aside \$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) and the application fee provided in Section 17-3-30(B), 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 the remaining funds 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. 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

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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 Section 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

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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 S.C. Code Sections 20-7-110 et seq., 20-7-1570 et seq., 20-7-1695 (A)(2) et seq., 20-7-7205 et seq., and 20-7-8705 (4)(a) 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

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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 qualified to handle civil and criminal court appointments, to be reimbursed in accordance with applicable provisos and statutes.

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

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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 Commission on Indigent Defense on a monthly basis. 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

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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: Donation Carry Forward) The Commission on Indigent Defense may accept donations for the publication of "The South Carolina Juvenile Collateral Consequences Checklist." All revenue derived from donations received at the Commission on Indigent Defense shall be retained, carried forward and expended according to agreement reached between the donor, or donors, and the Commission on Indigent Defense.

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61.11. (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.

61.12. (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.

61.13. DELETED

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, subsection

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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

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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

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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.

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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: First Responder PTSD Treatment) From the funds provided for First Responder PTSD Treatment, the State Law Enforcement Division shall distribute fifty percent to the South Carolina Law Enforcement Assistance Program to reimburse law enforcement officers 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 worker's compensation claims and/or other insurance and can also be utilized to provide services through the South Carolina Law Enforcement Assistance Program. The State Law Enforcement Division shall distribute fifty percent to the South Carolina State Firefighters Association for the South Carolina Firefighter Assistance Support Team to reimburse firefighters and emergency medical technicians who incur mental injury as a result of a critical incident during the scope of

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employment for actual out-of-pocket expenses not covered through worker's compensation claims and/or other insurance and can also be utilized to provide services through the South Carolina Firefighter Assistance Support Team. The State Law Enforcement Division shall promulgate any administrative regulations necessary to carry out the provisions of this section.

62.24. DELETED

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: Motor Carrier Advisory Committee) From the funds appropriated and/or authorized to the Department of Public Safety and the Department of Motor Vehicles, the departments are directed to jointly establish a Motor Carrier Advisory Committee to solicit input from the Trucking Industry and other interested parties in developing policies and procedures for the regulation of this industry. The members of the advisory committee shall serve without compensation.

63.4. (DPS: Sale of Real Property) At such time as any portion of the Laurens Road property in Greenville is declared to be surplus by the agency or agencies which occupy said portion, and after receiving approval from the Department of Administration or State Fiscal Accountability Authority, for the sale of the property, the Department of Public Safety, the Department of Transportation, and the Department of Motor Vehicles are authorized to receive, retain, expend, and carry

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forward funds derived from the sale of the real property in which each agency holds an interest or title. No portion of the property may be declared as surplus by one agency if another agency is occupying said property. The Department of Public Safety is directed to use these funds to defray the operating expenses of the Highway Patrol and the Department of Transportation and the Department of Motor Vehicles are directed to use their portion of these funds for department operating expenses.

63.5. (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.

63.6. (DPS: SC Law Enforcement Officers Hall of Fame Scholarships) 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.

63.7. (DPS: Hours of Service Rest Requirements) Of the funds directed to the Department of Public Safety, the department shall expend the necessary funds to establish a policy to allow drivers of commercial motor vehicles engaged in intrastate commerce to use time waiting in their trucks while on the job to satisfy any hours of service thirty minute rest requirements. The policy shall then be printed and distributed to the Senate Transportation Committee and the House of Representatives Education and Public Works Committee. In addition, the policy shall be provided to any motor carrier who requests a copy. The department is further instructed to allow the Motor Carrier Advisory Committee to review options that may facilitate adoption of allowable variances from state and federal statutes, rules, and regulations, as well as specific relief for interstate border-zone operations.

63.8. (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.

**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.

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

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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.

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

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

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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, but is a percentage thereof, and is to be paid so as not to exceed the percentages specified below and as determined by the Director of the Department of Corrections:

(A) At Level II institutions:

(1) four percent for Correctional Officers including Class Code JD-30 (cadets and Officer I and II positions) and Corporals I and II;

(2) two percent for Sergeants and Lieutenants;

(3) one percent for Captains and Majors;

(4) two percent for Nursing staff; and

(5) two percent for Food Service staff.

(B) At Level III institutions:

(1) eight percent for Correctional Officers including Class Code JD-30 (cadets and Officer I and II positions) and Corporals I and II;

(2) three percent for Sergeants and Lieutenants;

(3) one percent for Captains and Majors;

(4) three percent for Nursing staff; and

(5) three percent for Food Service staff.

65.19. (CORR: Quota Elimination) Pursuant to Section 24-3-60 of the 1976 Code, 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 Friday, 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.

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At the time of transfer of the inmate to the department, the county shall provide the sentencing order, and if available copies of medical screening records, booking reports, and other documents to assist the department in its intake processing. Counties that have not completed medical screenings at the time of transfer shall not be required to do so.

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 of the 1976 Code.

65.22. (CORR: Executed Inmate Autopsy) For the current fiscal year, the autopsy requirements of Section 17-7-10 of the 1976 Code 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

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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 of the 1976 Code. 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) 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. 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.

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) of the 1976 Code shall apply to any such project, including new construction.

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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.

**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: GED Learn and Earn Program) From the funds appropriated in Part IA, the department may enter into agreements with statewide colleges, technical colleges, and school districts for the

**SECTION 66 - N080 - DEPARTMENT OF PROBATION,
PAROLE AND PARDON SERVICES**

purpose of providing GED and GED Prep education to offenders. Offenders of the department enrolled in the program must repay the department the cost of the course and materials within six months of obtaining their GED.

66.4. (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.

66.5. (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.

66.6. (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. The department shall submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the number of offenders who were assessed the set-up fee and the amount of funds collected.

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.

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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) 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.

The Department of Juvenile Justice shall contract with Solicitors to administer the Juvenile Arbitration Program and disburse up to \$60,000 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.

The \$250,000 appropriated for the Community Advocacy Program in the first Judicial Circuit, will be used to fund necessary administrative and personnel costs for this status offender diversion program. The Department of Juvenile Justice shall monitor and provide support to this program.

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

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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

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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: Early Release Authorization) In order to avoid unconstitutional levels of overcrowding and other unconstitutional conditions from occurring in facilities operated by the department and in residential programs operated for the department, the number of children housed in residential placements (either committed to the custody of the Department of Juvenile Justice or who are under the department's supervision) shall not exceed the number of beds available to the department to house them. Should appropriation reductions necessitate that the department close any additional facility, program, or housing unit it operates, or to be unable to fund any additional residential program operated for its benefit, the department is authorized and empowered to release from its residential placements sufficient numbers of children committed to its custody or supervision for a status offense, a misdemeanor offense, other than Assault and Battery of a High and Aggravated Nature and Assault with Intent to Kill, or for violation of probation/contempt of a status offense or a misdemeanor offense, other

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than Assault and Battery of a High and Aggravated Nature and Assault with Intent to Kill, so that the number of children in its custody or under its supervision and placed in these residential placements does not exceed the number of housing units/beds available to properly house those children. No child adjudicated delinquent for a violent crime as defined in Section 16-1-60 of the 1976 Code, a felony offense as defined in Section 16-1-90 of the 1976 Code, or a sexual offense shall be released pursuant to this proviso.

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 MINORITY
AFFAIRS**

71.1. (CMA: 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. (CMA: 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.

**SECTION 71 - L460 - COMMISSION FOR MINORITY
AFFAIRS**

71.3. (CMA: 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. (CMA: 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. (CMA: 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.

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

SECTION 73 - R060 - OFFICE OF REGULATORY STAFF

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.

**SECTION 74 - R080 - WORKERS' COMPENSATION
COMMISSION**

74.1. (WCC: Medical Services Provider Manual Revenue) All revenue earned from the sale of the commission's publication Medical Services Provider Manual shall be retained by the agency to be used for the printing and distribution of subsequent revised editions of the schedule.

74.2. (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.

74.3. (WCC: Retention of Filing Fees) The Workers' Compensation Commission is authorized to retain and expend all revenues received as a result of a \$25.00 filing fee for each requested hearing, settlement, or motion. If it is determined that the individual is indigent, this filing fee must be waived.

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.

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 of the 1976 Code.

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: National Mortgage Settlement Carry Forward) Funds received by the Consumer Finance Division pursuant to the State-Federal National Mortgage Settlement for enforcement and

SECTION 79 - R230 - BOARD OF FINANCIAL INSTITUTIONS

regulation may be retained, expended, and carried forward from the prior fiscal year into the current fiscal year and used for the same purposes.

**SECTION 80 - R280 - DEPARTMENT OF CONSUMER
AFFAIRS**

80.1. (CA: Consumer Protection Code Violations Revenue) Funds, paid to the department in settlement 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: Student Athlete/Agents Registration) Funds received by the department of Consumer Affairs pursuant to registrations under Chapter 102, Title 59 of the 1976 Code may be retained by the department for its enforcement duties relating to athlete agents and student athletes under that chapter.

80.3. (CA: Expert Witness/Assistance Carry Forward) Unexpended encumbered appropriated funds for the Consumer Advocacy expert witness/assistance program (under Section 37-6-603) may be carried forward into the next fiscal year to meet contractual obligations existing at June thirtieth and not paid by July thirty-first.

80.4. (CA: Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention) The Department of Consumer Affairs may retain all Consumer Credit Grantor Notification filing fees collected under Section 37-6-203 and all Maximum Rate Schedules filing fees collected under Section 37-2-305 and Section 37-3-305. These fees shall be used to offset the cost of administering and enforcing Chapters 2 and 3, Title 37 of the 1976 Code 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.

80.5. (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 of the 1976 Code. 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.

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.

**SECTION 81 - R360 - DEPARTMENT OF LABOR, LICENSING
AND REGULATION**

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 Pro Tempore 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 on Minority Affairs, 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

**SECTION 81 - R360 - DEPARTMENT OF LABOR, LICENSING
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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. DELETED

81.14. DELETED

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

82.1. DELETED

82.2. (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.

82.3. (DMV: Publish Headquarters Call Center Telephone Number) From the funds appropriated in Part IA, Section 82 to the Department of Motor Vehicles, it is the intent of the General Assembly that the

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Department of Motor Vehicles in each county should have the Headquarters Call Center telephone number published.

82.4. (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 amount charged by the Department of Motor Vehicles for any fees collected pursuant to this proviso may not exceed the rates that the department charged as of February 1, 2001. 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. Funds derived from these sources shall be retained by the department.

82.5. (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. The Comptroller General shall place the funds into a special restricted account to be used by the department.

82.6. (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.

82.7. (DMV: Facial Recognition Program) The Department of Motor Vehicles is directed to utilize the funds authorized for the agency to continue the Facial Recognition Program.

82.8. (DMV: Five Year Eye Exam Suspension) For the current fiscal year, Section 56-1-220(B), relating to the requirement for a vision screening certificate during the fifth year of a ten-year driver's license, is suspended.

82.9. (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

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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.

82.10. DELETED

82.11. (DMV: DOT Transfer) The Department shall transfer \$10,000,000 in the current fiscal year from any available cash balances to the Non-Federal Aid Highway Fund at the Department of Transportation.

82.12. (DMV: General Fund Balance Carry Forward) The Department of Motor Vehicles may carry forward any unexpended general fund balance from the prior fiscal year and expend those funds in the current fiscal year.

82.13. DELETED**SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT
AND WORKFORCE****83.1. DELETED**

83.2. (DEW: Consortium Contracts: Training-Development Sessions and Media Services) All earmarked funds collected for the LMI - Training-Development Sessions; Media Services and 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.

83.3. (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.

83.4. (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

**SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT
AND WORKFORCE**

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.

****83.5. (DEW: SUTA Contingency Assessment Funds) Thirty percent of the funds appropriated through the contingency assessment funds collected on taxable wages paid by employers shall be spent on enforcement of Section 41-35-110(3) and Section 41-35-120(5) of the 1976 Code, via Eligibility Reviews, Random Verification of Job Contacts and Wage Cross Matches during those weeks covered by the South Carolina State Unemployment Tax Authority (SUTA), and to ensure seated meetings with Unemployment Insurance claimants. Job searches may be conducted and will be accepted if done by the applicant in person or through SC Works Online System (SCWOS). Searches completed through SCWOS will be electronically verified; all others will be verified through methods currently used by SCDEW. The agency must also inform claimants in advance that Eligibility Reviews and Random Verification of Job Contacts will be used by the department to verify compliance with laws administered by the agency.***

83.6. (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.

83.7. (DEW: UI Tax System Modernization) The Department of Employment and Workforce is authorized to expend up to \$300,000 of funds made available to the State under Section 903 of the United States

* See note at end of Act.

**SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT
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Social Security Act, as amended. The funds must be used under the direction of the Department of Employment and Workforce, for the purpose of acquiring software, equipment, and necessary services to replace the agency's unemployment tax information system with a modern technology solution. No part of the funds herein authorized may be obligated after a two-year period beginning on July 1, 2015. 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 required by law to be charged against the amounts transferred to the account of this State.

83.8. (DEW: Employment Training Outcomes Data Sharing) The Department of Employment and Workforce, in developing the Workforce and Labor Market Information System (WLMIS) improvements required of the Workforce Innovation and Opportunity Act (WIOA) (P.L. 113-128), will require integration of training and employment data for the purposes of improving longitudinal assessment of employment outcomes for the various training providers eligible to receive funding appropriated or authorized by this Act.

(A) As the entity with authority for the oversight and maintenance for the WLMIS, the department shall establish a Governance Policy for the management, development, security, partner collaboration, and sharing responsibilities no later than July 1, 2016.

(B) No later than July 22, 2016, the department must develop a model data-sharing agreement with eligible training providers (ETPs). As specified by the WIOA Act, this agreement will require ETPs to submit data related to the types of training programs offered, individual student coursework and outcomes, program completion and time to complete, program costs, and tuition assistance. It will further require reporting of personally identifiable information (PII) to match training and employment data to determine placement in companies and jobs by the North American Industry Classification (NAIC) System and Standard Occupation Classification (SOC) System and other information necessary for the department to accurately and completely assess the effectiveness and return on investment of all training programs offered by the entity.

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(C) No later than January 1, 2017, the department must develop a model data-sharing agreement with the Department of Education, the Center for Educator Recruitment, Retention and Advancement, and the Education Oversight Committee, the Vocational Rehabilitation Department, and the Commission on Higher Education to capture and match data as enumerated in item (B) of this provision. This agreement will ensure collaborative sharing of matched data with each partner agency for the purpose of program assessment and effectiveness in compliance with state and federal laws.

(D) The department and the South Carolina Student Loan Corporation shall, by January 1, 2017, enter into a data-sharing agreement to determine the average debt load carried by individuals who participate in training programs with eligible training providers. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.

(E) No later than June 30, 2017, the department must develop a model data-sharing agreement with the Department of Social Services to capture data related to New Hire status and social service data and with the Department of Labor, Licensing and Regulation to capture licensing and licensing-related data. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

84.1. (DOT: Expenditure Authority Limitation) The Department of Transportation is hereby authorized to expend all cash balances brought forward from the previous year and all income including all federal funds, unexpended general funds and proceeds from bond sales accruing to the Department of Transportation, but in no case shall the expenditures of the Department of Transportation exceed the amount of cash balances brought forward from the preceding year plus the amount of all income including federal funds, general funds and proceeds from bond sales.

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

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

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) The Department of Transportation may provide meals to employees of the department 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.

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: Shop Road Farmers Market Bypass Carry Forward) Unexpended funds appropriated for the Shop Road Farmers Market Bypass may be carried forward into the current fiscal year and expended for the matching requirement for the widening and expansion of Leesburg Road from Fairmont to Wildcat Road (Lower Richland roads-Phase I).

84.9. (DOT: Tree Removal) The Department of Transportation is prohibited from using funds authorized by this act for clear cutting, or other similar activities, in the median of Interstate 26 from approximately mile marker 170 to approximately mile marker 199 between Summerville and Interstate 95, except for the following mile marker locations: 170 to 171, 175 to 176, 182 to 183, 187 to 191, and 193 to 199.

84.10. DELETED

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

84.11. (DOT: Bridge Replacement in McCormick County) Planning and construction on a new U.S. 378 bridge crossing Lake J. Strom Thurmond must provide for and allow McCormick County to affix water lines to the new bridge just as the water lines are affixed to the existing bridge. McCormick County shall bear the cost of affixing the water lines to the new bridge.

84.12. (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.

84.13. DELETED

84.14. DELETED

84.15. (DOT: CTC Project Expansion) Of the funds distributed to County Transportation Committees (CTC), no more than twenty percent may be utilized for ancillary initiatives that improve the areas adjacent to roads under their jurisdiction for economic development or safety purposes. Ancillary initiatives may include, but are not limited to, drainage improvements, signage, lighting, sidewalks and other safety or economic-development related projects. If a CTC expends funds pursuant to this provision, the CTC must document the anticipated results on economic development or safety relative to the project.

84.16. (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.

84.17. (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.

84.18. DELETED

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 four air carrier airports (i.e. Columbia, Charleston, Greenville-Spartanburg, Myrtle Beach Jetport) as these qualify for special funding under the DOT/FAA appropriations based on enplanements in South Carolina. This policy may be waived to provide matching state funds for critical FAA safety or capacity projects at air carrier airports.

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 or
- (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.

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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.

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, 2016, pay to the State Transportation Infrastructure Bank one million dollars before June 30, 2017, to continue the Charleston Cooper River Bridge Project.

88.2. (SPA: Georgetown Port Marketing) The State Ports Authority will continue its cargo diversification strategy which enhances the marketing of all terminal capabilities in Charleston and Georgetown highlighting cruise, breakbulk, bulk, and roll on/roll-off.

88.3. (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

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forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.

88.4. (SPA: Georgetown Port Maintenance Dredging Fund) The State Ports Authority shall maintain the Georgetown Port Maintenance Dredging Fund and any funds appropriated in this act for this purpose shall be deposited into this account. This fund shall be separate and distinct from the General Fund and the Harbor Deepening Reserve 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 the maintenance dredging of the Port of Georgetown. Prior to expending any amount from the fund, the State Ports Authority must present a comprehensive plan for the use of the fund for maintenance dredging 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.

88.5. (SPA: Jasper Ocean Terminal Permitting) Of the funds allocated to the Ports Authority for the Jasper Ocean Terminal Permitting, \$1,000,000 is designated for a contract for the permitting process that was previously scheduled to be handled by the Corps of Engineers. This funding may not be expended by the Ports Authority until a contract is executed. Additionally, any funds not committed by this contract must be returned to the General Fund at the end of Fiscal Year 2016-17.

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.

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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 Pro Tempore 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 Pro Tempore 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 Pro Tempore 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

SECTION 91 - A990 - LEGISLATIVE DEPARTMENT

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 Pro Tempore 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 Pro Tempore 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.

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(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 Pro Tempore, 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

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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 \$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 \$700 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

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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: Other Funds Oversight Committee) There is created a joint committee of the Senate and of the House of Representatives entitled the Other Funds Oversight Committee. The committee shall consist of eight members as follows: the Chairman of the Senate Finance Committee, or his designee; one member of the Senate Finance Committee appointed by the Chairman of the Senate Finance Committee; the Chairman of the House of Representatives Ways and Means Committee, or his designee; one member of the House Ways and Means Committee appointed by the Chairman of the House Ways and Means Committee; the Senate Majority Leader, or his designee; the Senate Minority Leader, or his designee; the House Majority Leader, or his designee; and the House Minority Leader, or his designee.

The committee shall review and examine the source of other funds in this State and recommend to the General Assembly the appropriate policy for the receipt, appropriation, expenditure, and reporting of other funds. In making its determination, the committee shall solicit and receive testimony from state agencies, departments, boards or commissions regarding the status of the receipt of other funds, the conditions of receipt, the expenditure of other funds, and any relevant statistic or measurement. The committee shall make recommendations to the General Assembly regarding any necessary action.

The Executive Budget Office must notify the committee of any request for an increase in interim budget authorization resulting from other funds collections that is made by any state agency, department, board, or commission. The committee shall review each request and recommend appropriate action.

Members of the committee shall serve without compensation, but are allowed the usual per diem and mileage as provided by law for members of boards, commissions, and committees while on official business.

For purposes of the proviso, 'other funds' means any revenues received by an agency which are not federal funds and are not general funds appropriated by the General Assembly in the appropriations act.

91.21. (LEG: DMV Audit Review) For the current fiscal year, the provisions of Section 56-1-5(F) are suspended. Any savings generated

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by not conducting the review shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

91.22. (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.

91.23. (LEG: Technology Panel) Of the funds appropriated in XII.E.2. 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 1, 2017.

91.24. (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.

91.25. DELETED

91.26. (LEG: Requested Information) The departments, bureaus, officers, commissions, institutions, and other agencies or undertakings of the State, upon request, shall immediately furnish to President Pro Tempore of the Senate or the Speaker of the House of Representatives

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in such form as he may require, any information requested in relation to their respective affairs or activities.

91.27. DELETED

91.28. (LEG: Lawsuit Party of Interest) When the Lieutenant Governor is named as a party to a lawsuit challenging actions taken by the Senate, the President Pro Tempore shall be automatically substituted as the party representing the Senate as the Lieutenant Governor is not a party in interest. Upon being served with the lawsuit, the Lieutenant Governor shall immediately notify the President Pro Tempore of the Senate and the Clerk of the Senate. Upon receiving notice from the Lieutenant Governor, the President Pro Tempore shall notify the court and the plaintiff/petitioner that the President Pro Tempore of the Senate is invoking the provisions of this proviso and substituting himself as the party representing the Senate. The Court shall make necessary changes to the caption of the lawsuit and otherwise. However, the provisions of this proviso are not effective if the actions challenged are solely the actions taken by the Lieutenant Governor. The provisions contained in this proviso do not apply to actions filed before, or otherwise pending, as of the effective date of this act.

91.29. DELETED**91.30. DELETED****91.31. DELETED****SECTION 92 - D210 - OFFICE OF THE 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.

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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.

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93.1. (DOA: Development Disabilities Case Coordination System) 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: CCRS Evaluations & Placements) The amount appropriated in this section under Special Items Children's Case Resolution System for Private Placement of Handicapped School-Age Children must be used for expenses incurred in the evaluation of children referred to the CCRS to facilitate appropriate placement and to pay up to forty percent when placement is made in-state and up to thirty percent when placement must be made out-of-state of the excess cost of private placement over and above one-per-pupil share of state and local funds generated by the Education Finance Act, and the one-per-pupil share of applicable federal funds; provided it has been established that all other possible public placements are exhausted or inappropriate. The balance of funding responsibility necessary to provide the child with services must be determined by the Children's Case Resolution System (CCRS) and apportioned among the appropriate public agencies on the basis of the reasons for the private placement. When the amount appropriated in this section is exhausted, the funding responsibility must be apportioned according to the procedures of the CCRS.

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93.3. (DOA: CCRS Significant Fiscal Impact) In accordance with Section 20-7-5240(e) of the 1976 Code, "significant fiscal impact" in the current fiscal year shall be defined for each designated agency as the greater of (1) funds appropriated by the General Assembly for the current fiscal year on cases referred to, decided or placed through the Children's Case Resolution System or (2) that agency's assigned shares in the current fiscal year of five cases decided by the Children's Case Resolution System.

93.4. (DOA: Victim/Witness Program Formula Distribution) If funds in the South Carolina Victims' Compensation Fund exceed the amount required to operate the State Office of Victims Assistance 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 Section 60.8.

93.5. (DOA: Physical Abuse Examinations) Of the funds appropriated in this section for Victims' Rights, up to \$120,000 may be expended for physical abuse examinations.

93.6. (DOA: Foster Care-Private Foster Care Reviews) The Department of Administration, Office of Executive Policy and Programs, Division of Foster Care 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.

93.7. (DOA: Guardian Ad Litem Program) Both the program and the funds appropriated to the Department of Administration, Office of Executive Policy and Programs, Division of Children's Services, Guardian ad Litem Program must be administered separately from other programs within the Division of Children's Services and must be expended for the exclusive use of the 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

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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.

93.8. (DOA: Continuum of Care Carry Forward) The Department of Administration, Office of Executive Policy and Programs, Division of Continuum of Care may carry forward funds appropriated herein to continue services.

93.9. (DOA: 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 Office of Victims' Assistance 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 Governor's Office of Executive Policy and Programs 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 Program III.C.1 to pay for any contracts or services procured.

93.10. (DOA: M.J. "Dolly" Cooper Veterans Cemetery Carry Forward) The Department of Administration, Office of Executive Policy and Programs, Veterans' Affairs Program 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 Veterans' Affairs Program, including Special Line Items, shall be carried forward from the prior fiscal year into the current fiscal year and used for operation of the M.J. "Dolly" Cooper Veterans Cemetery. Funds carried forward in excess of the amount needed for the operation of the Cemetery may be used for other expenses of the Veterans' Affairs Program. Funds carried forward may not be transferred to any other Department of Administration programs.

93.11. (DOA: Crime Victims Ombudsman) For the current fiscal year, the State Office of Victims Assistance shall transfer \$85,000 to the Crime Victims Ombudsman's Office to be used for administrative and operational support.

93.12. (DOA: Veterans' Affairs Budget Reduction Exemption) Funds appropriated for the Department of Administration, Office of

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Executive Policy and Program, Veterans' Affairs Program shall be excluded from the Department of Administration's base budget in the calculation of any across-the-board agency base reductions mandated by the Executive Budget Office or General Assembly.

93.13. DELETED

93.14. (DOA: Carillon Tower) The Department of Administration, Office of Executive Policy and Programs, Veterans' Affairs Program shall use any carry forward funds authorized for the M.J. "Dolly" Cooper Veterans Cemetery to construct the Carillon Tower to house the sound system used to provide bell tower music for the cemetery.

