

AGENCY NAME:	Legislative Council of the South Carolina General Assembly		
AGENCY CODE:	A15	SECTION:	

**Fiscal Year 2016-2017
Accountability Report**

SUBMISSION FORM

AGENCY MISSION

The mission of the Legislative Council is to provide high quality bill drafting and legal services to the General Assembly on a timely basis in compliance with the highest ethical standards and to accurately publish enactments of the General Assembly in codified form for use by government, the courts, and the general public.

AGENCY VISION

To continuously strive to improve our processes relating to the provision of high quality bill drafting and legal services to the General Assembly on a timely basis in compliance with the highest ethical standards and the accurate publishing of enactments of the General Assembly in codified form for use by government, the courts, and the general public.

Please select yes or no if the agency has any major or minor (internal or external) recommendations that would allow the agency to operate more effectively and efficiently.

RESTRUCTURING RECOMMENDATIONS:	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please identify your agency's preferred contacts for this year's accountability report.

	<i>Name</i>	<i>Phone</i>	<i>Email</i>
PRIMARY CONTACT:	James H. Harrison	803-212-4500	jimharrison@scstatehouse.gov
SECONDARY CONTACT:	W. Andrew Beeson	803-212-4500	andybeeson@scstatehouse.gov

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I have reviewed and approved the enclosed FY 2016-2017 Accountability Report, which is complete and accurate to the extent of my knowledge.

**AGENCY DIRECTOR
(SIGN AND DATE):**

 09/08/17

**(TYPE OR PRINT
NAME):**

James H. Harrison, Code Commissioner and Director

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AGENCY'S DISCUSSION AND ANALYSIS

DISCUSSION AND ANALYSIS

A. Introduction

In 2016-2017, Legislative Council successfully met the challenge of producing a quantity of legislation that surpassed any levels of the past decade, a feat made more impressive by the fact that the General Assembly shortened the 2017 legislative session by three weeks. Despite having an increased workload and shortened session, we maintained high levels of efficiency and effectiveness throughout our operations. We attribute this ongoing success to efficiency measures and succession planning undertaken by our agency in recent years, and believe similar efforts will enable to us to continue improving our services while meeting potentially greater demands.

Although we directly serve only the General Assembly, our work indirectly advances Statewide Enterprise Strategic Objectives because our office drafts legislation related to them. In 2016-2017, our research and drafting services were instrumental in furthering major legislative efforts regarding highway funding, public pension solvency, public education reform, and opioid abuse.

B. Performance measures

The fluid nature of the legislative process and the multitude of events and interests that drive legislative actions make it impossible to render a meaningful projection of the volume of research, drafting, and act preparation that our agency will undertake each year. Consequently, we must prepare to respond to wide fluctuations in our workflow while maintaining the highest standards of quality and responsiveness.

Given the varying complexity of research and drafting requests received by our agency, measuring the precise time taken to prepare each bill or the page length of a bill does not provide a complete picture of our work, although it does indicate how our staff must manage thousands of such requests each year. We subjectively measure our efficiency in handling these requests by making each drafting attorney responsible for the timely production of bills to which he or she has been assigned, and holding the attorney accountable for content quality and delivery efficiency.

The ultimate measure of our success comes from the feedback we receive from legislators and legislative staff, which is overwhelmingly positive. We promptly and directly address any negative feedback, which we value as a tool in our efforts to continuously improve our performance.

C. Legislation

During the 2017 session, Legislative Council produced 2,123 bills and resolutions. This number represents an increase of approximately thirty percent over the amount produced in 2016. We ratified and enrolled 126 acts in 2017, approximately the same number processed in 2016. In addition to preparing legislation and processing acts, we prepared 1,397 amendments for the General Assembly.

In total, Legislative Council produced 3,646 bills, resolutions, acts, and amendments during the 2017 legislative session. This number represents an increase of almost thirteen percent above the 3,235 bills, resolutions, acts,

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and amendments we produced in 2016 and an eighteen percent increase above our 2015 output of 3,102. Managing this substantial increase in overall production is particularly noteworthy given that it was accomplished in a shortened legislative session while maintaining the quality of the products.

D. Regulations

Legislative Council processed 165 regulations and necessary related documents totaling 982 pages during the 2017 session, while accommodating the changing landscape that rulemaking agencies faced from the impact of the shortened legislative session on the General Assembly’s statutorily provided 120-day review period for submitted regulations.