93.15. (DOA: State House Operation & Maintenance Account) Funds appropriated to the Department of Administration - for State House Maintenance & Operations & Renovations must be set aside in a separate account for the operation and maintenance of the State House. The department shall report annually to the State House Committee on the amount expended from this fund.

93.16. DELETED

93.17. (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 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.

93.18. (DOA: Compensation Increase - Appropriated Funds Ratio) Appropriated funds may be used for compensation increases for

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classified and unclassified employees and agency heads only in the same ratio that the employee's base salary is paid from appropriated sources.

93.19. (DOA: Local Provider Health Insurance) The local health care providers of the Department of Disabilities and Special Needs 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.

93.20. (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.

93.21. DELETED

93.22. (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

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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.

93.23. (DOA: Sale of Surplus Real Property) 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

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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.

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.

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.

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.

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.

The Department of Vocational Rehabilitation shall be authorized to retain the net proceeds from the sale of 3.205 acres located at 22861 Highway 76 East in Clinton, South Carolina to be used for capital projects and deferred maintenance.

The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of Natural Resources, the Forestry Commission, and the Department of Vocational Rehabilitation 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.

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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.

Any unused portion of these funds may be carried forward into succeeding fiscal years and used for the same purposes.

93.24. DELETED

93.25. (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.

93.26. (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

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as a holiday pursuant to this section are deemed presentable for acceptance or payment on the secular or business day succeeding the holiday.

93.27. (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.

93.28. DELETED

93.29. (DOA: Office of Victim Assistance) For the current fiscal year, The State Office of Victim Assistance 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 Office of Victim Assistance shall report to the Governor, the Chairman of 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.

93.30. (DOA: Emerging Leaders Program) (A) With the funds appropriated to the Office of Human Resources, the Department of Administration shall establish an Emerging Leaders Program (ELP) that is designed to identify and develop the next generation of South Carolina state government's leaders by attracting and/or retaining imminent or recent graduates of relevant post-baccalaureate programs to careers in public service. In order to cultivate effective and innovative leaders with demonstrated problem-solving capabilities, the program shall be cohort-based and require participants to complete rotations in a variety of functional roles that focus on budgeting, policymaking, operations/service delivery, and other appropriate/elective fields. These rotations shall be augmented by and interspersed with classroom-based modules on organizational behavior, decision-making processes, principles of leadership, and other appropriate topics. The program's ultimate design shall reflect the department's assessment of best practices in both public-sector and private-sector management and/or leadership development programs.

(B) Plans for the program shall be completed in time for the first cohort of participants to be selected by June 30, 2017.

93.31. DELETED

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93.32. (DOA: Sale of Port Royal) (A) Within thirty days of the transfer of the real and personal property at Port Royal to the Department of Administration pursuant to Section 54-3-700 of the 1976 Code, from the funds appropriated to the department, the department must order a new appraisal for the property, which shall be the appraisal to which Section 54-3-700(C)(3) applies. The appraisal must be conducted in strict accordance with Section 54-3-700(D), and the department, or the appraisal itself, must demonstrate that the appraisal was conducted accordingly. Upon the completion of the appraisal, the department must publish the appraisal, in its entirety, on the website maintained by the department. Also, the department shall make the appraisal available to any interested party.

(B) Beginning on the first day of the first month beginning thirty days after the completion of the appraisal, the department shall list the property for sale at public auction. The auction shall close ninety days thereafter. If the department is unable to close the sale of the property to the highest qualifying bidder, the department must sell the property to the second highest qualifying bidder if the bidder is willing to close at the same bid amount. If the department is unable to close the sale of the property to the second highest qualifying bidder, the department shall continue this process until it has exhausted all qualifying bidders. For purposes of this section, a qualifying bid is a bid that meets the requirements of Section 54-3-700(C)(3).

(C) Upon the transfer of the real and personal property at Port Royal to the Department of Administration pursuant to Section 54-3-700, the State Ports Authority, and any of its representatives, are divested of any authority, control, jurisdiction, or legal standing in regards to the property.

***93.33. (DOA: Confederate Relic Room Relocation Analysis)** *From the funds appropriated or authorized to the department, the Department of Administration shall conduct an analysis of available building space in the Charleston area sufficient in size to house the Confederate Relic Room and Military Museum. If available property with sufficient space is identified, the department shall prepare an estimate of the cost to relocate the Confederate Relic Room and Military Museum from its current location to the available space in the Charleston area. The department shall present its analysis to the Governor, the Chairman of the Senate Finance Committee, and the*

* See note at end of Act.

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

Chairman of the House Ways and Means Committee by January 10, 2017.

93.34. DELETED

93.35. (DOA: State Victim Assistance Program) 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 Department of Public Safety, Office of Highway Safety and Justice Programs 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.

SOVA 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.

SOVA is authorized to transfer to the State Victim Assistance Program housed in the Department of Public Safety any state funds deemed available under SOVA authority to 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.

93.36. (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.

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.

SECTION 95 - E040 - OFFICE OF THE LIEUTENANT GOVERNOR

95.1. (LTG: 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 95, Distribution to Subdivisions, 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.

95.2. (LTG: State Match Funding Formula) Of the state funds appropriated under "Distribution to Subdivisions", the first allocation by the Office on Aging shall be for the provision of required State matching funds according to the Office 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.

95.3. (LTG: Registration Fees) The Office on Aging is authorized to receive and expend registration fees for educational, training and certification programs.

95.4. (LTG: 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 and of the Long Term Care Council established pursuant to Section 43-21-130, both under the Office on Aging in the Office of the Lieutenant Governor, are suspended for the current fiscal year.

95.5. (LTG: 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 independently at home. Allowable services include: group dining, home delivered meals, transportation to group dining sites,

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GOVERNOR**

transportation for essential trips, Home Care Level I and II, Home Chore, Home Modification, Legal Assistance, Assessments, and Area Agencies on Aging (AAAs) may expend no more than ten percent for administrative services. All state funds appropriated for Home and Community-Based Services are to be allocated to the AAAs based on the methodology of the Intrastate Funding Formula. However, up to five percent of the annual state appropriation for Home and Community Based Services may be retained at the state office to be allocated to the affected regions in cases of a recognized emergency and/or natural disaster. 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 AAAs are to submit a budget for approval by the Lieutenant Governor's Office on Aging indicating the services to be provided. Any unexpended funds in this program shall be carried forward and used for the same purposes. Funds may not be transferred from the Home and Community-Based special line item for any other purpose.

95.6. (LTG: Geriatric Loan Forgiveness Program) In lieu of quarterly payments to a recipient of the Geriatric Loan Forgiveness Program, the Lieutenant Governor's Office 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 95, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.

95.7. (LTG: Referring Agency) The Lieutenant Governor's Office on Aging shall serve as a "referring agency" to the fourteen Community Action Agencies (CAAs) in South Carolina and to the Governor's Office of Executive Policy and Programs, Office of Economic Opportunity for services for the elderly population. The Governor's Office of Executive Policy and Programs shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first on all referrals received from the Lieutenant Governor's Office on Aging in the prior fiscal year and on the status of the referrals.

95.8. (LTG: Caregivers Carry Forward) Unexpended funds from appropriations to the Lieutenant Governor's Office on Aging for caregivers shall be carried forward from the prior fiscal year and used for the same purpose.

**SECTION 95 - E040 - OFFICE OF THE LIEUTENANT
GOVERNOR**

95.9. (LTG: Vulnerable Adult Guardian ad Litem Carry Forward) Any unexpended funds from appropriation to the Lieutenant Governor's Office 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.

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, 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.

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

SECTION 97 - E120 - OFFICE OF COMPTROLLER GENERAL

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) The lesser of two percent or \$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. DELETED

SECTION 98 - E160 - OFFICE OF STATE TREASURER

98.1. (TREAS: Nat'l. 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.

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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) If a municipality fails to submit the audited financial statements required under Section 14-1-208 of the 1976 Code 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 financial statement is received.

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 117.51 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.

If a county or municipality is more than ninety days delinquent in remitting a monthly court fines report, the State Treasurer shall withhold

SECTION 98 - E160 - OFFICE OF STATE TREASURER

twenty-five percent of state funding for that county or municipality until all monthly reports are current.

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. DELETED

98.13. (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

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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.

98.14. DELETED

**SECTION 99 - E190 - RETIREMENT SYSTEM
INVESTMENT COMMISSION**

99.1. (RSIC: Retirement Investment Commission Audit) For Fiscal Year 2016-17, the provisions of Section 9-16-380 requiring the Inspector General to employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission as required by Section 9-16-380 of the 1976 Code shall be suspended. Any savings generated by not conducting the audit shall be used to conduct audits required by Section 9-4-40 of the 1976 Code.

99.2. (RSIC: Semi-Annual Meetings) The Retirement System Investment Commission shall be required to appear before the House Ways and Means Committee's, Legislative, Executive and Local Government Subcommittee on a semi-annual basis at the request of the subcommittee. The purpose of the meeting shall include, but not be limited to, the review of quarterly investment reports and agency operations.

99.3. (RSIC: Administrator Retention) The Retirement System Investment Commission shall retain twenty-five percent of the annual amount invoiced for its third-party administrator system for the purpose of ensuring the performance of the third-party administrator. The funds must be held in a retainage account and may only be distributed after verification of satisfactory performance by the Investment Commission and Procurement Services pursuant to the service agreement with the third-party administrator. All undistributed funds in the retainage account may be carried forward from the prior fiscal year and used for the same purpose.

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

100.1. (ADJ: Unit Maintenance Funds) The funds appropriated as unit maintenance funds shall be distributed to the various National Guard units at the direction of the Adjutant General.

100.2. (ADJ: Revenue Collections) All revenues collected by National Guard units from county and city appropriations, vending machines, rental of armories, court martial fines, federal reimbursements to armories for utility expenses, and other collections may be retained and expended in its budgeted operations.

100.3. (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.

100.4. (ADJ: Parking Lot Revenues) Notwithstanding other provisions of this act, as a security measure for the State Military Department's headquarters building and grounds, the Adjutant General may control and contractually lease the headquarters building parking facilities, during events at the University of South Carolina's Williams-Brice Stadium, to a state chartered and federally recognized 501(c)(4) tax exempt agency employees' association who may then sub-lease individual parking spaces. Such a contract must require the employees association to obtain liability insurance against wrongful death or injury. The contract must clearly hold the Adjutant General's Office, its officers, and the State of South Carolina harmless from any liability resulting from the use of the parking lot when rented by the employees association. In addition, the contract must specify that the State of South Carolina's Military Department shall receive no less than thirty-three percent of the gross profits from the sub-leasing of the parking spaces. The contract must allow the State to audit the employees association's funds. Funds at the Adjutant General's Office derived wholly from the rental of Adjutant General's headquarters' parking lot may be retained at the Adjutant General's Office, but may not be used for employee perquisites.

100.5. (ADJ: Armory Rental Program) The Adjutant General is authorized to develop and implement an armory rental program to recoup costs associated with the use of armories by state agencies or other non-Guard organizations. The rental program must be uniform in its application to the maximum extent possible. Funds generated by this program may be retained and expended for armory maintenance and operations.

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100.6. (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.

100.7. (ADJ: Educational Seminar Revenue) All revenue earned from educational seminars shall be retained by the agency to be used for the printing of materials and other expenses related to conducting the seminars. The balance of funds shall be reported annually to the General Assembly.

100.8. (ADJ: Retention of Lease Property Revenue) The Adjutant General is authorized to lease all real property under the control of SCMD. All revenue generated by the lease program may be retained for SCMD armory operations and maintenance as authorized by the Adjutant General or Deputy Adjutant General.

100.9. (ADJ: Billeting and Dining Facility Operations) All revenues collected by the Billeting and Dining Facility operations at the R.L. McCrady Training Center shall be retained and expended in their budgeted operations or be expended in support of SCMD operations, including use for matching federal funds, and armory maintenance and operations. Expenditures from these funds shall be determined by the Billeting Committee for Billeting operations and the Deputy Adjutant General for state operations for the Dining Facility operation.

100.10. (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.

100.11. (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.

100.12. (ADJ: Parking Lot Revenues-Columbia Armory, Buildings and Grounds) The Adjutant General may control and contractually lease the Columbia Armory, and its buildings and grounds parking facilities

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

during events at the University of South Carolina's Williams-Brice Stadium. Funds derived wholly from the rental of the Columbia Armory, and its buildings and grounds parking facilities may be retained by the Adjutant General's Office and used for the Funeral Caisson and for SCMD operations, including matching federal funds and armory maintenance and operations. These funds may not be used for any other purpose.

100.13. (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.

100.14. (ADJ: Funeral Caisson) In the event of a mandated general fund budget reduction, the Adjutant General's Office is prohibited from reducing the funds appropriated for the Funeral Caisson. In addition, these funds shall not be transferred to any other program or be used for any other purpose by the Office of Adjutant General.

100.15. (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.

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100.16. (ADJ: National Guard State Active Duty) In the event of the activation of the South Carolina National Guard to State Active Duty by the Governor in a Declaration of State Emergency (including Emergency Management Assistance Compact (EMAC)), 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 \$500,000, to cover the actual costs incurred for personnel, travel, and per diem costs, and the Operational Tempo costs for equipment from the U.S. Property and Fiscal Office. EMAC and any Federal monies from a Declared Federal Emergency reimbursed to the state shall be deposited in the state general fund, up to the amount of funds advanced to the South Carolina National Guard for the Declared State of Emergency.

100.17. (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.

100.18. (ADJ: State Guard Activation) In the event of activation of the State Guard of the South Carolina National Guard to State Active Duty, the Office of the Adjutant General is authorized to compensate State Guard personnel at a rate of \$150 per day and to also compensate such personnel for meal per diem as authorized by National Guard and State policy.

100.19. (ADJ: 2015 Flood 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 by proviso 118.16 of the Fiscal Year 2016-17 Appropriation Act for FEMA State and Local Match for 2015 Flooding. The 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, 2016.

SECTION 101 - E280 - ELECTION COMMISSION

101.1. (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for "County

SECTION 101 - E280 - ELECTION COMMISSION

Boards of Voter Registration and Elections Commissioners,” shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed \$12,500 per county. The County Treasurer shall use these funds only for the compensation of County Boards of Voter Registration and Elections Commissioners. 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 Commissioners shall be excluded from the agency’s base budget.

101.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of \$60.00; but 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 \$60.00 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 \$60.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used.

101.3. (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.

101.4. (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

SECTION 101 - E280 - ELECTION COMMISSION

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.

101.5. (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.

101.6. (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.

101.7. (ELECT: Training & Certification Program) 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.

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

SECTION 101 - E280 - ELECTION COMMISSION

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.

101.8. (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.

101.9. (ELECT: Help America Vote Act) Of funds appropriated to the commission for primary and general elections, the commission shall utilize any excess funds to match the Help America Vote Act program to the greatest extent possible, and also ensure compliance with the Uniformed and Overseas Citizens Absentee Voting Act of 1986.

101.10. (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.

101.11. (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.

101.12. (ELECT: Use of Election Funds) Funds appropriated to the Election Commission for the purpose of conducting elections shall not

SECTION 101 - E280 - ELECTION COMMISSION

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.

**SECTION 102 - E500 - REVENUE AND FISCAL AFFAIRS
OFFICE**

102.1. (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.

102.2. (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

**SECTION 102 - E500 - REVENUE AND FISCAL
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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.

102.3. (RFAO: SC Boundary Commission) There is hereby created the South Carolina Boundary Commission to be composed of seven members as follows: one member appointed by the President Pro Tempore of the Senate; one member appointed by the Speaker of the House of Representatives; one member appointed by the Chairman of the Senate Finance Committee; one member appointed by the Chairman of the House Ways and Means Committee; the Executive Director, or his designee, of the Revenue and Fiscal Affairs Office; the Director of the Department of Natural Resources, or his designee; and the technical advisor of the Geodetic and Mapping Survey Program appointed by the Executive Director of the Revenue and Fiscal Affairs Office who shall serve as the coordinator and chairman of the commission. The purpose of the commission is to work with the North Carolina Boundary Commission to oversee and approve work re-establishing the boundary between South Carolina and North Carolina.

The Executive Director of the Revenue and Fiscal Affairs Office is directed to submit a report to the Senate Finance Committee and the House Ways and Means Committee regarding the progress of re-establishing the South Carolina-North Carolina boundary within sixty days of the close of each fiscal year until such re-establishment is completed.

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102.4. (RFAO: SC Health & Human Services Data Warehouse) 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) Health and Environmental Control;
 - (3) Mental Health;
 - (4) Alcohol and Other Drug Abuse Services;
 - (5) Disabilities and Special Needs;
 - (6) Social Services;
 - (7) Vocational Rehabilitation;
 - (8) Education;
 - (9) Juvenile Justice;
 - (10) Corrections;
 - (11) Probation, Parole and Pardon Services;
- Department of Administration:
 - (1) Children's Foster Care Review Board;
 - (2) Continuum of Care;
- Office of the Lieutenant Governor, Division 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.

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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.

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.

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.

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

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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.

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 Health and Environmental Control 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 and their South Carolina Community Assessment Network, but shall provide the Warehouse with client data from the system and network.

No state agency shall duplicate any of the responsibilities of this provision.

For purposes of this subsection, 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 any provision of this subsection is hereby declared inapplicable to this subsection.

102.5. (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.

102.6. (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

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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.

102.7. (RFAO: 911 Advisory Committee) For the current fiscal year, the Executive Director of the Revenue and Fiscal Affairs Office shall appoint an individual with technical or operational knowledge of E-911 systems to the South Carolina 911 Advisory Committee, which formerly had an appointment of a director of a division of the State Budget and Control Board, ex officio. In addition to the members designated to serve on the advisory committee, the Executive Director of the Revenue and Fiscal Affairs Office may appoint a designee to serve on the advisory committee on his behalf.

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104.1. (SFAA: Procurement of Art Objects) Before any governmental body, with the exception of the South Carolina Museum Commission, the Confederate Relic Room and Military Museum Commission, and the South Carolina Hunley Commission as defined under the South Carolina Consolidated Procurement Code, procures any art objects such as paintings, antiques, sculptures, or similar objects above \$1,000, the head of the Purchasing Agency shall prepare a written determination specifying the need for such objects and benefits to the State. The South Carolina Arts Commission shall review such determination for approval prior to any acquisition.

104.2. (SFAA: Vacant Positions) In the event that any permanent position in an agency remains vacant for more than twelve months the position may be deleted by the State Fiscal Accountability Authority.

104.3. (SFAA: Lawsuit Funding) The Executive Director shall pay from the Insurance Reserve Fund the defense costs of the State, which are incurred in the current fiscal year, in the Abbeville school funding litigation and the prisoner mental health care litigation. The appropriate official from the House of Representatives and the Senate must certify to the Executive Director on a monthly basis the costs incurred in defense of this litigation. Upon receipt of the certification, the Executive Director shall pay the provider of these services the amount certified.

104.4. (SFAA: Public Procurement Unit) For purposes of participation in the Minnesota Multi State Contracting Alliance for

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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.

104.5. (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for Fiscal Year 2016-17, 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.

104.6. (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 Pro Tempore 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.

104.7. (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.

104.8. (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.

104.9. (SFAA: Attorneys) For the current fiscal year, during the transition of the Insurance Reserve Fund from the Budget and Control

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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.

104.10. (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 and technical college president compensation. The cost of the study must be shared by the participating agencies. 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.

104.11. DELETED

SECTION 105 - F270 - SFAA, STATE AUDITOR'S OFFICE

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 OMB Circular A-133, Audits of States, Local Governments and Nonprofit Organizations shall

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remit to the State Auditor an amount representing an equitable portion of the expense of contracting with a nationally recognized CPA firm to conduct a portion of 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 audit shall be re-bid every five years. 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 \$250,000, 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

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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.

SECTION 106 - F300 - STATEWIDE EMPLOYEE BENEFITS**106.1. DELETED**

106.2. (SEB: SCRS & PORS Rate Increase) 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.

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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

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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 users and nonusers regarding rates charged to enrollees in its health plans by imposing a surcharge on enrollee rates based upon tobacco use. The surcharge for tobacco use may not exceed \$40 per month per subscriber or \$60 per month per subscriber and dependent(s).

108.4. (PEBA: Funding Abortions Prohibited) No funds appropriated for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except in cases of rape, incest or where the mother's medical condition is one which, on the basis of the physician's good faith judgment, so complicates the pregnancy as to necessitate an immediate abortion to avert the risk of her death or for which a delay will create serious risk of substantial and irreversible impairment of major bodily function, and the State Health Plan may not offer coverage for abortion services, including ancillary services provided contemporaneously with abortion services. The Public Employee Benefit Authority must determine the amount of the total premium paid for health coverage necessary to cover the risks associated with reimbursing participants in the plan for obtaining an abortion in the circumstances covered by this provision. The determination must be based on actuarial data and empirical study in the same manner and by the same method that other risks are adjusted for in similar circumstances. The plan must report this determination annually to the respective Chairmen of the Senate Finance Committee and the House Ways and Means Committee.

108.5. (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

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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.

108.6. (PEBA: State Health Plan) Of the funds authorized for the State Health Plan pursuant to Section 1-11-710(A)(2) of the 1976 Code, an employer premium increase of 0.8 percent and a subscriber premium increase of zero percent for each tier (subscriber, subscriber/spouse, subscriber/children, full family) will result for the standard State Health Plan in Plan Year 2017. Copayments for participants of the State Health Plan in Plan Year 2017 shall not be increased. 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 2017 to ensure the fiscal stability of the Plan.

108.7. (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.

108.8. (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.

108.9. (PEBA: Network Pharmacy Publications) All pharmacy publications or lists must include independent retail pharmacies. Abridged pharmacy lists are prohibited.

108.10. (PEBA: Covered Contraceptives) In its Plan of Benefits effective January 1, 2017, the State Health Plan shall not apply patient cost sharing provisions to covered contraceptives. This provision does not alter the current approved list of contraceptives and complies with the requirements of proviso 108.4.

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

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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

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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: Admissions Tax Exemption) Any amount that an accredited college or university requires a season ticket holder to pay to a nonprofit athletic booster organization that is exempt from federal income taxation in order to receive the right to purchase athletic event tickets is exempt from admissions tax.

109.8. (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.

109.9. (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

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federal government. Remaining revenue shall be deposited in the General Fund.

109.10. (DOR: May Events) Of the accommodation tax returned to Horry County or the municipalities therein, up to one third of the total allocation may be set aside and used for direct policing activities during events held in May within Horry County. 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, that will be dedicated to direct policing activities. 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 Senate Finance Committee and the Chairman of House Ways and Means Committee no later than ninety days after the end of any event in which these funds are expended.

109.11. DELETED

109.12. DELETED

109.13. DELETED

***109.14.** (DOR: *Redevelopment Fees*) *Redevelopment fees remitted to the applicable redevelopment authority pursuant to Section 12-10-88(C) shall be extended to the end of the fiscal year.*

109.15. (DOR: Educational Credit for Exceptional Needs Children)
(A) As used in this proviso:

(1) "Eligible school" means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

(a) offers a general education to primary or secondary school students;

(b) does not discriminate on the basis of race, color, or national origin;

(c) is located in this State;

(d) has an educational curriculum that includes courses set forth in the state's diploma requirements, graduation certificate requirements (for special needs children), and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;

* See note at end of Act.

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(e) has school facilities that are subject to applicable federal, state, and local laws;

(f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, or the South Carolina Independent Schools Association; and

(g) provides a specially designed program or learning resource center to provide needed accommodations based on the needs of exceptional needs students or provides onsite educational services or supports to meet the needs of exceptional needs students, or is a school specifically existing to meet the needs of only exceptional needs students with documented disabilities.

(2) "Exceptional needs child" means a child:

(a) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(b) who has been diagnosed within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child's unique needs.

(4) 'Independent school' means a school, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.

(5) 'Parent' means the natural or adoptive parent or legal guardian of a child.

(6) 'Qualifying student' means a student who is an exceptional needs child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the applicable school year.

(7) 'Resident public school district' means the public school district in which a student resides.

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(8) 'Transportation' means transportation to and from school only.

(9) 'Tuition' means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(10) 'Department' means the Department of Revenue.

(B) (1) There is created the Educational Credit for Exceptional Needs Children Fund that is separate and distinct from the State general fund. The fund shall be organized by the department as a public charity as defined by the Internal Revenue Code under sections 509(a)(1) through 509(a)(4) and consist solely of contributions made to the fund. The fund may not receive an appropriation of public funds. The fund shall receive and hold all contributions intended for it as well as all earnings until disbursed as provided in this chapter. Monies received in the fund shall be used to provide scholarships to exceptional needs children attending eligible schools.

(2) The amounts on deposit in the fund do not constitute public funds nor are the deposits property of the State. Amounts on deposit in the fund must not be commingled with public funds and the State shall have no claim to or interest in the amounts on deposit. Agreements or contracts entered into by or on behalf of the fund do not constitute a debt or obligation of the State.

(3) The fund shall be governed by five directors, two appointed by the Chairman of the House Ways and Means Committee, one of which is based upon the recommendation of the South Carolina Association of Christian Schools and one which is based upon the recommendation of the Diocese of Charleston, two appointed by the Chairman of the Senate Finance Committee based upon the recommendations of the South Carolina Independent Schools Association and one appointed by the Governor based upon the recommendation of the Palmetto Association of Independent Schools. The directors of the fund, along with the Director of the Department of Revenue, shall designate an executive director of the fund.

(4) In concert with the fund directors, the Department of Revenue shall administer the fund, including, but not limited to, the keeping of records, the management of accounts, and disbursement of the grants awarded pursuant to this proviso. The department may expend up to two percent of the fund for administration and related costs. The department may not expend public funds to administer the program.

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(5) By June thirtieth of the current fiscal year, the Department of Revenue must report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Governor:

(a) the number and total amount of grants issued to eligible schools in the fiscal year;

(b) for each grant issued to an eligible school in the fiscal year, the identity of the school and the amount of the grant;

(c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;

(d) a copy of a compilation, review, or audit of the fund's financial statements, conducted by a certified public accounting firm and;

(e) the criteria and eligibility requirements for scholarship awards.

(C) (1) Grants may be awarded in an amount not exceeding eleven thousand dollars or the total annual cost of tuition, whichever is less, to a qualifying student at an eligible school.

(2) Before awarding any grant, the fund must receive written documentation from the qualifying student's parent or guardian documenting that the qualifying student is an exceptional needs child. Upon approving the application, the fund must issue a check to the eligible school in the name of the qualifying student within either thirty days upon approval of the application or thirty days of the start of the school's semester.

(3) In the event that the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school must return a prorated amount of the grant to the fund based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(4) The department may not award grants solely for the benefit of one school.

(5) The department may not release any personally identifiable information pertaining to students or donors or use information collected about donors, students, or schools for financial gain.

(6) The department shall develop a process to prioritize the awarding of grants to eligible incumbent grant recipients at eligible schools.

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(D) (1) (a) Tax credits authorized by subsection (H)(1) and subsection (I) of this proviso annually may not exceed cumulatively a total of ten million dollars for contributions to the Educational Credit for Exceptional Needs Children Fund.

(b) Tax credits authorized pursuant to subsection (H)(2) of this proviso annually may not exceed cumulatively a total of two million dollars for tuition payments made on behalf of qualifying students.

(c) If the department determines that the total of the credits claimed by all taxpayers exceeds either limit amount as contained in items (a) or (b), it shall allow credits only up to those amounts on a first come, first served basis.

(2) (a) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. Subject to the provisions of subitem (e), contributions must be made annually on or before June thirtieth, in order to claim the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(b) A taxpayer may not claim more than sixty percent of his total tax liability for the year in contribution toward the tax credit authorized by subsection (H)(1) or subsection (I). This credit is not refundable.

(c) If a taxpayer deducts the amount of the contribution on his federal return and claims the credit allowed by subsection (H)(1) or subsection (I), then he must add back the amount of the deduction for purposes of South Carolina income taxes.

(d) The department shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (H)(1) or subsection (I). The department shall also develop a method of informing taxpayers if the credit limit is met at any time during the fiscal year.

(e) A taxpayer only may claim a credit pursuant to subsection (H)(1) and subsection (I) for contributions made during the fiscal year.

(3) A corporation or entity entitled to a credit under subsection (H)(1) and subsection (I) may not convey, assign, or transfer the credit authorized by this proviso to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(E) (1) On or before August 1, 2016 independent schools may apply to the Education Oversight Committee to be certified as an eligible institution. The Education Oversight Committee shall develop an

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application to completed by the independent schools which must contain at least:

(a) the number and total amount of grants received in the preceding fiscal year;

(b) student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by the school receiving or entitled to receive scholarship grants pursuant to this chapter in the previous fiscal year;

(c) a copy of a compilation, review, or compliance audit of the organization's financial statements, conducted by a certified public accounting firm; and

(d) a certification by the independent school that it meets the definition of an eligible school as that term is defined in subsection (A)(1) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(2) (a) The Education Oversight Committee may waive the August first deadline contained in subsection (E) upon good cause shown by an independent school.

(b) The Education Oversight Committee may waive some or all of the curriculum requirements contained in subsection (A)(1)(d) following consultation with the advisory committee.

(3) (a) By September 1, 2016 the Education Oversight Committee shall publish on its website a comprehensive list of independent schools certified as eligible institutions. The list shall include for each eligible institution:

(i) the institution's name, addresses, telephone numbers, and, if available, website addresses; and

(ii) the score reports and audits received by the committee pursuant to subsection (E)(1)(b) and (c).

(b) The Education Oversight Committee shall summarize or redact the score reports identified in item (3)(a)(ii) if necessary to prevent the disclosure of personally identifiable information.

(4) An independent school that does not apply for certification pursuant to this subsection must not be included on the list of eligible schools and contributions to that school shall not be allowed for purposes of the tax credits permitted by this proviso.

(5) An independent school that is denied certification pursuant to this section may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

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(F) (1) The Education Oversight Committee shall establish an advisory committee made up of not more than nine members, including parents, and representatives of independent schools and independent school associations.

(2) The advisory committee shall:

(a) consult with the Education Oversight Committee concerning requests for exemptions from curriculum requirements; and

(b) provide recommendations on other matters requested by the Education Oversight Committee.

(G) Except as otherwise provided, the Department of Education, the Education Oversight Committee, and the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this chapter.”

(H) (1) A taxpayer is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12 for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to the Educational Credit for Exceptional Needs Children Fund up to the limits contained in subsection (D)(1)(a) of this proviso if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(2) (a) A taxpayer is entitled to a refundable tax credit against income taxes imposed pursuant to Chapter 6, Title 12 for the amount of cash and the monetary value of any publicly traded securities, not exceeding eleven thousand dollars per child, for tuition payments to an eligible school for an exceptional needs child within his custody or care who would be eligible for a grant pursuant to this proviso up to the limits contained in subsection (D)(1)(b) of this proviso.

(b) If a child within the care and custody of taxpayer claiming a tax credit pursuant to this item also receives a grant from the Educational Credit for Exceptional Needs Children Fund, then the taxpayer may only claim a credit equal to the difference of eleven thousand dollars or the cost of tuition, whichever is lower, and the amount of the grant.

(I) A taxpayer is entitled to a tax credit against income taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes

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to the Educational Credit for Exceptional Needs Children Fund up to the limits contained in subsection (D)(1)(a) of this proviso if:

(1) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(2) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(J) On or before August 1, 2016, each scholarship funding organization organized and operating pursuant to SECTION 9 of H. 4230, R. 130, Act 92 of 2015 shall deposit with the Educational Credit for Exceptional Needs Children Fund all remaining funds on hand as of July 1, 2016. Scholarship funding organizations organized and operating pursuant to SECTION 9 shall remain in existence after the effective date of this act solely for the purpose of winding down operations and depositing remaining funds with the Educational Credit for Exceptional Needs Children Fund pursuant to this provision. On August 1, 2016 all scholarship funding organizations organized pursuant to SECTION 9 shall cease to exist.

SECTION 110 - R520 - STATE ETHICS COMMISSION

110.1. (ETHICS: Ethics Commission Website Changes) In the current fiscal year, prior to approving or adopting any changes to the State Ethics Commission Public Disclosure and Accountability Reporting System, the State Ethics Commission shall submit the proposed changes to the Senate Ethics Committee and House of Representatives Ethics Committee for their review and approval. As third party beneficiaries to any agreement between the State Ethics Commission and a vendor relating to the State Ethics Commission Public Disclosure and Accountability Reporting System, the General Assembly through its respective Ethics Committees can submit suggested changes to any proposed agreement or contract relating to the State Ethics Commission Public Disclosure and Accountability Reporting System and the State Ethics Commission shall be required to incorporate those suggestions into any contractual negotiation.

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

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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 from Fiscal Year 2015-16 must be carried forward and expended in Fiscal Year 2016-17 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.

**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 Fiscal Year 2016-17, one quarter of the amount appropriated in Part IA for Aid to

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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 2016-17 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 any amounts 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.

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

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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: LGF) For Fiscal Year 2016-17, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

113.6. (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,

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(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.

113.7. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year 2016-17, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters-in-Equity and their offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices.

113.8. DELETED

113.9. (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.

**SECTION 114 - X440 - AID TO SUBDIVISIONS-
DEPARTMENT OF REVENUE****114.1. DELETED****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

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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 Section 116 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;
- John de la Howe School;
- 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

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expenses of the state government for Fiscal Year 2016-17, 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, 2016, and ending June 30, 2017, and "prior fiscal year" means the fiscal year beginning July 1, 2015, and ending June 30, 2016.

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

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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;
- (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 Section 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

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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 - DHEC, DSS, DHHS - Disallowances) Amounts appropriated to the Department of Health and Environmental Control, 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.

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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,

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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: Personal Service Reconciliation, FTEs) 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.

(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 thirty days of the passage of the Appropriation Act or by August first, whichever comes later, each agency of the State must have established on the Executive Budget Office records all positions authorized in the Act. After that date, the office shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established by the office in excess of the total number of

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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 personal service analysis, by agency, which shows the number of established positions for the fiscal year and the amount of funds required, by source of funds, to support the FTEs for the fiscal year at a funding level of one hundred percent. The office shall then reconcile each agency's personal service detail with the agency's personal service appropriation as contained in the Act adjusted for any pay increases and any other factors necessary to reflect the agency's personal service funding level. The office shall provide a copy of each agency's personal service reconciliation to the Senate Finance and House Ways and Means Committees.

(c) That any position which is shown by the reconciliation to be unfunded or significantly underfunded may be deleted at the direction of the State Fiscal Accountability Authority.

(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.

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(c) When the Executive Budget Office, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

(5) That the Executive Budget Office shall annually reconcile personal service funds with full-time employee count. Unfunded positions will be eliminated no later than January fifteenth of the current fiscal year unless specifically exempted elsewhere in this act or by the Executive Budget Office. The Executive Budget Office must report the full-time employee count and unfunded position status to the Senate Finance Committee and the Ways and Means Committee by February first of the current fiscal year.

(6) 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.

(7) 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 of the 1976 Code.

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) 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 Disabilities and Special Needs, and registered nurses providing clinical care at the MUSC Medical Center, nor to the Superintendent and staff of John de la Howe School, 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

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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.

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.

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' Game Management Personnel, Fish Hatchery Personnel, and Fort Johnson Superintendent; the Department of Parks, Recreation and Tourism field personnel in the State Parks Division; 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 Health and Environmental Control personnel at the State Park Health Facility and Camp Burnt Gin; Residence Life Coordinators at Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at Winthrop University; Farm Superintendent at Winthrop University; Residence Hall Directors at the College of Charleston; the Department of Disabilities and Special Needs' 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.

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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.

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

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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 Mental Health, Department of Disabilities and Special Needs, 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

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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 \$35 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 \$25 per day within the State of South Carolina. For travel outside of South Carolina the maximum daily reimbursement for meals shall not exceed \$32. 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.

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(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 \$35 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 \$35 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

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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 \$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, 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

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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 \$35 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.

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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 organization receiving a contribution in this act shall render to the state agency making the contribution by November first of the fiscal year in which funds are received, an accounting of how the state funds will be spent, a copy of the adopted budget for the current year, and also a copy of the organization's most recent operating financial statement. The funds appropriated in this act for contributions shall not be expended until the required financial statements are filed with the appropriate state agency. 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. The State Auditor shall review and audit, if necessary, the financial structure and activities of each organization receiving contributions in this act and make a report to the General Assembly of such review and/or audit, when requested to do so by the State Fiscal Accountability Authority.

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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

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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.

Agencies which have separate general fund carry forward authority must exclude the amount carried forward by such separate authority from their base for purposes of calculating the ten percent carry forward authorized herein. 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 Health and Environmental Control, the Department of Mental Health, the Department of Disabilities and Special Needs, 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

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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

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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

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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 not be eligible to participate in the Teacher and Employee Retention Incentive (TERI) program. 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: 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

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proceeding under S.C. Code Section 59-65-50 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.

117.34. (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.

117.35. (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).

117.36. (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.

117.37. (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

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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.

117.38. (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.

117.39. (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.

117.40. (GP: Department of Administration, OEPP, Veterans Affairs) Of the funds appropriated for the Department of Administration, Office of Executive Policy and Programs, Division of Veterans Affairs, the Director of the Division shall appoint an additional claims representative within the Division of Veterans Affairs, who, in addition to being charged with the duty of assisting all ex-servicemen, regardless of the wars in which their service may have been rendered, in filing, presenting, and prosecuting to final determination all claims which they have for money compensation, hospitalization, training, and insurance benefits under the terms of federal legislation, shall also specialize in the specific needs and diseases associated with veterans of the Vietnam era. The person appointed as a claims representative under this section must be versed in federal legislation relating to these matters and the rules, regulations, and practice of the Veterans Administration as created by Congress and his appointment must be approved by the Governor.

Subject to the direction of the director, and in addition to other duties prescribed in this section, the claims representative appointed pursuant to this section may represent the Division of Veterans Affairs on the South Carolina Agent Orange Advisory Council and on the Hepatitis C Coalition established by the South Carolina Department of Health and Environmental Control, assist the Division of Veterans Affairs in

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carrying out its duties in connection with the Agent Orange Information and Assistance program, represent the director in connection with functions relating to Vietnam veterans, and perform other duties as may be assigned by the director.

117.41. (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 steel unless the item cannot be acquired competitively at a reasonable price.

117.42. (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.

117.43. (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.

117.44. (GP: DMV Data) 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 South Carolina 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.

117.45. (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.

117.46. (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 John de la Howe School are authorized to charge, collect, expend and carry forward fees charged for facility and equipment rental and registration.

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117.47. (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.

117.48. (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.

117.49. (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 provisions in this act to any restructuring changes that are ratified.

117.50. (GP: Agency Administrative Support Collaboration) It is the intent of the General Assembly that state agencies continue to

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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.

117.51. (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)(D), 14-1-207(B)(D), 14-1-208(B)(D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Office of Victim Assistance. The State Office of Victim Assistance 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 Office of Victim Assistance 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 Office of Victim Assistance 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 Office of Victim Assistance to initiate a programmatic review and a financial audit of the entity's or nonprofit organization's expenditures of victim assistance funds. Additionally, the State Office of Victim Assistance 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 Office of Victim Assistance. If the State Office of Victim Assistance 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 Office of Victims Assistance. If the entity or nonprofit organization fails to cooperate with

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the programmatic review and financial audit or to rectify the error within ninety days, the State Office of Victim Assistance 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 Office of Victim Assistance to the entity or nonprofit organization that they are in noncompliance with the provisions of this proviso. All penalties received by the State Office of Victim Assistance shall be credited to the General Fund of the State. If the penalty is not received by the State Office of Victim Assistance 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.

117.52. (GP: H.L. Hunley Museum Location) The General Assembly approves the City of North Charleston 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 City of North Charleston. The Hunley Commission is directed to expend funds from its account to negotiate and execute contracts on behalf of the State of South Carolina.

117.53. (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.

117.54. (GP: ISCEDC Funding Transfer) The departments of Mental Health, Disabilities and Special Needs, 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: Department of Mental Health - \$595,000,

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Department of Disabilities and Special Needs - \$379,456, and Department of Juvenile Justice - \$225,000. The transfer of funds shall be accomplished by September thirtieth of the current fiscal year.

117.55. (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. Employees earning \$100,000 or more shall not be eligible to receive bonuses under this provision. 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.

117.56. (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

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days. Funds borrowed from accounts shall be replenished by the General Assembly as soon as practicable.

117.57. (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.

117.58. (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 Comprehensive Annual 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. 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.

117.59. (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.

117.60. (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

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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.

117.61. (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.

117.62. (GP: CID & PCC Agency Head Salaries) All hiring salaries and salary increases for the agency heads of the Commission on Indigent Defense and the Prosecution Coordination Commission shall be subject to all provisions related to agency heads covered by the Agency Head Salary Commission.

117.63. (GP: Prosecutors and Defenders Public Service Incentive Program) The Office of Attorney General, the Prosecution Coordination Commission, and the Commission on Indigent Defense, in consultation with the South Carolina Student Loan Corporation and the Commission on Higher Education, shall develop and implement a Prosecutors and Defenders Public Service Incentive Program for attorneys employed by the Office of Attorney General, the Prosecution Coordination Commission, the Commission on Indigent Defense, a Circuit Solicitor's Office or a county 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 South Carolina Student Loan Corporation,

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which shall pay for the cost of administration within the funds appropriated.

The Office of Attorney General, the Prosecution Coordination Commission, 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 Student Loan Corporation shall 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 September first each fiscal year.

Unexpended program funds from the prior fiscal year may be carried forward into the current fiscal year to be used for the same purpose.

117.64. (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.

117.65. (GP: Healthcare Employee Recruitment and Retention) The Department of Corrections, Department of Disabilities and Special Needs, Department of Health and Environmental Control, Department of Health and Human Services, Department of Juvenile Justice, Department of Mental Health, Department of Vocational Rehabilitation, and Wil Lou Gray Opportunity School are allowed to spend state, federal, and other sources of revenue to provide lump sum bonuses to aid in recruiting and retaining healthcare workers in critical needs healthcare jobs based on objective guidelines established by the Department of Administration. The employee bonus amount shall be approved by the State Human Resources Director 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 agencies may also provide paid educational leave for any employees in an FTE position to attend class while enrolled in healthcare 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 Psychiatrists, Psychologists, and Nurses employed in those positions to repay them for their outstanding student loans associated with completion of a

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healthcare degree. The employee must be employed in a critical needs area, which would be identified at the agency head's discretion. Critical needs areas could include rural areas, areas with high turnover, or where the agency has experienced recruiting difficulties. 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 principle balance of the employee's student loan prior to issuing payments.

Employees of these agencies 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.

These 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.

117.66. (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.

117.67. (GP: Sexually Violent Predator Program) After the Department of Mental Health obtains all necessary project approvals, the Department of Corrections may utilize inmate labor to perform any portion of the construction of an addition to the Edisto Unit at the Broad River Correctional Institution, which houses the Department of Mental Health's Sexually Violent Predator Treatment Program, such addition to be used for additional treatment space and staff offices. For purposes of this project, the Department of Corrections may exceed the \$350,000 limit on projects for which it may use inmate labor.

117.68. (GP: Voluntary Furlough) Agency heads may institute a voluntary employee furlough program of not more than ninety days per

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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.

117.69. (GP: Governor's Security Detail) The State Law Enforcement Division, the Department of Public Safety, and the Department of Natural Resources shall provide a security detail to the Governor in a manner agreed to by the State Law Enforcement Division, the Department of Public Safety, the Department of Natural Resources, and the Office of Governor. Reimbursement to the State Law Enforcement Division, the Department of Public Safety, and the Department of Natural Resources to offset the cost of the security detail for the Governor shall be made in an amount agreed to by the State Law Enforcement Division, the Department of Public Safety, the Department of Natural Resources, and the Office of Governor from funds appropriated to the Office of Governor for this purpose. Law enforcement officers assigned to security detail for the Governor shall only perform services related to security and shall not provide any unrelated service during the assignment.

117.70. (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.

117.71. (GP: Reduction in Force/Agency Head Furlough) In the event a reduction in force is implemented by a state agency or institution of higher learning, the agency head shall be required to take five days furlough in the current fiscal year. If more than one reduction in force plan is implemented in a fiscal year, the mandatory agency head furlough is only required for the initial plan. The agency head will retain all responsibilities and authority during the furlough. All monies saved from this furlough may be retained by that agency and expended at the discretion of the agency head. During this furlough, the agency head

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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 agency 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 agency head remains solely responsible for making those contributions.

Placement of an agency head on furlough under this provision does not constitute a grievance or appeal under the State Employee Grievance Procedure Act. In the event the reduction for the state agency or institution of higher learning is due solely to the General Assembly transferring or deleting a program, this provision does not apply. Agencies may allocate the agency head's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. The Department of Administration shall promulgate guidelines and policies, as necessary, to implement the provisions of this proviso. State agencies shall report information regarding furloughs to the Department of Administration.

For purposes of this provision, agency head includes the president of a technical college as defined by Section 59-103-5 of the 1976 Code.

The agency head of the State Board for Technical and Comprehensive Education shall not be required to take this mandatory furlough based solely on the implementation of a reduction in force plan by a technical college.

An agency head shall not be required to take this mandatory furlough based solely on reductions in force implemented as a result of federal budget cuts or reorganization to accomplish organizational efficiencies.

117.72. (GP: Printed Report Requirements) (A) For Fiscal Year 2016-17, 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.

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(B) For Fiscal Year 2016-17, 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 Fiscal Year 2016-17, 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 Fiscal Year 2016-17, 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.

117.73. (GP: IMD Operations) All funds received by the Department of Education, the Department of Juvenile Justice, the Department of Disabilities and Special Needs, the Department of Mental Health, the Department of Social Services, and the Department of Administration, Office of Executive Policy and Programs-Continuum of Care as State child placing agencies for the Institution for Mental Diseases Transition Plan (IMD) of the discontinued behavioral health services in group homes and child caring institutions, as described in the Children's Behavioral Health Services Manual Section 2, dated 7/01/06, shall be applied only for out of home placement in providers which operate Department of Social Services or Department of Health and Environmental Control licensed institutional, residential, or treatment programs. An annual report by each state child placing agency shall be made on the expenditures of all IMD transition funds and 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. The Department of Health and Human Services shall review the numbers of out of home placements by type and by agency each year and make recommendations to the General Assembly.

117.74. (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

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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.

117.75. (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.

117.76. (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

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is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

117.77. (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.

117.78. (GP: Information Technology for Health Care) From the funds appropriated and awarded to the South Carolina Department of Health and Human Services for the Health Information Technology for Economic and Clinical Health Act of 2009, the department shall advance the use of health information technology and health information exchange to improve quality and efficiency of health care and to decrease the costs of health care. In order to facilitate the qualification of Medicare and/or Medicaid eligible providers and hospitals for incentive payments for meaningful health information technology (HIT) use, a health care organization participating in the South Carolina Health Information Exchange (SCHIE) or a Regional Health Information Organization (RHIO) or a hospital system health information exchange (HIE) that participates in SCHIE may release patient records and medical information, including the results of any laboratory or other tests ordered or requested by an authorized health care provider within the scope of his or her license or practice act, to another health information organization that requests the information via a HIE for treatment purposes with or without express written consent or authorization from the patient. A health information organization that receives or views this information from a patient's electronic health record or incorporates this information into the health information organization's electronic medical record for the patient in providing treatment is considered an authorized person for purposes of 42 C.F.R. 493.2 and the Clinical Laboratory Improvement Amendments.

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117.79. (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.

117.80. (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.

117.81. (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.

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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.

117.82. (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.

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117.83. (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.

117.84. (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

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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.

117.85. (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.

117.86. (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, \$300,000 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 93.7.

117.87. (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 based in part upon a personnel or employment action or decision regarding an employee, the court must, prior to trial, 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. If the court finds that the government employee was acting outside the scope of the

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employee's official duties, the government shall not thereafter expend any funds to pay or defend the claim. 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. 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.

117.88. (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

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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.

117.89. (GP: Funds Transfer to ETV) In the current fiscal year funds appropriated in Part IA to the Department of Administration Section 93 for Legislative and Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council in Section 64 for State and Local Training of Law Enforcement, City and County municipal training services must be transferred to the Educational Television Commission (ETV) during July 2016 for the continuation of services as provided in the prior fiscal year.

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117.90. (GP: Opt Out of Federal Patient Protection and Affordable Care Act) If federal law permits, the State of South Carolina opts out of the following provisions in the federal Patient Protection and Affordable Care Act (Public Law 111-148):

(1) Subtitles A through C of Title I (and the amendments made by such subtitles), except for Sections 1253 and 1254;

(2) Parts I, II, III, and V of subtitle D of Title I (and the amendments made by such parts);

(3) Part I of subtitle E of Title I (and the amendments made by such part);

(4) Subtitle F of Title I (and the amendments made by such subtitle);

(5) Sections 2001 through 2006 (and the amendments made by such sections); and

(6) Sections 10101 through 10107 (and the amendments made by such sections).

117.91. (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.

117.92. (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.

117.93. (GP: WIA Service Advertising) For Fiscal Year 2016-17, the Workforce Investment Boards may promote outreach for their services via billboard, bus placard, newspapers, or radio in all workforce investment areas. This outreach may not be limited to e-mail, online, or other internet-based outreach, publicity, or other promotions. Workforce investment boards must adhere to all state procurement policies and procedures when utilizing outreach for the services provided by the Workforce Investment Act.

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117.94. (GP: WIA Training Marketability Evaluation) (A) For Fiscal Year 2016-17, 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 November 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.

117.95. (GP: Victims Assistance Transfer) The Department of Corrections shall transfer \$20,500 each month to the Department of Public Safety for distribution through the State Victims Assistance Program.

117.96. (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.

117.97. (GP: USC Greenville Medical School) It is the intent of the General Assembly that during the current fiscal year, no general funds shall be appropriated for the new medical school at the University of South Carolina in Greenville. In addition, no state funds may be transferred from state earmarked or restricted funds held by the University of South Carolina to the medical school except for grants, contributions, contractual payments, and tuition and required fees for students attending the new medical school at the University of South Carolina in Greenville that are specifically designated for the medical school at the University of South Carolina in Greenville.

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117.98. (GP: First Steps - BabyNet) In addition to the statutory duties assigned to South Carolina First Steps to School Readiness Board of Trustees; the board shall ensure the state's compliance with the Individuals with Disabilities Act, Part C and the First Steps' full implementation of recommendations contained in the 2011 audit report of the LAC regarding the BabyNet Program. First Steps shall submit any necessary statutory changes to the Chairman of the House Education and Public Works Committee and the Chairman of the Senate Education Committee and any budget recommendations in the agency's budget request as submitted to the Governor. Until completion, First Steps shall post on its' website a quarterly report on the timelines of its progress in implementing the recommendations of the LAC. The Board of Trustees will be kept informed monthly of all activities related to this requirement and those progress reports must be recorded in the minutes for each meeting of the Board of Trustees. When First Steps has implemented all of the recommendations enumerated above, a final report shall be submitted to the Board of Trustees for its' adoption. Upon approval by the Board of Trustees, the final report shall be published on First Steps' homepage. First Steps to School Readiness, the School for the Deaf and Blind, the Department of Disabilities and Special Needs, the Department of Health and Human Services, the Department of Mental Health and the Department of Social Services shall each provide on a common template developed by the agencies, 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.