In the course of processing these regulations, our agency provides a substantial amount of information and advice to the state agencies that promulgate regulations. Many of these agencies do not promulgate regulations frequently enough for their staffs to develop expertise in the promulgation process, so they often must rely heavily on our highly experienced staff to help navigate this complex and critically-important lawmaking process.

E. Research

Another major function of our agency is the processing of research requests by our research office and staff attorneys.

We recorded approximately 1,521 research requests in 2017, a slight decrease from the 2016 session in which we experienced increases of nearly thirty-two percent above our 2015 levels and fifty-eight percent over our 2014 levels. These numbers do not capture all of the research requests handled by Legislative Council because many are received and fulfilled by our research staff and our staff attorneys so rapidly during the hectic course of a legislative day that time does not reasonably permit recording them all.

F. Codification

Although the most visible part of our work occurs during the legislative session, Legislative Council works throughout the year on the production of the updated South Carolina Code of Laws to reflect all legislative enactments from the previous session. Our Deputy Director works closely with the Director of Drafting and Publication Services and our proofreaders to have all acts proofread a second time, correct errors within the scope of our authority, and produce related publications as required by law. In addition, our Research Director is currently in training to assist with Code production. In keeping with our goals of working to ensure that the essential responsibilities of the Legislative Council are professionally and proficiently accomplished, we have undertaken the task of this cross-training measure.

Our Deputy Director also oversees the annual replacement of two volumes of the Code, working with our Research Director, other staff attorneys, and our proofreading team to review text and catchlines of the Code to ensure these replacement volumes are as accurate and error free as possible. This process results in a cost savings to our office and makes growing volumes of the Code more manageable for our users. In addition, our Deputy Director works closely with our editor at Thomson Reuters Publishing to explore other cost-saving and time-saving measures. This year, the Code should be updated online and in print significantly earlier than past years, possibly by as much as three months earlier.

Coordination and communication with our editor at Thomson Reuters is ongoing and constant as we work to produce the updated Code each year in a timely manner, mindful of Thomson Reuters’s production and shipping

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schedule and the goal of providing Code supplements and replacement volumes as quickly as possible without compromising quality. Although intensive and time-consuming, this process is essential to our agency's core mission.

Again this year, our agency was able to improve the online Code product this year by updating it during session with acts passed through mid-March. In addition, the online Code will be finally updated in fall of this year rather than January as has been the practice in the past. Expediting the online updating of the Code has involved cooperation with the Legislative Council staff, the Legislative Services Agency, and Thomson Reuters. Additionally, more information continues to be provided online for the benefit of our users. Code text, numbering, history, and Effect of Amendments, Editor's and Code Commissioner's notes are now provided.

G. Succession planning and cross-training

Legislative Council enjoyed the benefits of past succession planning and cross-training efforts during the 2017 session.

Cross-training a member of our research staff to handle basic business functions such as payroll management and human resources proved invaluable when our office manager took maternity leave. Another member of our research team is being trained to assist the Deputy Director with the codification process. In anticipation of the retirements of senior staff working in publication services and office administration, among others, other staff members have been identified to assume responsibilities in these areas and are being trained accordingly.