117.99. (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.

117.100. (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

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employees for lobbying activities engaged in on behalf of such governmental entity.

117.101. (GP: School Construction Development Impact Fee Assessment Prohibition) Governmental entities are prohibited from assessing South Carolina Development Impact Fees on the construction of new elementary, middle, or secondary schools. If a governmental entity violates this prohibition it shall have its Aid to Subdivisions Allocation reduced by the amount of the impact fee.

117.102. DELETED

117.103. (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 economic development, the Department of Commerce shall have first right of refusal in the event of scheduling conflicts with athletic recruiting flights.

117.104. (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.

117.105. (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.

117.106. (GP: Donation of Alcoholic Liquors) In the current fiscal year, a wholesaler may donate beer, wine, and alcoholic liquors to a nonprofit organization that has a license, including a temporary license, to serve the applicable beverage. This provision only applies if the event

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hosted by the nonprofit organization creates an economic impact on State revenues.

117.107. (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 section:

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(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

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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 USC 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

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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 USC Section 1681a(p), of the timing, distribution, and content of the notice.

117.108. (GP: State Ports Authority Property) If the State Ports Authority has not completed the sale of its real property on Daniel Island and Thomas (St. Thomas) Island, except for the dredge disposal cells that are needed in connection with the construction of the North Charleston terminal on the Charleston Naval Complex and for harbor deepening and for channel and berth maintenance, by June 30, 2017, the authority must transfer the property to the Department of Administration. The authority shall sell the real property under terms and conditions it considers most advantageous to the authority and the State of South Carolina.

117.109 (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.

117.110. (GP: Detailed Expenditure/Revenue Reports PCC/CID) The Prosecution Coordination Commission 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 then provide the Chairman of the House Ways and

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Means Committee and Chairman of the Senate Finance Committee with a combined report by September fifteenth of the current fiscal year.

117.111. (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 the amount of \$3,313,560 less any state funds appropriated by the General Assembly for the same purpose. 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.

117.112. (GP: Continuation of Teen Pregnancy Prevention Project Accountability) 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;

(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;

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- (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;
 - (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.

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.

Unexpended funds for Continuation of Teen Pregnancy Prevention projects under the Department of Social Services or under the Department of Health and Environmental Control shall be carried forward for the purpose of fulfilling the department's contractual agreement.

117.113. (GP: Charleston & Dorchester County Sound Barriers) From the funds authorized to the Department of Transportation, the department shall take the appropriate measures to allow the counties of Charleston and Dorchester to construct sound barriers in the department's easements along Interstate 26 within the borders of Charleston County and along Dorchester Road within Dorchester County, provided, no funds appropriated or authorized in Part IA to the Department of Transportation, any other section of this act, any Federal Funds, unless otherwise agreed to by the local Metropolitan Planning Organization or Council or Governments for use of a portion of their annual federal allocation, or any Other Funds, shall be used in the construction of the sound barriers, and only local dollars shall be used in the construction of sound barriers. The sound barriers must meet the state and federal noise abatement guidelines and must be constructed to meet any and all state and federal regulations. Consistent with the requirements of Section 57-25-190 (E) of the 1976 Code, or regulations adopted pursuant thereto, including construction by a local government in a state right of way, the owner of a legally erected and maintained billboard shall have the option to relocate such billboard sign to another location as close as practicable to the sign being relocated or adjust the

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height or angle of the billboard sign to a height or angle that restores the visibility of the billboard sign to the same or comparable visibility as before construction of a sound barrier. Costs for re-location or alteration of a billboard due to sound barrier installation by a local government in a state right of way shall be paid by the local government. The provisions of Section 39-14-10 et seq. of the 1976 Code will apply regarding any compensation to be paid by local governments for billboard signs which cannot be relocated or altered.

117.114. (GP: Information Technology and Information Security Plans) (A) By October 1, 2016, all state agencies must submit an information technology plan and an information security plan for Fiscal Year 2016-17 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

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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.

117.115. (GP: SCOIS Transfer) For Fiscal Year 2016-17, the South Carolina Occupational Information System, its authority and responsibilities shall continue to be transferred from the Department of Employment and Workforce to the Department of Education.

117.116. (GP: PEBA Fiduciary Audit) For the current fiscal year, the provisions of Section 9-4-40 requiring the Inspector General to employ a private audit firm to perform the fiduciary audit on the Public Employee Benefit Authority as required by Section 9-4-40 of the 1976 Code shall be suspended.

117.117. DELETED

117.118. (GP: Employee Compensation) 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 by 3.25%.

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(2) With respect to unclassified and non-judge judicial unclassified 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 3.25%. 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) 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 3.25%.

(4) With respect to local health care providers compensation increases shall be 3.25% effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to Area Agencies on Aging funded by the Lieutenant Governor's Office on Aging, compensation shall be increased by 3.25% effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to local councils on aging or local providers of services funded by the Lieutenant Governor's Office on Aging through Area Agencies on Aging, no pay increases will be allowed. School Bus Driver salary and fringe funding to school districts shall be increased by 3.25%.

(5) 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 3.25%.

(6) 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 3.25%.

(7) For Fiscal Year 2016-17, the Executive Budget Office is directed to review Executive Branch agencies to determine whether their budgets warrant an other fund authorization increase due to the 3.25% 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.

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.

The Executive Director of the State Fiscal Accountability Authority is authorized to use excess appropriations for the current fiscal year

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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.

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.

117.119. DELETED

117.120. DELETED

117.121. (GP: Child Fatality Review) 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 Health and Environmental Control;

(4) The State Law Enforcement Division and the Department of Health and Environmental Control 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; and

(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

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of Child Deaths and shall submit a report on their findings to the General Assembly by December 1, 2016.

Pursuant to Section 63-11-1930 (E) of the 1976 Code, 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.

117.122. DELETED

117.123. (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.

117.124. DELETED

117.125. DELETED

117.126. DELETED

117.127. DELETED

117.128. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, as amended by Act 287 of 2014 is reauthorized for the duration of Fiscal Year 2016-17.

117.129. DELETED

117.130. (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

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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.

117.131. DELETED

117.132. DELETED

117.133. (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

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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.

117.134. DELETED

117.135. (GP: County Transportation Committee Road Program Supplement) The South Carolina Transportation Infrastructure Bank shall transfer the \$50,000,000 appropriated by Act 92 of 2015 to the Department of Transportation. The department shall distribute these funds to the County Transportation Committee Road Program pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned highway system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state owned system.

Unexpended funds appropriated pursuant to this provision may be carried forward and expended for the same purposes.

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117.136. (GP: Sentencing Reform Oversight Committee Reauthorization) The Sentencing Reform Oversight Committee established by Chapter 28 of Title 24 of the 1976 Code is reauthorized for Fiscal Year 2016-17, notwithstanding the provisions of Section 24-28-20(c). Four members shall be added to the Sentencing Reform Oversight Committee. Two shall be members of the House of Representatives, one appointed by the Speaker of the House and one appointed by the Chairman of the Ways and Means Committee. Two shall be members of the Senate, one appointed by the President Pro Tempore of the Senate and one appointed by the Chairman of the Senate Finance Committee.

117.137. (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.

117.138. DELETED

117.139. (GP: Endowed Chairs Funding) The Endowed Chairs Program funds that have been set aside for "Commerce Awards" shall be transferred by the Commission on Higher Education to the Department of Commerce's Applied Research Centers by August 1, 2016.

117.140. (GP: State Engineer) The State Engineer is an office located within the State Fiscal Accountability Authority, all references to the contrary notwithstanding.

117.141. (GP: South Carolina State University Debt Fund Balance) On or before July 31, 2016, the Executive Director of the State Fiscal Accountability Authority shall transfer to South Carolina State

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University any remaining fund balance related to the debt incurred by the university from the April 30, 2014 loan to the university by the Budget and Control Board, succeeded in interest by the State Fiscal Accountability Authority, not to exceed \$145,000. The university shall only expend these funds on one-time projects necessary to meet accreditation standards and/or on critical repair and related maintenance projects that are necessary for the safe and efficient operation of the university's physical plant in its support of its educational purpose.

117.142. (GP: Retail Facilities Revitalization Act Repeal Suspension) The repeal of Chapter 34 of 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 2016-17.

117.143. (GP: Pittman-Robertson Funds State Match) From the funds authorized for the South Carolina Conservation Bank and upon receipt of an application pursuant to Section 48-59-70 of the 1976 Code, the Conservation Bank Board must award a grant of \$2,000,000 to the Department of Natural Resources to be used as the state match for Pittman-Robertson Wildlife Restoration Funds.

117.144. (GP: North American Wetlands Conservation Act State Match) From the funds authorized for the South Carolina Conservation Bank and upon receipt of an application pursuant to Section 48-59-70 of the 1976 Code, the Conservation Bank Board must award a grant of \$1,000,000 to the Department of Natural Resources to be used as the state match for the North American Conservation Act or other eligible purposes as described in the application.

117.145. (GP: DOT Structural Efficiencies Study) From the funds appropriated to and/or authorized for the Department of Transportation, the Inspector General, in collaboration with the Secretary of Transportation, is directed to conduct a national search to contract with a renowned firm that specializes in governmental structural efficiencies. The firm shall be tasked with studying the internal structure of the Department of Transportation, and making recommendations on improvements that would cause the department to operate more effectively and more cost-efficiently. The Department of Transportation and any entity contracting with the department or the Office of Inspector General must fully cooperate with the firm in the discharge of its duties and responsibilities and must timely produce all requested information, including, but not limited to books, papers, correspondence, memoranda,

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and other records necessary in connection with an independent study. Final cost of the contractual arrangement with the chosen firm must be reported to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. The study and recommendations must be transmitted to the General Assembly.

117.146. (GP: Funds Exempt from Budget Reduction Calculations) The General Reserve Fund, 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.

117.147. DELETED

117.148. DELETED

***117.149.** (GP: *Unused Textile Credits*) *Any credit earned for rehabilitating a textile mill site that goes unused but is allowed to be carried forward, may be carried forward at the individual, partnership, and/or limited liability level. The carried forward credit may be passed through and allocated to the partners or members as provided by law.*

117.150. DELETED

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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, 2017. 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, 2017. 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

* See note at end of Act.

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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.

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

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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 and shall be utilized by the Department of Health and Human Services for the Medicaid program. By this provision these funds are deemed to have been received and are available for appropriation. 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

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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, 2016, 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 of the 1976 Code, there is allowed a deduction in computing South Carolina taxable

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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 or other protect the private of a person' 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 pretheft status.

(B) The deduction provided in (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") during Fiscal Year 2016-17, the State

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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; and

(2) The remaining balance shall be transferred to the Department of Health and Human Services for the Medicaid program.

(B) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for Fiscal Year 2016-17.

118.12. DELETED

118.13. DELETED

***118.14. (SR: Motor Vehicle Sales Tax Revenue)** *For the current fiscal year, the State Treasurer shall transfer from the General Fund to the State Highway Fund an amount equal to the revenues of sales, use, and casual excise taxes derived pursuant to Sections 12-36-2620(1) and 12-36-2640(1) of the 1976 Code, on the sale, use, or titling of a motor vehicle required to be licensed and registered by the Department of Motor Vehicles. The Department of Transportation shall allocate the funds credited to the State Highway Fund pursuant to this proviso to the state funded resurfacing program. The Department of Transportation shall develop and implement a needs-based methodology to distribute this revenue within the state funded resurfacing program, which shall include consideration on a county-by-county basis, to ensure that each county in the State is guaranteed funding for resurfacing.*

118.15. DELETED

118.16.(SR: Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:

(1) \$46,750,797 from Fiscal Year 2014-15 Contingency Reserve Fund;

(2) \$239,798,000 from Fiscal Year 2015-16 unobligated general fund revenue as certified by the Board of Economic Advisors;

(3) \$139,260,007 from the Litigation Recovery Account;

(4) \$14,426,041 from Fiscal Year 2015-16 (V040) Excess Debt Service;

* See note at end of Act.

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(5) \$11,885,511 from Fiscal Year 2015-16 (X440) Excess Homestead Exemption;

(6) \$5,494,506 from Fiscal Year 2015-16 F30 Carry Forward and Bonus Lapse; and

(7) \$400,000 from the Department of Revenue Identity Theft Reimbursement Fund Lapse.

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 2015-16 and shall be available for use in Fiscal Year 2016-17.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2016-17 after September 1, 2016, following the Comptroller General's close of the state's books on Fiscal Year 2015-16.

(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, 2016, for the purposes stated:

(1) General Reserve Fund Contribution	\$20,399,981
(2) U120 - Department of Transportation	
(a) Non-Federal Aid Highway Fund	\$50,000,000
(b) 2015 Flood Road Repair Cost	\$37,300,000
(3) E240 - Office of Adjutant General	
EMD - FEMA State and Local Match	
for 2015 Flooding	\$72,000,000
(4) H630 - Department of Education	
(a) School Bus Lease or Purchase	\$3,225,424
(b) Hazardous Transportation	\$3,000,000
(c) Technology Technical Assistance	\$13,977,209
(d) Education Outreach/State Museum	\$15,000
(e) Onsite Educational Programming/ State Museum	\$10,000
(f) Teacher Recruitment and Retention for Plaintiff Districts and Districts with a Poverty Index of Eighty Percent or Higher	\$9,058,672
(g) Babynet Autism Therapy	\$1,200,000

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(4.1) The Department of Education shall allocate the \$9,058,672 appropriated above in item (4)(f) for any school district that is a plaintiff in the Abbeville law suit or districts with a poverty index of eighty percent or higher based on the poverty index utilized the prior fiscal year that was student eligibility for the free or reduced lunch program and Medicaid to provide for Teacher Recruitment and Retention. The funds shall be allocated on a per pupil basis to each district based on the districts 45 day student enrollment count.

(5) H670 - Educational Television	
Commission Capital Needs	\$1,750,000
(6) H790 - Department of Archives and History	
(a) Digital Access and Storage Initiative	\$439,000
** (b) <i>Architectural Heritage Preservation</i>	\$2,300,000
** (c) <i>Driving Tours Historic African American Sites</i>	\$100,000
** (7) H870 - <i>State Library Colleton County Bookmobile</i>	\$200,000
** (8) H910 - <i>Arts Commission SC Artisans Center</i>	\$500,000
(9) H950 - State Museum Commission	
(a) Collections Database and Management System	\$125,000
** (b) <i>Collections and Content</i>	\$5,000
(10) H030 - Commission on Higher Education	
(a) SREB Program and Assessments	\$1
(b) Legal Staffing	\$1
(c) Out of State Veteran Tuition Reimbursement - Colleges	\$1
** (d) <i>Greenwood Promise Scholarship Program</i>	\$50,000
(11) H090 - The Citadel Educational and General Operating	\$1
(12) H120 - Clemson University - E&G Outdoor Lab Facilities	\$2,400,000
(13) H150 - University of Charleston	
(a) Computer Science Program	\$650,000
** (b) <i>Gibbs Museum of Art</i>	\$350,000

** See note at end of Act.

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(c) Maintenance: Critical Care and Repair (1:1 Match)	\$1
(d) Avery Center	\$250,000
(14) H170- Coastal Carolina University	
(a) Maintenance: Critical Care and Repair (1:1 Match)	\$1
(b) Atmospheric and Soil Moisture Weather Stations (10)	\$150,000
** (c) Brooks Stadium Engineering	\$100,000
** (14.1) Coastal Carolina University shall use the funds appropriated for Brooks Stadium Engineering to offset costs associated with expansion of the football stadium. Once the university has developed a plan for stadium expansion pursuant to any National Collegiate Athletic Association, conference, or contractual requirements, the university shall submit the plan for approval to the Joint Bond Review Committee and the State Fiscal Accountability Authority. Any other statutory requirements for state approval of this project are hereby suspended for the fiscal year.	
(15) H180 - Francis Marion University	
(a) Maintenance: Critical Care and Repair (1:1 Match)	\$1
(b) Honors College	\$200,000
(16) H210 - Lander University Nursing and STEM Equipment	\$550,000
(17) H240 - South Carolina State University	
(a) Maintenance: Critical Care and Repair (1:1 Match)	\$150,000
(b) Rural Conference Center	\$1
(18) H270 - University of South Carolina - Columbia Law School - Taylor Renovations (1:1 Match)	\$1
(19) H340 - University of South Carolina - Upstate	
(a) Maintenance: Critical Care and Repair (1:1 Match)	\$1
(b) Manufacturing Management Technology Training	\$1
(20) H380 - University of South Carolina - Salkehatchie	
(a) HVAC and Physical Plant Repairs	\$100,000
(b) Science Building Maintenance	\$250,000

** See note at end of Act.

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(21) H390 - University of South Carolina - Sumter Physical Plant Repairs	\$100,000
(22) H510 - Medical University of South Carolina	
(a) Palmetto Palace	\$1
(b) MUSC Shawn Jenkins Children's Hospital	\$10,000,000
(23) H590 - State Board for Technical and Comprehensive Education	
(a) ReadySC Direct Training	\$13,554,507
(b) Central Carolina Technical College - Critical Training Equipment	\$1,320,670
(c) Critical Training Equipment	\$1
(d) Greenville Technical College - CMI Equipment	\$7,000,000
(e) Greenville Technical College - Critical Training Equipment	\$778,496
(f) Aiken Technical College - Life Science Building	\$650,000
(g) Aiken Technical College - Critical Training Equipment	\$784,216
(h) Denmark Technical College - Barnwell Workforce Center	\$950,000
(i) Denmark Technical College - Critical Training Equipment	\$415,484
(j) Florence-Darlington Technical College - Academic Building	\$3,500,000
(k) Florence-Darlington Technical College - Critical Training Equipment	\$858,078
(l) Horry-Georgetown Technical College - Critical Training Equipment	\$1,063,730
(m) Midlands Technical College - Critical Training Equipment	\$1,107,743
(n) Northeastern Technical College - Instructional Building	\$3,500,000
(o) Northeastern Technical College - Critical Training Equipment	\$642,679
(p) Orangeburg-Calhoun Technical College - Critical Training Equipment	\$801,512

SECTION 118 - X910 - STATEWIDE REVENUE

(q) Orangeburg-Calhoun Technical College - Nursing Cooperative Program with Clafin University	\$400,000
(r) Piedmont Technical College - Upstate Center for Manufacturing	\$3,750,000
(s) Piedmont Technical College - Critical Training Equipment	\$989,767
(t) Spartanburg Community College - Critical Training Equipment	\$2,012,265
(u) Technical College of the Lowcountry - New River Workforce Development Center	\$150,000
(v) Technical College of the Lowcountry - Mobile Welding Lab	\$1,200,000
(w) Technical College of the Lowcountry - Critical Training Equipment	\$717,171
(x) Tri-County Technical College - Critical Training Equipment	\$992,641
(y) Trident Technical College - Aeronautical Training Center	\$700,000
(z) Trident Technical College - Critical Training Equipment	\$1,624,725
(aa) Williamsburg Technical College - Critical Training Equipment	\$606,872
(bb) York Technical College - Health and Human Services Building	\$900,000
(cc) York Technical College - Critical Training Equipment	\$1,309,614
(dd) York Technical College - Western York Campus	\$100,000
(24) J020 - Department of Health and Human Services	
(a) Medicaid Management and Information System	\$8,474,579
(b) Rural Health Initiative	\$3,000,000
(c) Medical Contracts	\$4,484,000
** <i>(d) Osprey Village</i>	<i>\$200,000</i>

** See note at end of Act.

SECTION 118 - X910 - STATEWIDE REVENUE

(25) J040 - Department of Health and Environmental Control	
(a) Data Center/Infrastructure	\$3,700,000
(b) Electronic Medical Records	\$2,000,000
(c) Cancer Screenings	\$1,500,000
(d) Donate Life - Organ Donor Registry	\$100,000
(e) Water Quality Infrastructure	\$2,750,000
(f) Real MAD	\$200,000
(g) North Myrtle Ocean Outfall	\$700,000
** (h) Air Quality Improvements	\$300,000

(25.1) Of the funds appropriated above to the Department of Health and Environmental Control for Cancer Screenings, the department shall utilize \$1,000,000 of the funds for the Best Chance Network and \$500,000 as matching funds for the Colon Cancer Prevention Network.

(26) J160 - Department of Disabilities and Special Needs Lander Equestrian Center	\$300,000
(27) L040 - Department of Social Services	
(a) Child Support System Development	\$1,000,000
(b) Antioch Senior Center	\$100,000
** (c) After School and Summer Reading Programs	\$500,000
(d) CR Neal Dream Center	\$100,000
(e) Criminal Domestic Violence - SCCADVASA	\$800,000

(27.1) The funds appropriated above for After School and Summer Reading Programs must be used by the Department of Social Services to leverage any available matching funds for after school and summer childcare programs for Low-Income children.

(28) E040 - Office of the Lieutenant Governor	
Family Caregivers	\$1
(29) P320 - Department of Commerce	
(a) Closing Fund	\$10,000,000
(b) Existing Industries - U.S. DOD Bus. Diversification Grant Match	\$300,000
** (c) IT-ology Coursepower	\$400,000
(d) LocateSC	\$6,000,000
** (e) Office of Innovation	\$2,000,000
(f) Research Initiatives	\$3,000,000

** See note at end of Act.

SECTION 118 - X910 - STATEWIDE REVENUE

(g) Applied Research Centers	\$1,000,000
** (h) Community Development	
Corporations	\$100,000
** (i) Economic Development	\$100,000
(j) Workforce Coordinating Council Operations	\$100,000
(30) C050 - Administrative Law Court Rent Increase/Upfit	\$5,000
(31) D100 - State Law Enforcement Division	
(a) Forensic Building	\$17,800,000
(b) Vehicle Rotation	\$2,000,000
(c) First Responder PTSD Treatment	\$500,000
(32) N040 - Department of Corrections Agency Wide Paving	\$2,360,580
(33) N080 - Department of Probation, Parole and Pardon Services	
(a) Offender Education and Reentry Initiative	\$150,000
(b) Job Training and Preparation Education	\$105,000
(34) N120 - Department of Juvenile Justice AMI Kids	\$200,000
(35) R440 - Department of Revenue	
(a) CSID - Identity and Credit Protection Services	\$1,000,000
(b) Tax Processing System (COTS)	\$1,145,202
(36) P160 - Department of Agriculture	
(a) Agricultural Marketing (Certified SC)	\$500,000
** (b) Agribusiness Development	\$2,500,000
(37) P200 - Clemson University-PSA	
(a) Agriculture and Natural Resources Program	\$500,000
(b) Agriculture and Natural Resources Facilities	\$1,700,000
(38) P240 - Department of Natural Resources	
(a) Fort Johnson Roof Replacement	\$1,515,132
(b) Law Enforcement Communication Center Upgrade	\$800,000

**See note at end of Act.

SECTION 118 - X910 - STATEWIDE REVENUE

(c) Springs Stevens Hatchery - Harvest	
Kettle Renovation	\$800,000
(d) Waddell Center Infrastructure	\$100,000
(e) Wildlife Management Areas	\$3,000,000
(f) Heavy Equipment - Road and	
Dike Maintenance	\$210,000
** (g) <i>Upper Coastal Waterfowl Project</i>	
<i>Maintenance and Repair</i>	\$1,600,000
(h) Boat Slip Renovation - Fort Johnson	\$1,000,000
** (i) <i>Outreach Education</i>	\$1,600,000
(j) Equipment	\$1,000,000
(39) P280 - Department of Parks, Recreation and Tourism	
(a) Agency Operations	\$1
(b) Statewide Coastal Beach	
Renourishment	\$30,000,000
(c) Information Technology Security	
Audit and PCI Compliance Audit	\$300,000
(d) State Park Piers Repair	\$2,200,000
(e) Oconee Spillway Repair	\$100,000
** (f) <i>Sports Development Marketing</i>	
<i>Program</i>	\$3,000,000
** (g) <i>Medal of Honor Museum</i>	\$3,000,000
** (h) <i>Sumter Environmental Center</i>	\$300,000
(i) African American Museum	\$4,000,000
** (j) <i>Children's Museum of the Upstate</i>	\$1,000,000
** (k) <i>Parks and Recreation</i>	
<i>Development Fund</i>	\$5,000,000

(39.1) The Department of Parks, Recreation and Tourism shall allocate the funds appropriated above in item (39)(b) for Statewide Coastal Beach Renourishment to local governments and state agencies for beach renourishment activities to repair damage caused by storm activity in 2015 and to accelerate routine renourishment activities on beaches damaged by the storms. Local governments and state agencies shall make application for renourishment funds on a form and in the manner prescribed by the department and funds shall be allocated using a prioritization process developed by the department. The department shall report to the Governor, the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee

**See note at end of Act.

SECTION 118 - X910 - STATEWIDE REVENUE

on applications received and the process for prioritizing renourishment funding no later than September 1, 2016.

(40) R200 - Department of Insurance	
Wind Studies	\$20,000
** (41) R360 - Department of Labor, Licensing and Regulation Fire Suppression	\$25,000
(42) Y140 - State Ports Authority	
(a) Jasper Ocean Terminal Permitting	\$2,500,000
(b) Port of Georgetown	\$500,000
(43) A150 - Codification of Laws and Legislative Council Dues	\$187,738
(44) A170 - Legislative Services Disaster Recovery	\$500,000
(45) X220 - Aid to Subdivisions - State Treasurer Local Government Fund	\$10,600,000
(46) D500 - Department of Administration	
(a) New Statewide Voting System	\$1
(b) Office of Economic Opportunity - Wateree Community Action Agency	\$200,000
** (c) State Human Resources - Leadership South Carolina	\$150,000
(d) Pendleton Street Safety Upgrades	\$2,400,000
(46.1) The Department of Administration shall utilize the \$2,400,000 appropriated above for Pendleton Street Safety Upgrades to improve pedestrian safety and visibility on Pendleton Street for those traveling on the State House grounds and entering and exiting the McEachern Parking Facility.	
(47) E240 - Office of Adjutant General	
(a) Force Protection	\$1
(b) Post Challenge	\$1
(c) EMD - Continuity of Operations and Government Plan	\$250,000
(d) Emergency Commodities	\$100,000
(e) Transitional Workforce Educational Assistance Collaborative	\$200,000
(f) Shaw Encroachment Zone	\$200,000
** (g) SC Military Museum	\$380,000
(48) R520 - State Ethics Commission New Auditors Equipment	\$10,000

**See note at end of Act.

SECTION 118 - X910 - STATEWIDE REVENUE

* (49) <i>L360 - Human Affairs Commission</i>	
<i>Community Relations Councils</i>	<i>\$75,000</i>
(50) U300 - Division of Aeronautics	
(a) Airport Facilities Security System	
Replacement	\$100,000
** (b) <i>State Aviation Fund</i>	<i>\$7,000,000</i>
(c) Capital Improvements	\$200,000
** (d) <i>Airline Recruitment and Retention</i>	<i>\$150,000</i>
(51) E160 - Office of State Treasurer	
ABLE Savings Program	\$100,000

(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

118.17. (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.

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 2016-17.

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, 2016.

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Ratified the 2nd day of June 2016.

* See note at end of Act.

** See note at end of Act.

PLEASE NOTE

Text printed in *italic*, boldface indicates sections vetoed by the Governor on June 8, 2016.

*Indicates those vetoes sustained by the General Assembly on June 15, 2016.

**Indicates those vetoes overridden by the General Assembly on June 15, 2016.

Provisions not vetoed by the Governor took effect June 8, 2016, and generally apply for the fiscal year beginning July 1, 2016.

PART II
LOCAL AND TEMPORARY LAWS

No. 285

(R276, H5002)

A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2015-2016, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

Capital Reserve Fund appropriations

SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2015-2016 the following amounts:

- | | | | |
|-----|--|----|-----------|
| (1) | H630 - Department of Education
Governor's School for the Arts and
the Humanities
Fire Protection System Upgrade | \$ | 50,000 |
| (2) | H630 - Department of Education
School Bus Lease or Purchase | \$ | 3,951,785 |
| (3) | H630 - Department of Education
Statewide Facilities Assessment | \$ | 1,500,000 |
| (4) | H630 - Department of Education
Governor's School for the Arts and
the Humanities
Music Building Addition | \$ | 4,310,000 |
| (5) | H630 - Department of Education
Governor's School for the Arts and
the Humanities
Mobile Computing Device | \$ | 85,000 |

(6)	H630 - Department of Education Governor's School for Science and Mathematics Campus Addition	\$ 471,900
(7)	H630 - Department of Education Technology Technical Assistance	\$ 2,822,791
(8)	H710 - Wil Lou Gray Opportunity School Cafeteria and Shower Renovations	\$ 500,000
(9)	H180 - Francis Marion University Honors College	\$ 500,000
(10)	H240 - South Carolina State University Debt Payment	\$ 4,600,000
(11)	H270 - University of South Carolina Columbia Campus Honors College Facility	\$ 5,000,000
(12)	H370 - University of South Carolina Lancaster Campus Health and Wellness Center Renovations	\$ 640,000
(13)	H370 - University of South Carolina Lancaster Campus Bradley Arts and Sciences Building Repairs	\$ 60,000
(14)	H380 - University of South Carolina Salkehatchie Campus Nursing and Campus Facility Roof Repairs	\$ 346,000
(15)	H380 - University of South Carolina Salkehatchie Campus HVAC and Physical Plant Repairs	\$ 54,000

(16) H390 - University of South Carolina Sumter Campus Science Building	\$ 1,500,000
(17) H400 - University of South Carolina Union Campus Energy Efficiency Retrofits and Physical Plant Repairs	\$ 300,000
(18) H470 - Winthrop University Music Conservatory/Byrnes Auditorium	\$ 4,500,000
(19) H510 - Medical University of South Carolina MUSC Shawn Jenkins Children's Hospital Helipad (1:1 Match)	\$ 750,000
(20) H510 - Medical University of South Carolina MUSC Shawn Jenkins Children's Hospital	\$ 1
(21) H590 - State Board for Technical and Comprehensive Education Aiken Technical College Life Science Building	\$ 4,000,000
(22) H590 - State Board for Technical and Comprehensive Education Central Carolina Technical College Workforce Center	\$ 10,000,000
(23) H590 - State Board for Technical and Comprehensive Education Denmark Technical College Barnwell Workforce Center	\$ 550,000
(24) H590 - State Board for Technical and Comprehensive Education Florence-Darlington Technical College Academic Building	\$ 2,000,000

- (25) H590 - State Board for Technical and
Comprehensive Education
Horry-Georgetown Technical College
Advanced Manufacturing Center \$ 3,500,000
- (26) H590 - State Board for Technical and
Comprehensive Education
Midlands Technical College
Welding Center \$ 3,500,000
- (27) H590 - State Board for Technical and
Comprehensive Education
Midlands Technical College
Quick Jobs \$ 1,000,000
- (28) H590 - State Board for Technical and
Comprehensive Education
Orangeburg-Calhoun Technical College
Health Sciences Nursing Building \$ 5,000,000
- (29) H590 - State Board for Technical and
Comprehensive Education
Spartanburg Community College
Academic Building \$ 1
- (30) H590 - State Board for Technical and
Comprehensive Education
Spartanburg Community College
Critical Training Equipment \$ 3,500,000
- (31) H590 - State Board for Technical and
Comprehensive Education
Technical College of the Lowcountry
New River Workforce
Development Center \$ 3,500,000
- (32) H590 - State Board for Technical and
Comprehensive Education
Tri-County Technical College
Industrial Technology Center
Phase V \$ 500,000

- | | |
|---|---------------|
| (33) H590 - State Board for Technical and Comprehensive Education
Tri-County Technical College
Oconee Workforce
Development Center | \$ 4,000,000 |
| (34) H590 - State Board for Technical and Comprehensive Education
Tri-County Technical College
Central Plant | \$ 500,000 |
| (35) H590 - State Board for Technical and Comprehensive Education
Trident Technical College
Aeronautical Training Center | \$ 15,300,000 |
| (36) H590 - State Board for Technical and Comprehensive Education
Williamsburg Technical College
Science and Technology Building | \$ 3,500,000 |
| (37) H590 - State Board for Technical and Comprehensive Education
York Technical College Health and Human Services Building | \$ 5,600,000 |
| (38) N200 - Law Enforcement Training Council
Criminal Justice Academy
Transport Vehicles | \$ 237,870 |
| (39) R440 - Department of Revenue
Tax Processing System (COTS) | \$ 1,854,798 |
| (40) E240 - Office of Adjutant General
Armory Revitalization | \$ 5,000,000 |
| (41) H730 - Vocational Rehabilitation
Richland VR Center Phase I | \$ 200,000 |

(42)	H730 - Vocational Rehabilitation Anderson VR Center Roofing	\$ 112,000
(43)	H730 - Vocational Rehabilitation Beaufort VR Center Roofing	\$ 103,000
(44)	H730 - Vocational Rehabilitation Greenwood VR Center Roofing	\$ 108,000
(45)	H730 - Vocational Rehabilitation Anderson VR Center Parking Lot	\$ 130,000
(46)	H730 - Vocational Rehabilitation Sumter VR Center Roof	\$ 96,000
(47)	H730 - Vocational Rehabilitation Oconee/Pickens Expansion/Roof	\$ 800,000
(48)	J200 - Department of Alcohol and Other Drug Abuse Services Infrastructure Improvements/Substance Abuse Provider System	\$ 3,000,000
(49)	E040 - Office of Lieutenant Governor Software and Technology System Upgrades for Office on Aging	\$ 824,650
(50)	P120 - Forestry Commission Firefighting Equipment	\$ 1,000,000
(51)	P160 - Department of Agriculture Consumer Protection Equipment	\$ 1,000,000
** (52)	<i>P200 - Clemson University-PSA T. Ed Garrison Arena Education/Conference Center</i>	<i>\$ 1,000,000</i>
(53)	D500 - Department of Administration IT Disaster Recovery Plan	\$ 5,595,000

** See note at end.

** (54) P280 - Department of Parks, Recreation and Tourism Parks, Recreational, and Tourism Revitalizations	\$ 6,375,000
(55) P280 - Department of Parks, Recreation and Tourism Welcome Center Rebuild	\$ 4,000,000
(56) R360 - Department of Labor, Licensing and Regulation V-SAFE Program	\$ 500,000
(57) D500 - Department of Administration Capital Complex Security Upgrades	\$ 900,000
** (58) P280 - Department of Parks, Recreation and Tourism State Aquarium	\$ 270,000
** (59) P360 - Patriot's Point Development Authority USS Laffey	\$ <u>50,000</u> \$ 131,047,796

**Regulation of expenditure of appropriations to the State Board for
Technical and Comprehensive Education**

SECTION 2. Of the funds appropriated above in item (21), Section 1, to the State Board for Technical and Comprehensive Education for the Aiken Technical College Life Science Building, up to one million dollars may be used for college road and entrance/exit improvements which must be completed before the construction of the building.

** See note at end.

Appropriations not disbursed

SECTION 3. 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.

Posting of appropriations

SECTION 4. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

Time effective

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2015-2016 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the 1976 Code.

Ratified the 2nd day of June, 2016.

Certain items Vetoed by the Governor -- 6/8/2016.

Certain items overridden by House -- 6/15/2016.

Certain items overridden by Senate -- 6/15/2016.

PLEASE NOTE

Text printed in *italic*, boldface indicates sections vetoed by the Governor on June 8, 2016.

****Indicates those vetoes overridden by the General Assembly on June 15, 2016.**

No. 286

(R240, S1166)

A JOINT RESOLUTION TO REQUIRE THE EXECUTIVE DIRECTOR OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO ENTER INTO A LOAN REPAYMENT AGREEMENT ON OUTSTANDING LOANS WITH SOUTH CAROLINA STATE UNIVERSITY, TO PROVIDE THAT IF THE UNIVERSITY MEETS CERTAIN STANDARDS THAT PORTIONS OF THE LOAN MUST BE FORGIVEN, TO PROVIDE PROCESSES TO AID THE FINANCIAL STRUCTURE OF THE UNIVERSITY, TO PROVIDE REPORTING REQUIREMENTS, AND TO EXTEND FLEXIBILITY RELATED TO FURLOUGH PROGRAMS.

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

PART I

Debt Restructuring

South Carolina State University loan repayment agreement

SECTION 1. (A) Pursuant to Proviso 19.2, Part IB, of Act 286 of 2014, South Carolina State University was approved for a loan to be disbursed through a series of scheduled installments. Any funds not disbursed to the university pursuant to the schedule shall be disbursed to the university.

(B)(1) The State Auditor shall review and audit, if necessary, the financial structure and activities of South Carolina State University to ensure sufficient financial and internal controls are in place to protect the financial integrity of the university. A report of findings and recommendations shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office, by December 30, 2016.

(2) In order to assist the State Auditor, provide for the adequate training of university financial staff, and provide for technical assistance to the university board and State Fiscal Accountability Authority, the Executive Director of the State Fiscal Accountability Authority shall engage a third-party accounting consultant to assist the university and the authority in evaluating and promoting the financial integrity of the

university. The university shall reimburse the authority for the actual expenses of the consultant, not to exceed \$150,000 in Fiscal Year 2016-2017.

(C) No later than July 31, 2016, the Executive Director of the State Fiscal Accountability Authority shall enter into a loan repayment agreement with the university for the \$12,000,000 loan referenced in subsection (A). The terms of the agreement shall, at a minimum, include a provision that the loan funds disbursed to South Carolina State University pursuant to Proviso 19.2, Part IB, of Act 286 of 2014, including any associated interest, shall be forgiven at a rate of \$8,000,000 per year beginning in Fiscal Year 2016-17, \$2,000,000 in Fiscal Year 2017-18, and \$2,000,000 in Fiscal Year 2018-19 provided that the university has met the following benchmarks:

(1) For Fiscal Year 2016-17 the university must have attained accreditation status from the Southern Association of Colleges and Schools (SACS); and

(2) For each subsequent fiscal year until the loan is fully forgiven the university must:

(a) maintain such accreditation status;

(b) attain an increase in net financial position as demonstrated by the university's published audited financial statements beginning with Fiscal Year 2016-17 after such adjustments for pension and other liabilities as recommended by the accounting consultant and SACS, until such time as the university has achieved and can maintain a balanced budget and positive net financial position; and

(c) achieve a one percent growth in full-time student enrollment above the prior academic year enrollment.

(D)(1) South Carolina State University must provide a report on a quarterly basis to the House Ways and Means Higher Education and Technical Schools Subcommittee and the Senate Finance Committee that includes, but is not limited to, the status of their fiscal affairs and enrollment growth. The format and contents of this report shall be developed in consultation with and approved by the Commission on Higher Education, which shall cooperatively develop with South Carolina State University reasonable metrics, benchmarks, and the process for measuring such metrics to be included in the quarterly report.

(2) The Commission on Higher Education, by November first of each year, shall certify to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office that the university has met and maintained the required benchmarks each fiscal year.

Repayment schedule

SECTION 2. No later than July 31, 2016, the Executive Director of the State Fiscal Accountability Authority shall enter into a repayment schedule with South Carolina State University to retire the debt incurred by the university pursuant to the April 30, 2014, loan from the Budget and Control Board, succeeded in interest by the State Fiscal Accountability Authority. The repayment terms shall establish installment payments at the rate of \$355,036 annually.

Reprogrammed appropriations for accreditation

SECTION 3. The university board is authorized to reprogram appropriations contained in H. 5001, R 275, Act 284 of 2016, the Fiscal Year 2016-17 Appropriations Act, if the reprogrammed appropriations are directly related to attaining accreditation status from the Southern Association of Colleges and Schools (SACS), including, but not limited to, improving the university's "Unrestricted Net Assets Exclusive of Plant and Plant Related Debt" (UNAEP). The university board may not reprogram funds pursuant to this SECTION for any other purpose. As soon as practicable after making a determination that funds must be reprogrammed, the university board must notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Executive Budget Office, and the State Fiscal Accountability Authority that appropriations will be reprogrammed, the specific purposes for the reprogramming, and the specific appropriations that will be reprogrammed.

PART II**Furlough Authority Extension****South Carolina State University employee furlough program**

SECTION 4. (A) Notwithstanding any other provision of law, beginning in Fiscal Year 2016-2017 and ending Fiscal Year 2021-2022, the agency head of South Carolina State University may institute a mandatory employee furlough program of not more than twenty working days in each fiscal year. The program must meet the requirements provided in subsection (B).

(B) The furlough must be inclusive of all employees of the university or within a designated department or program regardless of source of

funds, place of work, or tenure status, and must include employees in classified positions and unclassified positions in the designated area. A furlough program also may be implemented by pay band for classified employees and by pay rate for unclassified employees. Law enforcement employees, employees who provide direct patient or client care, and front-line employees who deliver direct customer services may be exempted from a mandatory furlough. If the furlough includes the entire university, the furlough must include the agency head. Scheduling of furlough days, or portions of days, shall be at the discretion of the university, but under no circumstances shall the university close completely. If an employee participates in a voluntary furlough program from Fiscal Year 2016-2017 through Fiscal Year 2021-2022, the furlough days taken voluntarily must count toward the furlough days required by the mandatory furlough authorized in this section. During this furlough, affected 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, including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the university will be responsible for making both employer and employee contributions during the time of the furlough 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 the State Employee Grievance Procedure Act. The university 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. The university is encouraged to consult the State Division of Human Resources of the Department of Administration in the development of the furlough plan to ensure that the plan meets the requirements of this section. The university shall report information regarding furloughs to the State Division of Human Resources as requested.

Time effective

SECTION 5. This joint resolution takes effect July 2, 2016.

Ratified the 2nd day of June, 2016.

Approved the 7th day of June, 2016.

No. 287

(R133, H4632)

A JOINT RESOLUTION TO REVISE APPLICABILITY OF CERTAIN STUDENT ASSESSMENT STATUTES FOR THE 2015-2016 SCHOOL YEAR AND 2016-2017 SCHOOL YEAR, AND TO EXEMPT THE STATE DEPARTMENT OF EDUCATION FROM STATE PROCUREMENT LAW FOR CERTAIN ASSESSMENTS IN THE 2015-2016 SCHOOL YEAR.

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

College entrance assessments

SECTION 1. Notwithstanding the provisions of Section 59-18-325, Section 59-18-355, and the South Carolina Consolidated Procurement Code, all public high schools and, where necessary, career centers, shall offer a state-funded college entrance assessment to each student entering the eleventh grade for the first time in school year 2015-2016. The test must be available in both a computer-based format and a paper-based format. Accommodations must be provided in a manner approved by the testing company when students receiving the accommodations subsequently use the results of the assessment to apply to college, or in the manner set forth by the student's individualized education program when the results will not be used to apply to college.

Certain additional assessments prohibited

SECTION 2. Notwithstanding the provisions of Section 59-18-325(C)(3), students must not be required to take additional assessments in the ninth and tenth grade in the 2015-2016 school year above what was offered in the 2014-2015 school year.

Kindergarten assessments, procurements

SECTION 3. Notwithstanding another provision of law, school districts shall administer formative assessments in K4 and K5 during the 2016-2017 school year as those assessments are administered in the 2015-2016 school year. The Department of Education need not issue a procurement for new assessments in Fiscal Year 2015-2016.

Time effective

SECTION 4. This joint resolution takes effect upon approval by the Governor.

Ratified the 26th day of January, 2016.

Approved the 1st day of February, 2016.

No. 288

(R139, H4633)

A JOINT RESOLUTION TO EXTEND THE DATE BY WHICH AN INDEPENDENT SCHOOL MUST APPLY TO BECOME AN ELIGIBLE INSTITUTION FOR PURPOSES OF THE EDUCATIONAL TAX CREDIT FOR EXCEPTIONAL NEEDS CHILDREN UNTIL MAY 1, 2016.

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

Exceptional needs tax credit extension

SECTION 1. Notwithstanding subsection (G), Section 9 of Act 92 of 2015, for purposes of being considered an eligible institution that may receive a contribution from a nonprofit scholarship funding organization or a contribution from an individual as tuition, for which a tax credit is allowed pursuant to subsection (B), Section 9 of Act 92 of 2015, an independent school must apply to the Education Oversight Committee by May 1, 2016.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 11th day of February, 2016.

Approved the 16th day of February, 2016.

No. 289

(R180, S1272)

A JOINT RESOLUTION TO AUTHORIZE THE DEPARTMENT OF EDUCATION TO CARRY FORWARD CERTAIN FUNDS APPROPRIATED IN THE 2015-2016 GENERAL APPROPRIATIONS ACT REGARDING SUPPLEMENTAL SUPPORT OF PROGRAMS AND SERVICES FOR STUDENTS WITH DISABILITIES SO AS TO MEET THE ESTIMATED MAINTENANCE OF EFFORT FOR THE INDIVIDUALS WITH DISABILITIES ACT (IDEA).

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

Carry forward authorization

SECTION 1. Any funds appropriated in Section XII.A.1. Section 1, Part 1A, for Aid to Districts, and dispersed pursuant to Paragraph 1A.34, Section 1A, Part 1B, both of Act 91 of 2015, the 2015-2016 general appropriations act, may be carried forward into Fiscal Year 2016-2017 to be expended in the same manner.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 11th day of May, 2016.

Approved the 16th day of May, 2016.

No. 290

(R209, H5024)

A JOINT RESOLUTION TO REQUIRE THAT BEFORE THE 2016-2017 SCHOOL YEAR, THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE ALL LITERACY COACHES AND LITERACY TEACHERS IN KINDERGARTEN THROUGH THIRD GRADE WITH TRAINING ON DYSLEXIA AND RELATED DISORDERS, INCLUDING EVIDENCE-BASED SCREENINGS, INSTRUCTIONAL METHODS, AND INTERVENTIONS, AMONG OTHER THINGS; AND TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE DEPARTMENT.

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

Dyslexia training for literacy coaches and literacy teachers in kindergarten through third grade

SECTION 1. Before the beginning of the 2016-2017 school year, the State Department of Education shall provide training to all literacy coaches and literacy teachers in kindergarten through grade three on:

(1) dyslexia and related reading disorders and their prevalence, using the internationally accepted definition from the International Dyslexia Association;

(2) the use of evidence-based screening tools for dyslexia and other reading disorders that are age-appropriate and evaluate, as appropriate, the following skills:

- (a) phonological and phonemic awareness;
- (b) sound symbol recognitions;
- (c) alphabet knowledge;
- (d) decoding and encoding skills; and
- (e) rapid naming skills; and

(3) evidence-based, multisensory, instructional methods and interventions designed specifically for students with dyslexia and other reading disorders.

Reporting requirement

SECTION 2. Before October 1, 2016, the State Department of Education shall provide the Senate Education Committee and the House Education and Public Works Committee a report:

(1) describing the specific training used by the department to satisfy the requirements of this joint resolution; and

(2) stating the number and percentage of literacy coaches in kindergarten through grade three and the number and percentage of literacy teachers in kindergarten through grade three who successfully completed the training.

Time effective

SECTION 3. This joint resolution takes effect upon approval by the Governor.

Ratified the 24th day of May, 2016.

Approved the 26th day of May, 2016.

No. 291

(R273, H4938)

A JOINT RESOLUTION TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION AND THE CENTER FOR EDUCATOR RECRUITMENT, RETENTION AND ADVANCEMENT (CERRA), WORKING IN COLLABORATION WITH THE COMMISSION ON HIGHER EDUCATION, SHALL SURVEY SPECIFIED STUDENTS ENROLLED IN THE STATE'S COLLEGES OF EDUCATION, WHICH SHALL INCLUDE QUESTIONS AS TO WHETHER THE STUDENTS HAVE EVER CONSIDERED TEACHING IN A RURAL AND ECONOMICALLY CHALLENGED SCHOOL DISTRICT, WITH

THE RESULTS OF THE SURVEY TO BE REPORTED TO THE GENERAL ASSEMBLY BY DECEMBER 1, 2016; AND TO PROVIDE THAT THE DEPARTMENT, CERRA, AND THE COMMISSION ON HIGHER EDUCATION ALSO SHALL EXPLORE A MEANS OF OBTAINING SIMILAR SURVEY INFORMATION FROM STUDENTS IN OTHER PROGRAMS AS A MEANS OF PLANNING AND PROMOTING TEACHING CAREER INFORMATION AND EMPLOYMENT OPTIONS, WITH A REPORT SUMMARIZING THE RECOMMENDATIONS OF THIS SURVEY TO BE SUBMITTED TO THE GENERAL ASSEMBLY BY FEBRUARY 1, 2017, TO INCLUDE WHETHER THE FOCUS SHOULD BE ON STUDENTS IN THE STATE'S TWO-YEAR AS WELL AS FOUR-YEAR INSTITUTIONS, AND WHETHER IMPROVEMENTS FACILITATING TRANSFER AND ARTICULATION INTO TEACHER EDUCATION PROGRAMS COULD ENHANCE RECRUITMENT INTO THE TEACHING PROFESSION.

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

Student surveys

SECTION 1. The State Department of Education and the Center for Educator Recruitment, Retention and Advancement (CERRA), working in collaboration with the Commission on Higher Education, shall survey students enrolled in the state's colleges of education. This survey shall be administered to those college students who have been fully admitted into their institution's teacher education program. At a minimum, the survey shall include questions inquiring as to whether students have ever considered teaching in a rural and economically challenged district. Students must be asked what incentives, if any, would cause them to move to, and work in, such a district. The State Department of Education and CERRA may include additional questions in the survey as considered useful. Results of the survey must be reported to the General Assembly by December 1, 2016.

Additionally, the Department of Education, CERRA, and the Commission on Higher Education together shall explore a practical and effective means of obtaining similar survey information from students in other programs at the state's institutions of higher learning as a means of planning and promoting teaching career information and employment options and in accordance with the general intentions of Section

13-1-1840 of the 1976 Code. A report summarizing the recommendations for this survey must be submitted to the General Assembly by February 1, 2017, to include whether the focus should be on students in the state's two-year as well as four-year institutions, and whether improvements facilitating transfer and articulation into teacher education programs could enhance recruitment into the teaching profession.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

No. 292

(R243, S1206)

A JOINT RESOLUTION TO DIRECT THE STATE DEPARTMENT OF EDUCATION TO RENAME THE GREENVILLE STATE BUS SHOP ON HALTON ROAD IN GREENVILLE COUNTY TO BE THE "JOE MADDEN BUS CENTER".

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

Center renamed

SECTION 1. Notwithstanding another provision of law, the State Department of Education is directed to rename the Greenville State Bus Shop on Halton Road in Greenville County to be the "Joe Madden Bus Center".

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2016.

Approved the 3rd day of June, 2016.

No. 293

(R190, H5066)

AN ACT TO AMEND ACT 589 OF 1986, AS AMENDED, RELATING TO THE BEAUFORT COUNTY BOARD OF EDUCATION, SO AS TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SUBMIT SIGNED PETITIONS.

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

Candidates for Beaufort County Board of Education to submit statements of candidacy

SECTION 1. Section 1(B) of Act 589 of 1986, as last amended by Act 406 of 2002, is further amended to read:

“(B) Notice of the general election must be published by the Beaufort County Election Commission in a newspaper of general circulation in the districts from which members of the board are elected, and the notice must contain appropriate information concerning the election. The notice must be published not earlier than one hundred fifty days and not later than one hundred twenty days before the date of the election.