H. Risk assessment and mitigation strategies

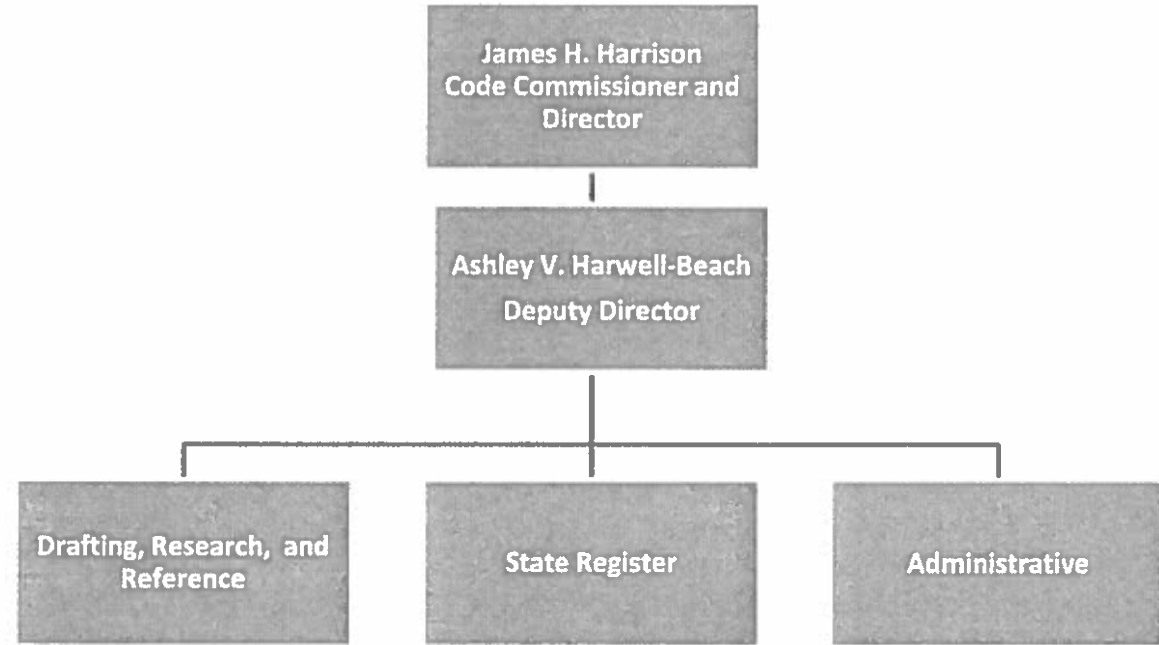
The agency exists to support the General Assembly and does not provide anything other than incidental services directly to the public. The public is affected by our office to the extent the General Assembly relies on our legal advice and drafting in the furtherance of its legislation actions.

I. Restructuring Recommendations

This section is not applicable to our agency.

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J. Organizational Chart



K. Overarching goal for 2017-2018

Looking to 2017-2018, Legislative Council intends to maintain our steadfast commitment to continuously improving our ability to provide our services with exceptional quality. We also intend to continue modernizing our administrative functions and cultivating our talented staff for future opportunities for growth and enrichment to ensure a bright future for our agency.

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Strategic Planning Template

Type	Goal	Item # Strat	Object	Associated Enterprise Objective	Description
G	1			Government and Citizens	Provide the General Assembly with quality research, reference, and drafting services
S		1.1			Refine process for responding to research requests
<i>O</i>			<i>1.1.1</i>		<i>Expanded research staff to increase processing speed and content quality</i>
<i>O</i>			<i>1.1.2</i>		<i>Increased use of NCSL and other resources available to State legislative offices</i>
<i>O</i>			<i>1.1.3</i>		<i>Provide research staff with relevant, timely training at NCSL conference</i>
S		1.2			Improve the quality and efficiency of bill, resolution, and amendment drafting and act preparation
<i>O</i>			<i>1.2.1</i>		<i>Mentor newer staff attorneys to develop research, drafting, and counseling skills</i>
<i>O</i>			<i>1.2.2</i>		<i>Train all staff in best practices for bill, resolution, and amendment intake and drafting and act ma</i>
<i>O</i>			<i>1.2.3</i>		<i>Add session employee specifically to draft resolutions</i>
<i>O</i>			<i>1.2.4</i>		<i>Reorganize workspaces to improve logistics of workflow</i>
<i>O</i>			<i>1.2.5</i>		<i>Continue to train one staff member to manage and monitor flow of acts</i>
G	2			Government and Citizens	Compile, publish, and distribute the South Carolina Code and the State Register
S		2.1			Improve efficiency in updating Code supplements
<i>O</i>			<i>2.1.1</i>		<i>Work with Thomson Reuters to update the Code during session</i>
<i>O</i>			<i>2.1.2</i>		<i>Work with Thomson Reuters to finalize annual Code supplements more quickly</i>
<i>O</i>			<i>2.1.3</i>		<i>Work with LSA to update Code available to internal and external users more quickly</i>
S		2.2			Improve efficiency in processing regulations submitted for General Assembly review
<i>O</i>			<i>2.2.1</i>		<i>Cross-train employee to back-up Editor of the State Register</i>
<i>O</i>			<i>2.2.2</i>		<i>Train staff attorney to provide legal advice on matters concerning the State Register</i>
<i>O</i>					
G	3			Education, Training, and Human Development	Assist with Legislative initiative to review education statutes for obsolete provisions
S		3.1			Attend committee review meetings to identify obsolete, conflicting, and duplicative provisions
<i>O</i>			<i>3.1.1</i>		<i>Attend committee review meetings to identify obsolete, conflicting, and duplicative provisions</i>
<i>O</i>			<i>3.1.2</i>		<i>Update past analysis of obsolete, conflicting, and duplicative provisions in technical education</i>
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Performance Measurement Template