(1) To have his name placed on the ballot as a candidate in the general election, a person shall submit to the Beaufort County Board of Voter Registration and Elections a statement of candidacy not later than twelve o’clock noon on August fifteenth or, if August fifteenth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday.

(2) Section 7-13-352 of the 1976 Code, must govern the process of nomination by statement of candidacy and verification of candidates' qualifications for the elections established by this act.”

Time effective

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

Ratified the 17th day of May, 2016.

Approved the 23rd day of May, 2016.

No. 294

(R288, H5279)

AN ACT TO AMEND ACT 340 OF 1967, AS AMENDED, RELATING TO THE CHARLESTON COUNTY SCHOOL DISTRICT, SO AS TO REVISE PROCEDURES CONCERNING THE ANNUAL DISTRICT BUDGET BY PROVIDING THE SCHOOL BOARD SHALL OBTAIN CERTIFICATION OF PROPERTY TAX REVENUE EXPECTED FOR THE BUDGET FROM THE COUNTY AUDITOR BEFORE THE BOARD MAY GIVE THE BUDGET SECOND READING, TO PROVIDE THAT WITHIN SIXTY DAYS FOLLOWING ENACTMENT OF THE ANNUAL STATE BUDGET, THE BOARD SHALL REVIEW AND, IF NEEDED TO AVOID OPERATING WITH A DEFICIT, AMEND THE ANNUAL DISTRICT BUDGET TO REFLECT FUNDS ACTUALLY APPROPRIATED BY THE GENERAL ASSEMBLY, TO PROVIDE THAT BEFORE JANUARY FIRST ANNUALLY THE BOARD SHALL REVIEW THE STATUS OF ITS FISCAL YEAR REVENUES AND EXPENDITURES TO DETERMINE THE EXTENT TO WHICH, IF ANY, THE DISTRICT IS OPERATING WITH A DEFICIT, AND TO PROVIDE IF THE DISTRICT DETERMINES THAT IT IS OPERATING WITH A DEFICIT, IT MUST AMEND ITS BUDGET TO ELIMINATE THE DEFICIT WITHIN SIXTY DAYS; AND TO PROVIDE THAT BEFORE THE CHARLESTON COUNTY SCHOOL DISTRICT BOARD MAY VOTE ON THE

CLOSURE OF A SCHOOL IN THE DISTRICT, IT SHALL HOLD A PUBLIC HEARING ON THE PROPOSED CLOSURE, PROVIDE ITS REASONS FOR PROPOSING THE SCHOOL CLOSURE, AND ALLOW PUBLIC INPUT ON THE PROPOSED CLOSURE.

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

Review and adjustments to address budget deficits

SECTION 1. Section 10 of Act 340 of 1967, as last amended by Act 1602 of 1972, is further amended to read:

“Section 10. (A) The Board of Trustees of the Charleston School District shall prepare and submit to the Charleston County Legislative Delegation, as information, on or before the fifteenth day of August of each year beginning in 1968, a proposed budget for the ensuing school year. Before the board may give its proposed annual district budget second reading, it first shall obtain from the county auditor certification of property tax revenue that the district is expected to receive for the budget. Within sixty days following enactment of the annual state budget, the board shall review and, if needed for the district to avoid operating with a deficit, amend the annual district budget to reflect funds actually appropriated by the General Assembly. Before January first annually, the board shall review the status of its fiscal year revenues and expenditures to determine the extent to which, if any, the district is operating with a deficit. If the district determines that it is operating with a deficit, it must amend its budget to eliminate the deficit and maintain a balanced budget within sixty days.

(B) In order to obtain funds for school purposes, the board is authorized to impose an annual tax levy, commencing in 1968, not to exceed ninety mills, exclusive of any millage imposed for bond debt service. In the event the board determines that the annual tax levy should exceed ninety mills, the board shall hold a public hearing on the question at least two weeks prior to submitting such request to the legislative delegation. Notice of such public hearing shall be advertised in a newspaper of general circulation in the county, and shall state the date, time, and place of the hearing as well as a clearly worded statement of the requested annual tax levy. Upon certification by the board to the county auditor of the tax levy to be imposed, the auditor shall levy and the county treasurer shall collect the millage so certified upon all taxable property in the district.”

Public hearings before school closure votes

SECTION 2. Prior to any vote by the Charleston School District on the closure of any school in the district, the Board of Trustees of the Charleston School District must hold a public hearing on the proposed school closure at the school under consideration for closure. At this public hearing the board of trustees must provide its reasons for proposing the school closure and must allow for public input into the proposed school closure.

Severability

SECTION 3. If any section, subsection, item, subitem, 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 section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

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

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

No. 295

(R249, S1297)

**AN ACT TO AMEND ACT 185 OF 1999, RELATING TO PER
DIEM PAYMENTS FOR MEMBERS OF THE BOARD OF THE**

CHESTERFIELD COUNTY SCHOOL DISTRICT, TO PROVIDE THAT THE BOARD MAY ADJUST THE AMOUNT OF THE PER DIEM PAYMENTS AND TO PROVIDE FOR THE EFFECTIVE DATE OF THE ADJUSTED RATES.

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

Chesterfield County School District per diem payments to board members

SECTION 1. SECTION 1 of Act 185 of 1999 is amended to read:

“SECTION 1. Notwithstanding any other provision of law, effective July 1, 1999, and thereafter, members of the Board of the Chesterfield County School District shall receive per diem payments of seventy-five dollars for each board meeting attended, with the chairman receiving one hundred dollars per meeting, plus mileage to and from these meetings as authorized by law for members of state boards, committees, and commissions. The board, by resolution, may adjust the amount of the per diem payments as provided pursuant to this section; however, any adjustments adopted by the board must not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the resolution, at which time it is effective for all members whether or not they were elected in that election.”

Time effective

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

Ratified the 2nd day of June, 2016.

Vetoed by the Governor -- 6/6/2016.

Veto overridden by Senate -- 6/15/2016.

Veto overridden by House -- 6/15/2016.

No. 296

(R169, S985)

AN ACT TO AMEND SECTION 4 OF ACT 250 OF 1991, AS AMENDED, RELATING TO ELECTIONS FOR MEMBERS OF THE BOARD OF TRUSTEES FOR FLORENCE COUNTY SCHOOL DISTRICT FIVE, TO PROVIDE THAT THE FLORENCE COUNTY ELECTION COMMISSION SHALL CONDUCT THE ELECTIONS, TO PROVIDE THAT THE ELECTIONS SHALL OCCUR ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EACH YEAR, AND TO PROVIDE FOR THE LOCATIONS WHERE THE ELECTION COMMISSION SHALL CONDUCT THE ELECTION.

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

Conduct of elections, Florence County School District Five

SECTION 1. Section 4 of Act 250 of 1991, as last amended by Act 168 of 1995, is further amended to read:

“Section 4. Elections for trustees for School District 5 shall be held on the first Tuesday after the first Monday in November of each year. The election shall be conducted by the Florence County Election Commission. A notice of the filing shall be advertised in a newspaper of general circulation in the school district. The advertisement shall state the purpose of the election, the method for filing statements of candidacy, dates of the opening and closing of the filing period, place of filing, and the voting places for the election.

The election commission shall conduct the election at the Johnsonville High School, Kingsburg Masonic Lodge, Prospect-Vox Fire Station Two, and the Vox Community Center within the district. Such election shall be conducted in accordance with the general law regulating general elections in this State. The election commission shall rule on any irregularity in the election. Each seat of trustee in School District 5 shall constitute a separate seat and shall be numbered separately beginning with the number one through the number seven, and no person shall be declared elected unless he receives a majority of the votes cast in the election for the seat for which he is a candidate. In case no such candidate receives a majority of the votes cast in the election for such seat, a second

election between the two receiving the highest number of votes who do not withdraw shall be held within thirty days after the first election. Provided, that if only one candidate remains, he shall be declared elected. Notice thereof shall be advertised at least one week prior thereto and shall be conducted in like manner as the first election by the county election commission.

The initial election for Seat 1 shall be filled from single-member District 1 in 1994.

The initial election for Seat 2 shall be filled from single-member District 2 in 1992.

The initial election for Seat 3 shall be filled from single-member District 3 in 1993.

The initial election for Seat 4 shall be filled from single-member District 4 in 1994.

The initial election for Seat 5 shall be filled by an at-large election in 1992.

The initial election for Seat 6 shall be filled by an at-large election in 1993.

The initial election for Seat 7 shall be filled by an at-large election in 1994.

All trustees shall serve three-year terms.

Any member serving as trustee on the effective date of this act, whose term expires before the initial elections are to be held to fill such seats, shall continue to serve until elections are held and a trustee is elected and qualified.”

Time effective

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

Ratified the 26th day of April, 2016.

Approved the 29th day of April, 2016.

No. 297

(R179, S1238)

AN ACT TO AMEND ACT 806 OF 1952, AS AMENDED, RELATING TO THE ANNUAL BUDGET FOR FLORENCE COUNTY SCHOOL DISTRICT TWO, SO AS TO ONLY REQUIRE A SEPARATE MEETING OF THE CITIZENS IF THE PROPOSED BUDGET REQUIRES A MILLAGE INCREASE.

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

Florence County School District Two annual budget

SECTION 1. Section 1 of Act 806 of 1952, as last amended by Act 83 of 2011, is further amended to read:

“Section 1. (A) On or before the fifteenth day of May, 1952, and on or before the fifteenth day of April of each year thereafter, the board of trustees of each school district in Florence County, except District 4 which shall meet on the second Thursday in June, shall call a meeting of the citizens of the district, which must be held within the school district. The time and place of the meeting must be advertised in a newspaper of general circulation within the district at least once, ten days prior to the meeting. The persons entitled to vote at the meeting have power to appoint a chairman and a secretary and to adjourn the meeting from time to time until business is completed. It is the duty of the chairman of the meeting to keep a correct record of all of the proceedings and to file the same in the office of the county board of education.

(B)(1) In addition to the citizens’ meeting provided in subsection (A), in any year in which the proposed budget for Florence County School District 2 for the upcoming fiscal year requires a millage increase, the board of trustees shall call a separate meeting of the citizens of the district on the proposed millage increase for the next fiscal year, which must be held before June thirtieth of each year. The citizens’ meetings must be held within the school district, and the time and place of the meetings must be advertised in a newspaper of general circulation within the district at least once, ten days before the meetings. The advertisement must include the current year’s millage, the proposed millage, and the amount of the millage increase. The millage increase only may be adopted by a majority vote of the qualified electors present at the meeting. The tax millage levied must maintain at least the level

of per pupil financial effort established in the previous year. The chairman shall keep a correct record of all proceedings and file the records of the proceedings with the district board of trustees.

(2) In any year in which the proposed budget for the upcoming fiscal year does not require a millage increase, the provisions of Section 2 and the provisions of item (1) do not apply except that the tax millage levied must maintain at least the level of per pupil financial effort established in the previous fiscal year. If the provisions of item (1) do not apply, the proposed budget must be posted on the Internet website maintained by the district at least ten days before its adoption.”

Time effective

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

Ratified the 11th day of May, 2016.

Approved the 16th day of May, 2016.

No. 298

(R291, H5367)

AN ACT TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO ADD THE “NORTHERN GREENVILLE” AREA OF GREENVILLE COUNTY TO REWA’S SERVICE TERRITORY, TO EXPRESS THE GENERAL ASSEMBLY’S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA’S AMENDED BOUNDARY LINES ARE DELINEATED, AND TO PROVIDE THAT NO RESIDENTIAL OR COMMERCIAL ENTITY LOCATED WITHIN THE “NORTHERN GREENVILLE” EXTENDED TERRITORY IS REQUIRED TO TAP INTO THE SERVICES PROVIDED BY REWA UNLESS THE ENTITY DOES SO VOLUNTARILY OR HAS NO OTHER DHEC-APPROVED METHOD FOR DISPOSAL.

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

Renewable Water Resources expanded service territory

SECTION 1. Act 745 of 1967, as last amended by Act 195 of 1999, is further amended by adding:

“Section 2.7. Notwithstanding another provision of law, the boundary lines that define the service territory of the Renewable Water Resources are hereby expanded so as to include an area labeled the ‘Northern Greenville’ area of Greenville County, which is shown on a map filed with the Renewable Water Resources Commission as provided and maintained by the Revenue and Fiscal Affairs Office and designated as document ‘ReWa Service Area - 2016A’. The General Assembly intends for this document to serve as the document of record delineating the service territory of the Renewable Water Resources. No residential or commercial entity in the ‘Northern Greenville’ extended territory is required to tap into the services provided by the Renewable Water Resources unless the residential or commercial entity voluntarily seeks such access or has no other DHEC-approved method for disposal.”

Time effective

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

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

No. 299

(R248, S1296)

AN ACT TO PROVIDE THE KERSHAW COUNTY TRANSPORTATION COMMITTEE SHALL BE COMPRISED OF SEVEN MEMBERS; AND TO PROVIDE MEMBERS SHALL SERVE TERMS OF FOUR YEARS, EXCEPT THAT ON THE EFFECTIVE DATE OF THIS ACT MEMBERS SHALL SERVE

**INITIAL TERMS THAT ARE STAGGERED IN TWO, THREE,
AND FOUR-YEAR INTERVALS.**

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

Kershaw County Transportation Committee composition

SECTION 1. The Kershaw County Transportation Committee shall be comprised of seven members.

Kershaw County Transportation Committee terms

SECTION 2. On the effective date of this act, two members of the committee shall serve an initial term of two years, two members of the committee shall serve an initial term of three years, and three members of the committee shall serve an initial term of four years. Upon the expiration of each initial term, members of the Kershaw County Transportation Committee shall serve terms of four years. Terms shall expire on December thirty-first. A member of the Kershaw County Transportation Committee whose term has expired may continue to serve until he is reappointed or his successor is appointed.

Time effective

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

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

No. 300

(R176, S863)

**AN ACT TO AMEND ACT 613 OF 1986, AS AMENDED,
RELATING TO SCHOOL DISTRICTS IN RICHLAND COUNTY,
SO AS TO REAPPORTION THE FOUR SINGLE-MEMBER
ELECTION DISTRICTS FROM WHICH THE TRUSTEES OF
RICHLAND COUNTY SCHOOL DISTRICT ONE ARE**

ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

Richland County School District One Reapportioned

SECTION 1. Act 613 of 1986 is amended by adding Section 2A to read:

“Section 2A. (1) In Richland County School District One, one trustee must be elected from each of the four defined single-member election districts established in this section and three trustees must be elected from the district at large. In 1986 and every four years thereafter, successors to the three members of the board whose terms expire in 1986 must be elected from election districts 1 and 3 respectively and one member must be elected at large. In 1988 and every four years thereafter, successors to the four members of the board whose terms expire in 1988 must be elected from election districts 2 and 4 respectively and two members must be elected at large.

(2) Notwithstanding another provision of law or of this act, beginning with the 2016 school district elections, the four defined single-member election districts from which one member of the board of trustees of Richland County School District One must be elected are as shown on the Richland County School District One map S-79-01-16 as prepared and maintained by the Revenue and Fiscal Affairs Office. The Revenue and Fiscal Affairs Office shall provide a certified copy of the map to the school district and the Richland County Board of Voter Registration and Elections. The official map must not be changed except by an act of the General Assembly or by a court of competent jurisdiction.

(3) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_Wht	%NH_Wht	NH_Bl	%NH_Bl
1	49,727	-655	-1.30%	12,331	24.80%	34,487	69.35%
2	50,565	183	0.36%	15,750	31.15%	32,654	64.58%
3	52,394	2,012	3.99%	37,387	71.36%	11,054	21.10%
4	48,842	-1,540	-3.06%	18,764	38.42%	27,129	55.54%
Total	201,528			84,232	41.80%	105,324	52.26%

District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	39,949	11,310	28.31%	26,549	66.46%	2,909	2,090
2	39,587	13,647	34.47%	24,374	61.57%	2,161	1,566
3	42,814	31,706	74.06%	8,008	18.70%	3,953	3,100
4	39,517	17,047	43.14%	20,171	51.04%	2,949	2,299
Total	161,867	73,710		79,102		11,972	9,055"

Richland County School District One exterior boundaries unchanged

SECTION 2. Notwithstanding another provision of law, the map referenced in this act alters only the boundaries of the single-member election districts that compose Richland County School District One. It does not alter the exterior boundaries of Richland County School District One.

Time effective

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

Ratified the 11th day of May, 2016.

Approved the 12th day of May, 2016.

No. 301

(R152, H4787)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HORSE MEAT AND KANGAROO MEAT; FAIRS, CAMP MEETINGS, AND OTHER GATHERINGS; CAMPS; MOBILE/MANUFACTURED HOME PARKS; SANITATION OF SCHOOLS; AND NUISANCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4552, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Department of Health and Environmental Control, regulations approved

SECTION 1. The regulations of the Department of Health and Environmental Control, relating to Horse Meat and Kangaroo Meat; Fairs, Camp Meetings, and Other Gatherings; Camps; Mobile/Manufactured Home Parks; Sanitation of Schools; and Nuisances, designated as Regulation Document Number 4552, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 10th day of March, 2016.

Became law without the signature of the Governor -- 3/16/16.

No. 302

(R187, H4786)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE GOVERNOR, RELATING TO LOCAL EMERGENCY PREPAREDNESS STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4563, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Office of the Governor, regulations approved

SECTION 1. The regulations of the Office of the Governor, relating to Local Emergency Preparedness Standards, designated as Regulation Document Number 4563, and submitted to the General Assembly

pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 17th day of May, 2016.

Became law without the signature of the Governor -- 5/23/2016.

No. 303

(R290, H5364)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT TRUST FUND SOLVENCY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4645, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Department of Employment and Workforce, regulations approved

SECTION 1. The regulations of the Department of Employment and Workforce, relating to Unemployment Trust Fund Solvency, designated as Regulation Document Number 4645, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2016.

Became law without the signature of the Governor -- 6/8/2016.

No. 304

(R296, S1065)

A JOINT RESOLUTION TO CLARIFY THAT SECTION 58-7-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, DOES NOT APPLY TO A PRIVATE, FOR-PROFIT PIPELINE COMPANY, INCLUDING A PUBLICLY TRADED FOR-PROFIT COMPANY THAT IS NOT A PUBLIC UTILITY AS DEFINED BY TITLE 58; AND TO CREATE THE PETROLEUM PIPELINE STUDY COMMITTEE TO STUDY MATTERS RELATED TO THE PRESENCE OF PETROLEUM PIPELINES IN SOUTH CAROLINA, AND FOR THE STUDY COMMITTEE TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY BY JUNE 30, 2017, AND TO CONTINUE ITS WORK UNTIL DECEMBER 31, 2017, IF THE JUNE REPORT DETERMINES FURTHER WORK IS NEEDED.

Whereas, petroleum and petroleum products are a national commodity, yet are commodities that may pose a threat to the property and health of South Carolinians if not properly transported or stored; and

Whereas, questions have recently arisen regarding petroleum pipeline siting in South Carolina, as well as questions regarding responsibility for monitoring and for inspecting these pipelines; and

Whereas, the General Assembly recognizes the importance of economic development in this State, yet recognizes there must be a balance between economic development and the protection of the health, safety, welfare, and property of this state's citizens; and

Whereas, the General Assembly also recognizes the importance of, and intends to defend, the rights of private property owners within this State, rights which have been established within the South Carolina Constitution, the laws of this State, and case law; and

Whereas, the South Carolina Attorney General's Office issued an opinion on July 1, 2015, which states there is "substantial doubt" that Section 58-7-10 intended to extend the public power of eminent domain to any private petroleum or oil pipeline company pipeline that is not defined in, or otherwise outside of the regulatory scope of, Title 58; and

Whereas, the General Assembly does not find that a private, for-profit pipeline company, which includes a publicly traded for-profit company, that is not defined as a "public utility" in Title 58 meets the current "public use" requirement for purposes of eminent domain; and

Whereas, natural gas and petroleum companies utilize pipelines as a method to transport their respective products and both types of companies are primarily regulated by federal law; however, due to the differences in the products these companies provide, the federal government has differing statutory and regulatory provisions for natural gas and petroleum companies, and the majority of the states differentiate between natural gas and petroleum companies, including South Carolina; and

Whereas, unlike other companies that utilize pipelines that are defined in Title 58 as a public utility, such as natural gas companies and water companies, petroleum companies are not defined in Title 58 as a public utility; and

Whereas, the General Assembly finds that Section 58-7-10 was not intended to confer the right of eminent domain to a private, for-profit company, including a publicly traded for-profit company, that is not defined as a "public utility" in Title 58; and

Whereas, a recent pipeline leak of over 300,000 gallons of petroleum product near Belton, South Carolina, has demonstrated the risks inherent in pipeline transportation of refined petroleum products; and

Whereas, the cleanup of refined petroleum products from soil and groundwater is an expensive, imperfect, and time consuming process; and

Whereas, the financial and technical abilities of the party responsible for the cleanup of any refined petroleum products released from a pipeline

are critical to ensure that the responsibility for the cleanup is not imposed upon the citizens of South Carolina; and

Whereas, it is the duty of the General Assembly to establish the policy for the authorization of use for eminent domain and to provide statutory processes and procedures to balance the interests of the state's health, safety, welfare, and property of this state's citizens without unnecessarily impeding or discouraging economic development; and

Whereas, it is the duty of the General Assembly to address any potential expansion of the use of eminent domain authority in this State in a meaningful and deliberative manner. Now, therefore,

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

Petroleum Pipeline Study Committee created

SECTION 1. (A) There is created the Petroleum Pipeline Study Committee to study matters related to the presence of petroleum pipelines in South Carolina, including, but not limited to:

- (1) the various types of petroleum products and by-products that are transported by a pipeline;
- (2) the federal requirements for petroleum pipeline siting and monitoring;
- (3) the state's responsibilities as to the regulation of petroleum pipeline siting and monitoring;
- (4) the possible environmental implications from a petroleum pipeline;
- (5) the potential economic development implications for South Carolina resulting from a petroleum pipeline located in this State;
- (6) whether other states permit petroleum pipeline companies to exercise eminent domain, and if so, under what circumstances;
- (7) whether a bonding requirement can and should be imposed as a prerequisite for any private company seeking to install a petroleum pipeline in South Carolina.

(B) The study committee must be composed of:

- (1) three members of the House of Representatives appointed by the Speaker of the House of Representatives;
- (2) three members of the Senate appointed by the Chairman of the Senate Judiciary Committee;
- (3) the Director of the Department of Health and Environmental Control, or his designee;

(4) the Executive Director of the Office of Regulatory Staff, or his designee;

(5) one member representing environmental or conservation organizations, appointed by the Governor; and

(6) one member representing the South Carolina Petroleum Council, appointed by the Governor.

The Speaker of the House of Representatives and the Chairman of the Senate Judiciary Committee shall provide appropriate staffing for this study committee.

(C) The study committee shall prepare a report for the General Assembly that sets forth findings and recommendations regarding matters related to the presence of petroleum pipelines in South Carolina, and provide its report to the General Assembly by June 30, 2017, at which time the study committee may dissolve. However, if the report contains findings or a recommendation that further work is needed, the study committee may continue its work until December 31, 2017, at which time the study committee must be dissolved.

Time effective

SECTION 2. This joint resolution shall take effect upon approval by the Governor.

Ratified the 6th day of June, 2016.

Approved the 9th day of June, 2016.

No. 305

(R308, H4391)

AN ACT TO CREATE THE "BRAIN TISSUE DONOR STUDY COMMITTEE" TO PROVIDE A PROCESS AND PROCEDURE FOR CITIZENS OF THIS STATE TO DONATE THEIR BRAIN TISSUE UPON THEIR DEATH FOR RESEARCH AND EDUCATION, TO PROVIDE FOR MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL

**ASSEMBLY, AND TO INCLUDE A SUNSET PROVISION FOR
THE STUDY COMMITTEE.**

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

Brain Tissue Donor Study Committee

SECTION 1. There is created the Brain Tissue Donor Study Committee charged with providing a process and procedure for citizens of this State to designate that upon his or her death, the person's brain tissue be donated for the purpose of research and education. Membership of the study committee shall be comprised of seven members as follows:

- (1) one researcher from Clemson University
- (2) one researcher from the University of South Carolina
- (3) one researcher from the Medical University of South Carolina
- (4) one representative from the SC Department of Motor Vehicles
- (5) one representative from Donate Life South Carolina
- (6) one representative from LifePoint, Inc.
- (7) one representative from the National Alliance on Mental Illness South Carolina.

Staff from the Senate and the House of Representatives shall assist the study committee. The study committee shall provide a report to the General Assembly by December 31, 2016, at which time the study committee shall dissolve. Members of the study committee shall serve without mileage, per diem, or subsistence.

Time effective

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

Ratified the 17th day of June, 2016.

Approved the 22nd day of June, 2016.

No. 306

(R135, S1008)

**A JOINT RESOLUTION TO ADOPT REVISED CODE
VOLUMES 7A AND 19 OF THE CODE OF LAWS OF SOUTH**

**CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS,
AS THE ONLY GENERAL PERMANENT STATUTORY LAW
OF THE STATE AS OF JANUARY 1, 2016.**

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

Revised code volumes, authorization

SECTION 1. (A) Section 2-13-90 of the 1976 Code authorizes the Legislative Council and the Code Commissioner to contract to be prepared and published under their supervision and direction revised volumes of the Code of Laws.

(B) The Legislative Council and the Code Commissioner have determined that Volumes 7A and 19 are appropriate for revision.

(C) Section 2-13-90 of the 1976 Code also provides that the revised volumes must be submitted to the General Assembly for its consideration.

Revised code volumes, adopted

SECTION 2. (A) Revised Volume 7A containing Title 16, Code of Laws of South Carolina, 1976, is substituted for original Volume 7A which contained Title 16.

(B) Revised Volume 19 containing Title 58, Code of Laws of South Carolina, 1976, is substituted for original Volume 19 which contained Title 58.

(C) Revised Volumes 7A and 19 are adopted as part of the Code of Laws and, to the extent of their contents, are the only general permanent statutory law of the State as of January 1, 2016.

Time effective

SECTION 3. This joint resolution takes effect upon approval by the Governor.

Ratified the 11th day of February, 2016.

Approved the 16th day of February, 2016.

REGULATIONS OF STATE AGENCIES

August 28, 2015 - July 22, 2016

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The regulations contained in this index have been filed in the office of the Legislative Council and processed in accordance with the provisions of Article 1, Chapter 23, Title 1, *Code of Laws of South Carolina, 1976*, and became effective August 28, 2015 through July 22, 2016.

The texts of all regulations listed in this index have been published in the volume and issue of the *South Carolina State Register* noted opposite each entry and are available on the South Carolina General Assembly Home Page: www.scstatehouse.gov. If you do not have access to the Internet, the regulations are available for public inspection in the office of the promulgating agency, the Legislative Council, the State Library and the Department of Archives and History.

An explanation of abbreviations opposite regulations contained in this index, e.g. "SR40-1", means *South Carolina State Register*, Volume 40, Issue 1. Page numbers can be determined from the table of contents in the issue concerned. The number in parenthesis is the filing Document Number.

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PART II
LOCAL AND TEMPORARY LAWS

No. 285

(R276, H5002)

A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2015-2016, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

Capital Reserve Fund appropriations

SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2015-2016 the following amounts:

- (1) H630 - Department of Education
Governor's School for the Arts and
the Humanities
Fire Protection System Upgrade \$ 50,000
- (2) H630 - Department of Education
School Bus Lease or Purchase \$ 3,951,785
- (3) H630 - Department of Education
Statewide Facilities Assessment \$ 1,500,000
- (4) H630 - Department of Education
Governor's School for the Arts and
the Humanities
Music Building Addition \$ 4,310,000
- (5) H630 - Department of Education
Governor's School for the Arts and
the Humanities
Mobile Computing Device \$ 85,000

(6)	H630 - Department of Education Governor's School for Science and Mathematics Campus Addition	\$ 471,900
(7)	H630 - Department of Education Technology Technical Assistance	\$ 2,822,791
(8)	H710 - Wil Lou Gray Opportunity School Cafeteria and Shower Renovations	\$ 500,000
(9)	H180 - Francis Marion University Honors College	\$ 500,000
(10)	H240 - South Carolina State University Debt Payment	\$ 4,600,000
(11)	H270 - University of South Carolina Columbia Campus Honors College Facility	\$ 5,000,000
(12)	H370 - University of South Carolina Lancaster Campus Health and Wellness Center Renovations	\$ 640,000
(13)	H370 - University of South Carolina Lancaster Campus Bradley Arts and Sciences Building Repairs	\$ 60,000
(14)	H380 - University of South Carolina Salkehatchie Campus Nursing and Campus Facility Roof Repairs	\$ 346,000
(15)	H380 - University of South Carolina Salkehatchie Campus HVAC and Physical Plant Repairs	\$ 54,000

(16) H390 - University of South Carolina Sumter Campus Science Building	\$ 1,500,000
(17) H400 - University of South Carolina Union Campus Energy Efficiency Retrofits and Physical Plant Repairs	\$ 300,000
(18) H470 - Winthrop University Music Conservatory/Byrnes Auditorium	\$ 4,500,000
(19) H510 - Medical University of South Carolina MUSC Shawn Jenkins Children's Hospital Helipad (1:1 Match)	\$ 750,000
(20) H510 - Medical University of South Carolina MUSC Shawn Jenkins Children's Hospital	\$ 1
(21) H590 - State Board for Technical and Comprehensive Education Aiken Technical College Life Science Building	\$ 4,000,000
(22) H590 - State Board for Technical and Comprehensive Education Central Carolina Technical College Workforce Center	\$ 10,000,000
(23) H590 - State Board for Technical and Comprehensive Education Denmark Technical College Barnwell Workforce Center	\$ 550,000
(24) H590 - State Board for Technical and Comprehensive Education Florence-Darlington Technical College Academic Building	\$ 2,000,000

- (25) H590 - State Board for Technical and
Comprehensive Education
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- (26) H590 - State Board for Technical and
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- (27) H590 - State Board for Technical and
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Midlands Technical College
Quick Jobs \$ 1,000,000
- (28) H590 - State Board for Technical and
Comprehensive Education
Orangeburg-Calhoun Technical College
Health Sciences Nursing Building \$ 5,000,000
- (29) H590 - State Board for Technical and
Comprehensive Education
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Academic Building \$ 1
- (30) H590 - State Board for Technical and
Comprehensive Education
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Critical Training Equipment \$ 3,500,000
- (31) H590 - State Board for Technical and
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- (32) H590 - State Board for Technical and
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| (33) H590 - State Board for Technical and Comprehensive Education
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| (34) H590 - State Board for Technical and Comprehensive Education
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| (36) H590 - State Board for Technical and Comprehensive Education
Williamsburg Technical College
Science and Technology Building | \$ 3,500,000 |
| (37) H590 - State Board for Technical and Comprehensive Education
York Technical College Health and Human Services Building | \$ 5,600,000 |
| (38) N200 - Law Enforcement Training Council
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Transport Vehicles | \$ 237,870 |
| (39) R440 - Department of Revenue
Tax Processing System (COTS) | \$ 1,854,798 |
| (40) E240 - Office of Adjutant General
Armory Revitalization | \$ 5,000,000 |
| (41) H730 - Vocational Rehabilitation
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(42)	H730 - Vocational Rehabilitation Anderson VR Center Roofing	\$ 112,000
(43)	H730 - Vocational Rehabilitation Beaufort VR Center Roofing	\$ 103,000
(44)	H730 - Vocational Rehabilitation Greenwood VR Center Roofing	\$ 108,000
(45)	H730 - Vocational Rehabilitation Anderson VR Center Parking Lot	\$ 130,000
(46)	H730 - Vocational Rehabilitation Sumter VR Center Roof	\$ 96,000
(47)	H730 - Vocational Rehabilitation Oconee/Pickens Expansion/Roof	\$ 800,000
(48)	J200 - Department of Alcohol and Other Drug Abuse Services Infrastructure Improvements/Substance Abuse Provider System	\$ 3,000,000
(49)	E040 - Office of Lieutenant Governor Software and Technology System Upgrades for Office on Aging	\$ 824,650
(50)	P120 - Forestry Commission Firefighting Equipment	\$ 1,000,000
(51)	P160 - Department of Agriculture Consumer Protection Equipment	\$ 1,000,000
** (52)	<i>P200 - Clemson University-PSA T. Ed Garrison Arena Education/Conference Center</i>	<i>\$ 1,000,000</i>
(53)	D500 - Department of Administration IT Disaster Recovery Plan	\$ 5,595,000

** See note at end.

** (54) P280 - Department of Parks, Recreation and Tourism Parks, Recreational, and Tourism Revitalizations	\$ 6,375,000
(55) P280 - Department of Parks, Recreation and Tourism Welcome Center Rebuild	\$ 4,000,000
(56) R360 - Department of Labor, Licensing and Regulation V-SAFE Program	\$ 500,000
(57) D500 - Department of Administration Capital Complex Security Upgrades	\$ 900,000
** (58) P280 - Department of Parks, Recreation and Tourism State Aquarium	\$ 270,000
** (59) P360 - Patriot's Point Development Authority USS Laffey	<u>\$ 50,000</u> \$ 131,047,796

**Regulation of expenditure of appropriations to the State Board for
Technical and Comprehensive Education**

SECTION 2. Of the funds appropriated above in item (21), Section 1,
to the State Board for Technical and Comprehensive Education for the
Aiken Technical College Life Science Building, up to one million dollars
may be used for college road and entrance/exit improvements which
must be completed before the construction of the building.

** See note at end.

Appropriations not disbursed

SECTION 3. 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.

Posting of appropriations

SECTION 4. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

Time effective

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2015-2016 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the 1976 Code.

Ratified the 2nd day of June, 2016.

Certain items Vetoed by the Governor -- 6/8/2016.

Certain items overridden by House -- 6/15/2016.

Certain items overridden by Senate -- 6/15/2016.

PLEASE NOTE

Text printed in *italic*, boldface indicates sections vetoed by the Governor on June 8, 2016.

****Indicates those vetoes overridden by the General Assembly on June 15, 2016.**

No. 286

(R240, S1166)

A JOINT RESOLUTION TO REQUIRE THE EXECUTIVE DIRECTOR OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO ENTER INTO A LOAN REPAYMENT AGREEMENT ON OUTSTANDING LOANS WITH SOUTH CAROLINA STATE UNIVERSITY, TO PROVIDE THAT IF THE UNIVERSITY MEETS CERTAIN STANDARDS THAT PORTIONS OF THE LOAN MUST BE FORGIVEN, TO PROVIDE PROCESSES TO AID THE FINANCIAL STRUCTURE OF THE UNIVERSITY, TO PROVIDE REPORTING REQUIREMENTS, AND TO EXTEND FLEXIBILITY RELATED TO FURLOUGH PROGRAMS.

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

PART I

Debt Restructuring

South Carolina State University loan repayment agreement

SECTION 1. (A) Pursuant to Proviso 19.2, Part IB, of Act 286 of 2014, South Carolina State University was approved for a loan to be disbursed through a series of scheduled installments. Any funds not disbursed to the university pursuant to the schedule shall be disbursed to the university.

(B)(1) The State Auditor shall review and audit, if necessary, the financial structure and activities of South Carolina State University to ensure sufficient financial and internal controls are in place to protect the financial integrity of the university. A report of findings and recommendations shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office, by December 30, 2016.

(2) In order to assist the State Auditor, provide for the adequate training of university financial staff, and provide for technical assistance to the university board and State Fiscal Accountability Authority, the Executive Director of the State Fiscal Accountability Authority shall engage a third-party accounting consultant to assist the university and the authority in evaluating and promoting the financial integrity of the

university. The university shall reimburse the authority for the actual expenses of the consultant, not to exceed \$150,000 in Fiscal Year 2016-2017.

(C) No later than July 31, 2016, the Executive Director of the State Fiscal Accountability Authority shall enter into a loan repayment agreement with the university for the \$12,000,000 loan referenced in subsection (A). The terms of the agreement shall, at a minimum, include a provision that the loan funds disbursed to South Carolina State University pursuant to Proviso 19.2, Part IB, of Act 286 of 2014, including any associated interest, shall be forgiven at a rate of \$8,000,000 per year beginning in Fiscal Year 2016-17, \$2,000,000 in Fiscal Year 2017-18, and \$2,000,000 in Fiscal Year 2018-19 provided that the university has met the following benchmarks:

(1) For Fiscal Year 2016-17 the university must have attained accreditation status from the Southern Association of Colleges and Schools (SACS); and

(2) For each subsequent fiscal year until the loan is fully forgiven the university must:

(a) maintain such accreditation status;

(b) attain an increase in net financial position as demonstrated by the university's published audited financial statements beginning with Fiscal Year 2016-17 after such adjustments for pension and other liabilities as recommended by the accounting consultant and SACS, until such time as the university has achieved and can maintain a balanced budget and positive net financial position; and

(c) achieve a one percent growth in full-time student enrollment above the prior academic year enrollment.

(D)(1) South Carolina State University must provide a report on a quarterly basis to the House Ways and Means Higher Education and Technical Schools Subcommittee and the Senate Finance Committee that includes, but is not limited to, the status of their fiscal affairs and enrollment growth. The format and contents of this report shall be developed in consultation with and approved by the Commission on Higher Education, which shall cooperatively develop with South Carolina State University reasonable metrics, benchmarks, and the process for measuring such metrics to be included in the quarterly report.

(2) The Commission on Higher Education, by November first of each year, shall certify to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office that the university has met and maintained the required benchmarks each fiscal year.

Repayment schedule

SECTION 2. No later than July 31, 2016, the Executive Director of the State Fiscal Accountability Authority shall enter into a repayment schedule with South Carolina State University to retire the debt incurred by the university pursuant to the April 30, 2014, loan from the Budget and Control Board, succeeded in interest by the State Fiscal Accountability Authority. The repayment terms shall establish installment payments at the rate of \$355,036 annually.

Reprogrammed appropriations for accreditation

SECTION 3. The university board is authorized to reprogram appropriations contained in H. 5001, R 275, Act 284 of 2016, the Fiscal Year 2016-17 Appropriations Act, if the reprogrammed appropriations are directly related to attaining accreditation status from the Southern Association of Colleges and Schools (SACS), including, but not limited to, improving the university's "Unrestricted Net Assets Exclusive of Plant and Plant Related Debt" (UNAEP). The university board may not reprogram funds pursuant to this SECTION for any other purpose. As soon as practicable after making a determination that funds must be reprogrammed, the university board must notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Executive Budget Office, and the State Fiscal Accountability Authority that appropriations will be reprogrammed, the specific purposes for the reprogramming, and the specific appropriations that will be reprogrammed.

PART II**Furlough Authority Extension****South Carolina State University employee furlough program**

SECTION 4. (A) Notwithstanding any other provision of law, beginning in Fiscal Year 2016-2017 and ending Fiscal Year 2021-2022, the agency head of South Carolina State University may institute a mandatory employee furlough program of not more than twenty working days in each fiscal year. The program must meet the requirements provided in subsection (B).

(B) The furlough must be inclusive of all employees of the university or within a designated department or program regardless of source of

funds, place of work, or tenure status, and must include employees in classified positions and unclassified positions in the designated area. A furlough program also may be implemented by pay band for classified employees and by pay rate for unclassified employees. Law enforcement employees, employees who provide direct patient or client care, and front-line employees who deliver direct customer services may be exempted from a mandatory furlough. If the furlough includes the entire university, the furlough must include the agency head. Scheduling of furlough days, or portions of days, shall be at the discretion of the university, but under no circumstances shall the university close completely. If an employee participates in a voluntary furlough program from Fiscal Year 2016-2017 through Fiscal Year 2021-2022, the furlough days taken voluntarily must count toward the furlough days required by the mandatory furlough authorized in this section. During this furlough, affected 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, including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the university will be responsible for making both employer and employee contributions during the time of the furlough 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 the State Employee Grievance Procedure Act. The university 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. The university is encouraged to consult the State Division of Human Resources of the Department of Administration in the development of the furlough plan to ensure that the plan meets the requirements of this section. The university shall report information regarding furloughs to the State Division of Human Resources as requested.

Time effective

SECTION 5. This joint resolution takes effect July 2, 2016.

Ratified the 2nd day of June, 2016.

Approved the 7th day of June, 2016.

No. 287

(R133, H4632)

A JOINT RESOLUTION TO REVISE APPLICABILITY OF CERTAIN STUDENT ASSESSMENT STATUTES FOR THE 2015-2016 SCHOOL YEAR AND 2016-2017 SCHOOL YEAR, AND TO EXEMPT THE STATE DEPARTMENT OF EDUCATION FROM STATE PROCUREMENT LAW FOR CERTAIN ASSESSMENTS IN THE 2015-2016 SCHOOL YEAR.

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

College entrance assessments

SECTION 1. Notwithstanding the provisions of Section 59-18-325, Section 59-18-355, and the South Carolina Consolidated Procurement Code, all public high schools and, where necessary, career centers, shall offer a state-funded college entrance assessment to each student entering the eleventh grade for the first time in school year 2015-2016. The test must be available in both a computer-based format and a paper-based format. Accommodations must be provided in a manner approved by the testing company when students receiving the accommodations subsequently use the results of the assessment to apply to college, or in the manner set forth by the student's individualized education program when the results will not be used to apply to college.

Certain additional assessments prohibited

SECTION 2. Notwithstanding the provisions of Section 59-18-325(C)(3), students must not be required to take additional assessments in the ninth and tenth grade in the 2015-2016 school year above what was offered in the 2014-2015 school year.

Kindergarten assessments, procurements

SECTION 3. Notwithstanding another provision of law, school districts shall administer formative assessments in K4 and K5 during the 2016-2017 school year as those assessments are administered in the 2015-2016 school year. The Department of Education need not issue a procurement for new assessments in Fiscal Year 2015-2016.

Time effective

SECTION 4. This joint resolution takes effect upon approval by the Governor.

Ratified the 26th day of January, 2016.

Approved the 1st day of February, 2016.

No. 288

(R139, H4633)

A JOINT RESOLUTION TO EXTEND THE DATE BY WHICH AN INDEPENDENT SCHOOL MUST APPLY TO BECOME AN ELIGIBLE INSTITUTION FOR PURPOSES OF THE EDUCATIONAL TAX CREDIT FOR EXCEPTIONAL NEEDS CHILDREN UNTIL MAY 1, 2016.

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

Exceptional needs tax credit extension

SECTION 1. Notwithstanding subsection (G), Section 9 of Act 92 of 2015, for purposes of being considered an eligible institution that may receive a contribution from a nonprofit scholarship funding organization or a contribution from an individual as tuition, for which a tax credit is allowed pursuant to subsection (B), Section 9 of Act 92 of 2015, an independent school must apply to the Education Oversight Committee by May 1, 2016.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 11th day of February, 2016.

Approved the 16th day of February, 2016.

No. 289

(R180, S1272)

A JOINT RESOLUTION TO AUTHORIZE THE DEPARTMENT OF EDUCATION TO CARRY FORWARD CERTAIN FUNDS APPROPRIATED IN THE 2015-2016 GENERAL APPROPRIATIONS ACT REGARDING SUPPLEMENTAL SUPPORT OF PROGRAMS AND SERVICES FOR STUDENTS WITH DISABILITIES SO AS TO MEET THE ESTIMATED MAINTENANCE OF EFFORT FOR THE INDIVIDUALS WITH DISABILITIES ACT (IDEA).

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

Carry forward authorization

SECTION 1. Any funds appropriated in Section XII.A.1. Section 1, Part 1A, for Aid to Districts, and dispersed pursuant to Paragraph 1A.34, Section 1A, Part 1B, both of Act 91 of 2015, the 2015-2016 general appropriations act, may be carried forward into Fiscal Year 2016-2017 to be expended in the same manner.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 11th day of May, 2016.

Approved the 16th day of May, 2016.

No. 290

(R209, H5024)

A JOINT RESOLUTION TO REQUIRE THAT BEFORE THE 2016-2017 SCHOOL YEAR, THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE ALL LITERACY COACHES AND LITERACY TEACHERS IN KINDERGARTEN THROUGH THIRD GRADE WITH TRAINING ON DYSLEXIA AND RELATED DISORDERS, INCLUDING EVIDENCE-BASED SCREENINGS, INSTRUCTIONAL METHODS, AND INTERVENTIONS, AMONG OTHER THINGS; AND TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE DEPARTMENT.

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

Dyslexia training for literacy coaches and literacy teachers in kindergarten through third grade

SECTION 1. Before the beginning of the 2016-2017 school year, the State Department of Education shall provide training to all literacy coaches and literacy teachers in kindergarten through grade three on:

(1) dyslexia and related reading disorders and their prevalence, using the internationally accepted definition from the International Dyslexia Association;

(2) the use of evidence-based screening tools for dyslexia and other reading disorders that are age-appropriate and evaluate, as appropriate, the following skills:

- (a) phonological and phonemic awareness;
- (b) sound symbol recognitions;
- (c) alphabet knowledge;
- (d) decoding and encoding skills; and
- (e) rapid naming skills; and

(3) evidence-based, multisensory, instructional methods and interventions designed specifically for students with dyslexia and other reading disorders.

Reporting requirement

SECTION 2. Before October 1, 2016, the State Department of Education shall provide the Senate Education Committee and the House Education and Public Works Committee a report:

(1) describing the specific training used by the department to satisfy the requirements of this joint resolution; and

(2) stating the number and percentage of literacy coaches in kindergarten through grade three and the number and percentage of literacy teachers in kindergarten through grade three who successfully completed the training.

Time effective

SECTION 3. This joint resolution takes effect upon approval by the Governor.

Ratified the 24th day of May, 2016.

Approved the 26th day of May, 2016.

No. 291

(R273, H4938)

A JOINT RESOLUTION TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION AND THE CENTER FOR EDUCATOR RECRUITMENT, RETENTION AND ADVANCEMENT (CERRA), WORKING IN COLLABORATION WITH THE COMMISSION ON HIGHER EDUCATION, SHALL SURVEY SPECIFIED STUDENTS ENROLLED IN THE STATE'S COLLEGES OF EDUCATION, WHICH SHALL INCLUDE QUESTIONS AS TO WHETHER THE STUDENTS HAVE EVER CONSIDERED TEACHING IN A RURAL AND ECONOMICALLY CHALLENGED SCHOOL DISTRICT, WITH

THE RESULTS OF THE SURVEY TO BE REPORTED TO THE GENERAL ASSEMBLY BY DECEMBER 1, 2016; AND TO PROVIDE THAT THE DEPARTMENT, CERRA, AND THE COMMISSION ON HIGHER EDUCATION ALSO SHALL EXPLORE A MEANS OF OBTAINING SIMILAR SURVEY INFORMATION FROM STUDENTS IN OTHER PROGRAMS AS A MEANS OF PLANNING AND PROMOTING TEACHING CAREER INFORMATION AND EMPLOYMENT OPTIONS, WITH A REPORT SUMMARIZING THE RECOMMENDATIONS OF THIS SURVEY TO BE SUBMITTED TO THE GENERAL ASSEMBLY BY FEBRUARY 1, 2017, TO INCLUDE WHETHER THE FOCUS SHOULD BE ON STUDENTS IN THE STATE'S TWO-YEAR AS WELL AS FOUR-YEAR INSTITUTIONS, AND WHETHER IMPROVEMENTS FACILITATING TRANSFER AND ARTICULATION INTO TEACHER EDUCATION PROGRAMS COULD ENHANCE RECRUITMENT INTO THE TEACHING PROFESSION.

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

Student surveys

SECTION 1. The State Department of Education and the Center for Educator Recruitment, Retention and Advancement (CERRA), working in collaboration with the Commission on Higher Education, shall survey students enrolled in the state's colleges of education. This survey shall be administered to those college students who have been fully admitted into their institution's teacher education program. At a minimum, the survey shall include questions inquiring as to whether students have ever considered teaching in a rural and economically challenged district. Students must be asked what incentives, if any, would cause them to move to, and work in, such a district. The State Department of Education and CERRA may include additional questions in the survey as considered useful. Results of the survey must be reported to the General Assembly by December 1, 2016.

Additionally, the Department of Education, CERRA, and the Commission on Higher Education together shall explore a practical and effective means of obtaining similar survey information from students in other programs at the state's institutions of higher learning as a means of planning and promoting teaching career information and employment options and in accordance with the general intentions of Section

13-1-1840 of the 1976 Code. A report summarizing the recommendations for this survey must be submitted to the General Assembly by February 1, 2017, to include whether the focus should be on students in the state's two-year as well as four-year institutions, and whether improvements facilitating transfer and articulation into teacher education programs could enhance recruitment into the teaching profession.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

No. 292

(R243, S1206)

A JOINT RESOLUTION TO DIRECT THE STATE DEPARTMENT OF EDUCATION TO RENAME THE GREENVILLE STATE BUS SHOP ON HALTON ROAD IN GREENVILLE COUNTY TO BE THE "JOE MADDEN BUS CENTER".

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

Center renamed

SECTION 1. Notwithstanding another provision of law, the State Department of Education is directed to rename the Greenville State Bus Shop on Halton Road in Greenville County to be the "Joe Madden Bus Center".

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2016.

Approved the 3rd day of June, 2016.

No. 293

(R190, H5066)

AN ACT TO AMEND ACT 589 OF 1986, AS AMENDED, RELATING TO THE BEAUFORT COUNTY BOARD OF EDUCATION, SO AS TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SUBMIT SIGNED PETITIONS.

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

Candidates for Beaufort County Board of Education to submit statements of candidacy

SECTION 1. Section 1(B) of Act 589 of 1986, as last amended by Act 406 of 2002, is further amended to read:

“(B) Notice of the general election must be published by the Beaufort County Election Commission in a newspaper of general circulation in the districts from which members of the board are elected, and the notice must contain appropriate information concerning the election. The notice must be published not earlier than one hundred fifty days and not later than one hundred twenty days before the date of the election.

(1) To have his name placed on the ballot as a candidate in the general election, a person shall submit to the Beaufort County Board of Voter Registration and Elections a statement of candidacy not later than twelve o’clock noon on August fifteenth or, if August fifteenth falls on a Saturday or Sunday, not later than twelve o’clock noon on the following Monday.

(2) Section 7-13-352 of the 1976 Code, must govern the process of nomination by statement of candidacy and verification of candidates' qualifications for the elections established by this act.”

Time effective

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

Ratified the 17th day of May, 2016.

Approved the 23rd day of May, 2016.

No. 294

(R288, H5279)

AN ACT TO AMEND ACT 340 OF 1967, AS AMENDED, RELATING TO THE CHARLESTON COUNTY SCHOOL DISTRICT, SO AS TO REVISE PROCEDURES CONCERNING THE ANNUAL DISTRICT BUDGET BY PROVIDING THE SCHOOL BOARD SHALL OBTAIN CERTIFICATION OF PROPERTY TAX REVENUE EXPECTED FOR THE BUDGET FROM THE COUNTY AUDITOR BEFORE THE BOARD MAY GIVE THE BUDGET SECOND READING, TO PROVIDE THAT WITHIN SIXTY DAYS FOLLOWING ENACTMENT OF THE ANNUAL STATE BUDGET, THE BOARD SHALL REVIEW AND, IF NEEDED TO AVOID OPERATING WITH A DEFICIT, AMEND THE ANNUAL DISTRICT BUDGET TO REFLECT FUNDS ACTUALLY APPROPRIATED BY THE GENERAL ASSEMBLY, TO PROVIDE THAT BEFORE JANUARY FIRST ANNUALLY THE BOARD SHALL REVIEW THE STATUS OF ITS FISCAL YEAR REVENUES AND EXPENDITURES TO DETERMINE THE EXTENT TO WHICH, IF ANY, THE DISTRICT IS OPERATING WITH A DEFICIT, AND TO PROVIDE IF THE DISTRICT DETERMINES THAT IT IS OPERATING WITH A DEFICIT, IT MUST AMEND ITS BUDGET TO ELIMINATE THE DEFICIT WITHIN SIXTY DAYS; AND TO PROVIDE THAT BEFORE THE CHARLESTON COUNTY SCHOOL DISTRICT BOARD MAY VOTE ON THE

CLOSURE OF A SCHOOL IN THE DISTRICT, IT SHALL HOLD A PUBLIC HEARING ON THE PROPOSED CLOSURE, PROVIDE ITS REASONS FOR PROPOSING THE SCHOOL CLOSURE, AND ALLOW PUBLIC INPUT ON THE PROPOSED CLOSURE.

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

Review and adjustments to address budget deficits

SECTION 1. Section 10 of Act 340 of 1967, as last amended by Act 1602 of 1972, is further amended to read:

“Section 10. (A) The Board of Trustees of the Charleston School District shall prepare and submit to the Charleston County Legislative Delegation, as information, on or before the fifteenth day of August of each year beginning in 1968, a proposed budget for the ensuing school year. Before the board may give its proposed annual district budget second reading, it first shall obtain from the county auditor certification of property tax revenue that the district is expected to receive for the budget. Within sixty days following enactment of the annual state budget, the board shall review and, if needed for the district to avoid operating with a deficit, amend the annual district budget to reflect funds actually appropriated by the General Assembly. Before January first annually, the board shall review the status of its fiscal year revenues and expenditures to determine the extent to which, if any, the district is operating with a deficit. If the district determines that it is operating with a deficit, it must amend its budget to eliminate the deficit and maintain a balanced budget within sixty days.

(B) In order to obtain funds for school purposes, the board is authorized to impose an annual tax levy, commencing in 1968, not to exceed ninety mills, exclusive of any millage imposed for bond debt service. In the event the board determines that the annual tax levy should exceed ninety mills, the board shall hold a public hearing on the question at least two weeks prior to submitting such request to the legislative delegation. Notice of such public hearing shall be advertised in a newspaper of general circulation in the county, and shall state the date, time, and place of the hearing as well as a clearly worded statement of the requested annual tax levy. Upon certification by the board to the county auditor of the tax levy to be imposed, the auditor shall levy and the county treasurer shall collect the millage so certified upon all taxable property in the district.”

Public hearings before school closure votes

SECTION 2. Prior to any vote by the Charleston School District on the closure of any school in the district, the Board of Trustees of the Charleston School District must hold a public hearing on the proposed school closure at the school under consideration for closure. At this public hearing the board of trustees must provide its reasons for proposing the school closure and must allow for public input into the proposed school closure.

Severability

SECTION 3. If any section, subsection, item, subitem, 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 section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

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

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

No. 295

(R249, S1297)

**AN ACT TO AMEND ACT 185 OF 1999, RELATING TO PER
DIEM PAYMENTS FOR MEMBERS OF THE BOARD OF THE**

CHESTERFIELD COUNTY SCHOOL DISTRICT, TO PROVIDE THAT THE BOARD MAY ADJUST THE AMOUNT OF THE PER DIEM PAYMENTS AND TO PROVIDE FOR THE EFFECTIVE DATE OF THE ADJUSTED RATES.

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

Chesterfield County School District per diem payments to board members

SECTION 1. SECTION 1 of Act 185 of 1999 is amended to read:

“SECTION 1. Notwithstanding any other provision of law, effective July 1, 1999, and thereafter, members of the Board of the Chesterfield County School District shall receive per diem payments of seventy-five dollars for each board meeting attended, with the chairman receiving one hundred dollars per meeting, plus mileage to and from these meetings as authorized by law for members of state boards, committees, and commissions. The board, by resolution, may adjust the amount of the per diem payments as provided pursuant to this section; however, any adjustments adopted by the board must not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the resolution, at which time it is effective for all members whether or not they were elected in that election.”

Time effective

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

Ratified the 2nd day of June, 2016.

Vetoed by the Governor -- 6/6/2016.

Veto overridden by Senate -- 6/15/2016.

Veto overridden by House -- 6/15/2016.

No. 296

(R169, S985)

AN ACT TO AMEND SECTION 4 OF ACT 250 OF 1991, AS AMENDED, RELATING TO ELECTIONS FOR MEMBERS OF THE BOARD OF TRUSTEES FOR FLORENCE COUNTY SCHOOL DISTRICT FIVE, TO PROVIDE THAT THE FLORENCE COUNTY ELECTION COMMISSION SHALL CONDUCT THE ELECTIONS, TO PROVIDE THAT THE ELECTIONS SHALL OCCUR ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EACH YEAR, AND TO PROVIDE FOR THE LOCATIONS WHERE THE ELECTION COMMISSION SHALL CONDUCT THE ELECTION.

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

Conduct of elections, Florence County School District Five

SECTION 1. Section 4 of Act 250 of 1991, as last amended by Act 168 of 1995, is further amended to read:

“Section 4. Elections for trustees for School District 5 shall be held on the first Tuesday after the first Monday in November of each year. The election shall be conducted by the Florence County Election Commission. A notice of the filing shall be advertised in a newspaper of general circulation in the school district. The advertisement shall state the purpose of the election, the method for filing statements of candidacy, dates of the opening and closing of the filing period, place of filing, and the voting places for the election.

The election commission shall conduct the election at the Johnsonville High School, Kingsburg Masonic Lodge, Prospect-Vox Fire Station Two, and the Vox Community Center within the district. Such election shall be conducted in accordance with the general law regulating general elections in this State. The election commission shall rule on any irregularity in the election. Each seat of trustee in School District 5 shall constitute a separate seat and shall be numbered separately beginning with the number one through the number seven, and no person shall be declared elected unless he receives a majority of the votes cast in the election for the seat for which he is a candidate. In case no such candidate receives a majority of the votes cast in the election for such seat, a second

election between the two receiving the highest number of votes who do not withdraw shall be held within thirty days after the first election. Provided, that if only one candidate remains, he shall be declared elected. Notice thereof shall be advertised at least one week prior thereto and shall be conducted in like manner as the first election by the county election commission.

The initial election for Seat 1 shall be filled from single-member District 1 in 1994.

The initial election for Seat 2 shall be filled from single-member District 2 in 1992.

The initial election for Seat 3 shall be filled from single-member District 3 in 1993.

The initial election for Seat 4 shall be filled from single-member District 4 in 1994.

The initial election for Seat 5 shall be filled by an at-large election in 1992.

The initial election for Seat 6 shall be filled by an at-large election in 1993.

The initial election for Seat 7 shall be filled by an at-large election in 1994.

All trustees shall serve three-year terms.

Any member serving as trustee on the effective date of this act, whose term expires before the initial elections are to be held to fill such seats, shall continue to serve until elections are held and a trustee is elected and qualified.”

Time effective

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

Ratified the 26th day of April, 2016.

Approved the 29th day of April, 2016.

No. 297

(R179, S1238)

AN ACT TO AMEND ACT 806 OF 1952, AS AMENDED, RELATING TO THE ANNUAL BUDGET FOR FLORENCE COUNTY SCHOOL DISTRICT TWO, SO AS TO ONLY REQUIRE A SEPARATE MEETING OF THE CITIZENS IF THE PROPOSED BUDGET REQUIRES A MILLAGE INCREASE.

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

Florence County School District Two annual budget

SECTION 1. Section 1 of Act 806 of 1952, as last amended by Act 83 of 2011, is further amended to read:

“Section 1. (A) On or before the fifteenth day of May, 1952, and on or before the fifteenth day of April of each year thereafter, the board of trustees of each school district in Florence County, except District 4 which shall meet on the second Thursday in June, shall call a meeting of the citizens of the district, which must be held within the school district. The time and place of the meeting must be advertised in a newspaper of general circulation within the district at least once, ten days prior to the meeting. The persons entitled to vote at the meeting have power to appoint a chairman and a secretary and to adjourn the meeting from time to time until business is completed. It is the duty of the chairman of the meeting to keep a correct record of all of the proceedings and to file the same in the office of the county board of education.

(B)(1) In addition to the citizens’ meeting provided in subsection (A), in any year in which the proposed budget for Florence County School District 2 for the upcoming fiscal year requires a millage increase, the board of trustees shall call a separate meeting of the citizens of the district on the proposed millage increase for the next fiscal year, which must be held before June thirtieth of each year. The citizens’ meetings must be held within the school district, and the time and place of the meetings must be advertised in a newspaper of general circulation within the district at least once, ten days before the meetings. The advertisement must include the current year’s millage, the proposed millage, and the amount of the millage increase. The millage increase only may be adopted by a majority vote of the qualified electors present at the meeting. The tax millage levied must maintain at least the level

of per pupil financial effort established in the previous year. The chairman shall keep a correct record of all proceedings and file the records of the proceedings with the district board of trustees.

(2) In any year in which the proposed budget for the upcoming fiscal year does not require a millage increase, the provisions of Section 2 and the provisions of item (1) do not apply except that the tax millage levied must maintain at least the level of per pupil financial effort established in the previous fiscal year. If the provisions of item (1) do not apply, the proposed budget must be posted on the Internet website maintained by the district at least ten days before its adoption.”

Time effective

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

Ratified the 11th day of May, 2016.

Approved the 16th day of May, 2016.

No. 298

(R291, H5367)

AN ACT TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO ADD THE “NORTHERN GREENVILLE” AREA OF GREENVILLE COUNTY TO REWA’S SERVICE TERRITORY, TO EXPRESS THE GENERAL ASSEMBLY’S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA’S AMENDED BOUNDARY LINES ARE DELINEATED, AND TO PROVIDE THAT NO RESIDENTIAL OR COMMERCIAL ENTITY LOCATED WITHIN THE “NORTHERN GREENVILLE” EXTENDED TERRITORY IS REQUIRED TO TAP INTO THE SERVICES PROVIDED BY REWA UNLESS THE ENTITY DOES SO VOLUNTARILY OR HAS NO OTHER DHEC-APPROVED METHOD FOR DISPOSAL.

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

Renewable Water Resources expanded service territory

SECTION 1. Act 745 of 1967, as last amended by Act 195 of 1999, is further amended by adding:

“Section 2.7. Notwithstanding another provision of law, the boundary lines that define the service territory of the Renewable Water Resources are hereby expanded so as to include an area labeled the ‘Northern Greenville’ area of Greenville County, which is shown on a map filed with the Renewable Water Resources Commission as provided and maintained by the Revenue and Fiscal Affairs Office and designated as document ‘ReWa Service Area - 2016A’. The General Assembly intends for this document to serve as the document of record delineating the service territory of the Renewable Water Resources. No residential or commercial entity in the ‘Northern Greenville’ extended territory is required to tap into the services provided by the Renewable Water Resources unless the residential or commercial entity voluntarily seeks such access or has no other DHEC-approved method for disposal.”

Time effective

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

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

No. 299

(R248, S1296)

AN ACT TO PROVIDE THE KERSHAW COUNTY TRANSPORTATION COMMITTEE SHALL BE COMPRISED OF SEVEN MEMBERS; AND TO PROVIDE MEMBERS SHALL SERVE TERMS OF FOUR YEARS, EXCEPT THAT ON THE EFFECTIVE DATE OF THIS ACT MEMBERS SHALL SERVE

**INITIAL TERMS THAT ARE STAGGERED IN TWO, THREE,
AND FOUR-YEAR INTERVALS.**

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

Kershaw County Transportation Committee composition

SECTION 1. The Kershaw County Transportation Committee shall be comprised of seven members.

Kershaw County Transportation Committee terms

SECTION 2. On the effective date of this act, two members of the committee shall serve an initial term of two years, two members of the committee shall serve an initial term of three years, and three members of the committee shall serve an initial term of four years. Upon the expiration of each initial term, members of the Kershaw County Transportation Committee shall serve terms of four years. Terms shall expire on December thirty-first. A member of the Kershaw County Transportation Committee whose term has expired may continue to serve until he is reappointed or his successor is appointed.

Time effective

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

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

No. 300

(R176, S863)

**AN ACT TO AMEND ACT 613 OF 1986, AS AMENDED,
RELATING TO SCHOOL DISTRICTS IN RICHLAND COUNTY,
SO AS TO REAPPORTION THE FOUR SINGLE-MEMBER
ELECTION DISTRICTS FROM WHICH THE TRUSTEES OF
RICHLAND COUNTY SCHOOL DISTRICT ONE ARE**

ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

Richland County School District One Reapportioned

SECTION 1. Act 613 of 1986 is amended by adding Section 2A to read:

“Section 2A. (1) In Richland County School District One, one trustee must be elected from each of the four defined single-member election districts established in this section and three trustees must be elected from the district at large. In 1986 and every four years thereafter, successors to the three members of the board whose terms expire in 1986 must be elected from election districts 1 and 3 respectively and one member must be elected at large. In 1988 and every four years thereafter, successors to the four members of the board whose terms expire in 1988 must be elected from election districts 2 and 4 respectively and two members must be elected at large.

(2) Notwithstanding another provision of law or of this act, beginning with the 2016 school district elections, the four defined single-member election districts from which one member of the board of trustees of Richland County School District One must be elected are as shown on the Richland County School District One map S-79-01-16 as prepared and maintained by the Revenue and Fiscal Affairs Office. The Revenue and Fiscal Affairs Office shall provide a certified copy of the map to the school district and the Richland County Board of Voter Registration and Elections. The official map must not be changed except by an act of the General Assembly or by a court of competent jurisdiction.

(3) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_Wht	%NH_Wht	NH_Bl	%NH_Bl
1	49,727	-655	-1.30%	12,331	24.80%	34,487	69.35%
2	50,565	183	0.36%	15,750	31.15%	32,654	64.58%
3	52,394	2,012	3.99%	37,387	71.36%	11,054	21.10%
4	48,842	-1,540	-3.06%	18,764	38.42%	27,129	55.54%
Total	201,528			84,232	41.80%	105,324	52.26%

District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	39,949	11,310	28.31%	26,549	66.46%	2,909	2,090
2	39,587	13,647	34.47%	24,374	61.57%	2,161	1,566
3	42,814	31,706	74.06%	8,008	18.70%	3,953	3,100
4	39,517	17,047	43.14%	20,171	51.04%	2,949	2,299
Total	161,867	73,710		79,102		11,972	9,055"

Richland County School District One exterior boundaries unchanged

SECTION 2. Notwithstanding another provision of law, the map referenced in this act alters only the boundaries of the single-member election districts that compose Richland County School District One. It does not alter the exterior boundaries of Richland County School District One.

Time effective

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

Ratified the 11th day of May, 2016.

Approved the 12th day of May, 2016.

No. 301

(R152, H4787)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HORSE MEAT AND KANGAROO MEAT; FAIRS, CAMP MEETINGS, AND OTHER GATHERINGS; CAMPS; MOBILE/MANUFACTURED HOME PARKS; SANITATION OF SCHOOLS; AND NUISANCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4552, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Department of Health and Environmental Control, regulations approved

SECTION 1. The regulations of the Department of Health and Environmental Control, relating to Horse Meat and Kangaroo Meat; Fairs, Camp Meetings, and Other Gatherings; Camps; Mobile/Manufactured Home Parks; Sanitation of Schools; and Nuisances, designated as Regulation Document Number 4552, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 10th day of March, 2016.

Became law without the signature of the Governor -- 3/16/16.

No. 302

(R187, H4786)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE GOVERNOR, RELATING TO LOCAL EMERGENCY PREPAREDNESS STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4563, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Office of the Governor, regulations approved

SECTION 1. The regulations of the Office of the Governor, relating to Local Emergency Preparedness Standards, designated as Regulation Document Number 4563, and submitted to the General Assembly

pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 17th day of May, 2016.

Became law without the signature of the Governor -- 5/23/2016.

No. 303

(R290, H5364)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT TRUST FUND SOLVENCY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4645, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Department of Employment and Workforce, regulations approved

SECTION 1. The regulations of the Department of Employment and Workforce, relating to Unemployment Trust Fund Solvency, designated as Regulation Document Number 4645, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2016.

Became law without the signature of the Governor -- 6/8/2016.

No. 304

(R296, S1065)

A JOINT RESOLUTION TO CLARIFY THAT SECTION 58-7-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, DOES NOT APPLY TO A PRIVATE, FOR-PROFIT PIPELINE COMPANY, INCLUDING A PUBLICLY TRADED FOR-PROFIT COMPANY THAT IS NOT A PUBLIC UTILITY AS DEFINED BY TITLE 58; AND TO CREATE THE PETROLEUM PIPELINE STUDY COMMITTEE TO STUDY MATTERS RELATED TO THE PRESENCE OF PETROLEUM PIPELINES IN SOUTH CAROLINA, AND FOR THE STUDY COMMITTEE TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY BY JUNE 30, 2017, AND TO CONTINUE ITS WORK UNTIL DECEMBER 31, 2017, IF THE JUNE REPORT DETERMINES FURTHER WORK IS NEEDED.

Whereas, petroleum and petroleum products are a national commodity, yet are commodities that may pose a threat to the property and health of South Carolinians if not properly transported or stored; and

Whereas, questions have recently arisen regarding petroleum pipeline siting in South Carolina, as well as questions regarding responsibility for monitoring and for inspecting these pipelines; and

Whereas, the General Assembly recognizes the importance of economic development in this State, yet recognizes there must be a balance between economic development and the protection of the health, safety, welfare, and property of this state's citizens; and

Whereas, the General Assembly also recognizes the importance of, and intends to defend, the rights of private property owners within this State, rights which have been established within the South Carolina Constitution, the laws of this State, and case law; and

Whereas, the South Carolina Attorney General's Office issued an opinion on July 1, 2015, which states there is "substantial doubt" that Section 58-7-10 intended to extend the public power of eminent domain to any private petroleum or oil pipeline company pipeline that is not defined in, or otherwise outside of the regulatory scope of, Title 58; and

Whereas, the General Assembly does not find that a private, for-profit pipeline company, which includes a publicly traded for-profit company, that is not defined as a "public utility" in Title 58 meets the current "public use" requirement for purposes of eminent domain; and

Whereas, natural gas and petroleum companies utilize pipelines as a method to transport their respective products and both types of companies are primarily regulated by federal law; however, due to the differences in the products these companies provide, the federal government has differing statutory and regulatory provisions for natural gas and petroleum companies, and the majority of the states differentiate between natural gas and petroleum companies, including South Carolina; and

Whereas, unlike other companies that utilize pipelines that are defined in Title 58 as a public utility, such as natural gas companies and water companies, petroleum companies are not defined in Title 58 as a public utility; and

Whereas, the General Assembly finds that Section 58-7-10 was not intended to confer the right of eminent domain to a private, for-profit company, including a publicly traded for-profit company, that is not defined as a "public utility" in Title 58; and

Whereas, a recent pipeline leak of over 300,000 gallons of petroleum product near Belton, South Carolina, has demonstrated the risks inherent in pipeline transportation of refined petroleum products; and

Whereas, the cleanup of refined petroleum products from soil and groundwater is an expensive, imperfect, and time consuming process; and

Whereas, the financial and technical abilities of the party responsible for the cleanup of any refined petroleum products released from a pipeline

are critical to ensure that the responsibility for the cleanup is not imposed upon the citizens of South Carolina; and

Whereas, it is the duty of the General Assembly to establish the policy for the authorization of use for eminent domain and to provide statutory processes and procedures to balance the interests of the state's health, safety, welfare, and property of this state's citizens without unnecessarily impeding or discouraging economic development; and

Whereas, it is the duty of the General Assembly to address any potential expansion of the use of eminent domain authority in this State in a meaningful and deliberative manner. Now, therefore,

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

Petroleum Pipeline Study Committee created

SECTION 1. (A) There is created the Petroleum Pipeline Study Committee to study matters related to the presence of petroleum pipelines in South Carolina, including, but not limited to:

- (1) the various types of petroleum products and by-products that are transported by a pipeline;
- (2) the federal requirements for petroleum pipeline siting and monitoring;
- (3) the state's responsibilities as to the regulation of petroleum pipeline siting and monitoring;
- (4) the possible environmental implications from a petroleum pipeline;
- (5) the potential economic development implications for South Carolina resulting from a petroleum pipeline located in this State;
- (6) whether other states permit petroleum pipeline companies to exercise eminent domain, and if so, under what circumstances;
- (7) whether a bonding requirement can and should be imposed as a prerequisite for any private company seeking to install a petroleum pipeline in South Carolina.

(B) The study committee must be composed of:

- (1) three members of the House of Representatives appointed by the Speaker of the House of Representatives;
- (2) three members of the Senate appointed by the Chairman of the Senate Judiciary Committee;
- (3) the Director of the Department of Health and Environmental Control, or his designee;

(4) the Executive Director of the Office of Regulatory Staff, or his designee;

(5) one member representing environmental or conservation organizations, appointed by the Governor; and

(6) one member representing the South Carolina Petroleum Council, appointed by the Governor.

The Speaker of the House of Representatives and the Chairman of the Senate Judiciary Committee shall provide appropriate staffing for this study committee.

(C) The study committee shall prepare a report for the General Assembly that sets forth findings and recommendations regarding matters related to the presence of petroleum pipelines in South Carolina, and provide its report to the General Assembly by June 30, 2017, at which time the study committee may dissolve. However, if the report contains findings or a recommendation that further work is needed, the study committee may continue its work until December 31, 2017, at which time the study committee must be dissolved.

Time effective

SECTION 2. This joint resolution shall take effect upon approval by the Governor.

Ratified the 6th day of June, 2016.

Approved the 9th day of June, 2016.

No. 305

(R308, H4391)

AN ACT TO CREATE THE “BRAIN TISSUE DONOR STUDY COMMITTEE” TO PROVIDE A PROCESS AND PROCEDURE FOR CITIZENS OF THIS STATE TO DONATE THEIR BRAIN TISSUE UPON THEIR DEATH FOR RESEARCH AND EDUCATION, TO PROVIDE FOR MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL

ASSEMBLY, AND TO INCLUDE A SUNSET PROVISION FOR THE STUDY COMMITTEE.

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

Brain Tissue Donor Study Committee

SECTION 1. There is created the Brain Tissue Donor Study Committee charged with providing a process and procedure for citizens of this State to designate that upon his or her death, the person's brain tissue be donated for the purpose of research and education. Membership of the study committee shall be comprised of seven members as follows:

- (1) one researcher from Clemson University
- (2) one researcher from the University of South Carolina
- (3) one researcher from the Medical University of South Carolina
- (4) one representative from the SC Department of Motor Vehicles
- (5) one representative from Donate Life South Carolina
- (6) one representative from LifePoint, Inc.
- (7) one representative from the National Alliance on Mental Illness South Carolina.

Staff from the Senate and the House of Representatives shall assist the study committee. The study committee shall provide a report to the General Assembly by December 31, 2016, at which time the study committee shall dissolve. Members of the study committee shall serve without mileage, per diem, or subsistence.

Time effective

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

Ratified the 17th day of June, 2016.

Approved the 22nd day of June, 2016.

No. 306

(R135, S1008)

A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 7A AND 19 OF THE CODE OF LAWS OF SOUTH

**CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS,
AS THE ONLY GENERAL PERMANENT STATUTORY LAW
OF THE STATE AS OF JANUARY 1, 2016.**

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

Revised code volumes, authorization

SECTION 1. (A) Section 2-13-90 of the 1976 Code authorizes the Legislative Council and the Code Commissioner to contract to be prepared and published under their supervision and direction revised volumes of the Code of Laws.

(B) The Legislative Council and the Code Commissioner have determined that Volumes 7A and 19 are appropriate for revision.

(C) Section 2-13-90 of the 1976 Code also provides that the revised volumes must be submitted to the General Assembly for its consideration.

Revised code volumes, adopted

SECTION 2. (A) Revised Volume 7A containing Title 16, Code of Laws of South Carolina, 1976, is substituted for original Volume 7A which contained Title 16.

(B) Revised Volume 19 containing Title 58, Code of Laws of South Carolina, 1976, is substituted for original Volume 19 which contained Title 58.

(C) Revised Volumes 7A and 19 are adopted as part of the Code of Laws and, to the extent of their contents, are the only general permanent statutory law of the State as of January 1, 2016.

Time effective

SECTION 3. This joint resolution takes effect upon approval by the Governor.

Ratified the 11th day of February, 2016.

Approved the 16th day of February, 2016.

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August 28, 2015 - July 22, 2016

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The regulations contained in this index have been filed in the office of the Legislative Council and processed in accordance with the provisions of Article 1, Chapter 23, Title 1, *Code of Laws of South Carolina, 1976*, and became effective August 28, 2015 through July 22, 2016.

The texts of all regulations listed in this index have been published in the volume and issue of the *South Carolina State Register* noted opposite each entry and are available on the South Carolina General Assembly Home Page: www.scstatehouse.gov. If you do not have access to the Internet, the regulations are available for public inspection in the office of the promulgating agency, the Legislative Council, the State Library and the Department of Archives and History.

An explanation of abbreviations opposite regulations contained in this index, e.g. "SR40-1", means *South Carolina State Register*, Volume 40, Issue 1. Page numbers can be determined from the table of contents in the issue concerned. The number in parenthesis is the filing Document Number.

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