Item	Performance Measure	Last Value	Current Target Value	Current Value	Future Target Value	Time Applicable	Data Source and Availability	Calculation Method	Associated Objective(s)	Meaningful Use of Measure
1	Bill, resolution, and amendment production efficiency	Although not measureable as a practical matter, our goals are to enter bill and resolution requests in our database promptly but no later than the end of the workday, and to produce bills, resolutions, and amendments that reflect the intent of the sponsoring member as quickly as practical and to the satisfaction of the sponsor. Obtain feedback from legislators and staff, and promptly resolve any drafting issues.	Although not measureable as a practical matter, our goals are to enter bill and resolution requests in our database promptly but no later than the end of the workday, and to produce bills, resolutions, and amendments that reflect the intent of the sponsoring member as quickly as practical and to the satisfaction of the sponsor. Obtain feedback from legislators and staff, and promptly resolve any drafting issues.	Although not measureable as a practical matter, our goals are to enter bill and resolution requests in our database promptly but no later than the end of the workday, and to produce bills, resolutions, and amendments that reflect the intent of the sponsoring member as quickly as practical and to the satisfaction of the sponsor. Obtain feedback from legislators and staff, and promptly resolve any drafting issues.	Although not measureable as a practical matter, our goals are to enter bill and resolution requests in our database promptly but no later than the end of the workday, and to produce bills, resolutions, and amendments that reflect the intent of the sponsoring member as quickly as practical and to the satisfaction of the sponsor. Obtain feedback from legislators and staff, and promptly resolve any drafting issues.	Throughout the fiscal year	Our internal database contains information on all bill and resolution requests, and staff is directed to enter new requests as soon as practical but no later than the end of the workday in which the request was received. Amendment requests are managed by the attorney to whom the amendment is assigned. Any drafting issues are addressed and resolved as quickly as possible.	Our goal in drafting legislation and amendments is to accurately reflect the intent of the sponsor and provide related legal advice for the sponsor's contemplation. We seek to do both in a timely manner, relevant to the complexity and scope of the drafting project. The quality of our drafting and related legal advice is not quantifiable, but we value feedback from legislators and legislative staff in assessing our performance. Feedback typically comes in the form of unsolicited praise or criticism, but we also proactively solicit feedback. Management promptly responds to negative feedback by investigating the facts and subsequently developing and implementing a correction plan. We believe that we satisfactorily addressed all drafting issues received in fiscal year 2016-2017, and appropriately shared positive feedback for employee recognition purposes.	1.1.1, 1.1.2, 1.1.3, 1.2.1, 1.2.2, 1.2.3, 1.2.4, 2.1.1, 2.1.2, 2.1.3, 2.2.1, and 2.2.2	Promotes efficient production and delivery of high-quality drafting services.
2	Act production efficiency	An average of 1.5 to 2 hours, but not more than 24-hours, depending on whether a ratification time has been set.	An average of 1.5 to 2 hours, but not more than 24-hours, depending on whether a ratification time has been set.	An average of 1.5 to 2 hours, but not more than 24-hours, depending on whether a ratification time has been set.	An average of 1.5 to 2 hours, but not more than 24-hours, depending on whether a ratification time has been set.	January through May	The employee who is tasked with managing bill and act services, including oversight of act flow through office. Availability varies depending on workflow, but she makes management aware of any outstanding acts as ratification time approaches.	The employee tasked with managing bill and act services maintains a log in which she records the times at which acts are received and completed.	1.2.1 and 1.2.5	Provides outstanding turnaround to accommodate the needs of the General Assembly leadership while maintaining the highest levels of quality.
3	Code and code supplement production efficiency	Set and meet earlier deadlines for updating Code and finalizing and distributing Code supplements.	Set and meet earlier deadlines for updating Code and finalizing and distributing Code supplements.	Set and meet earlier deadlines for updating Code and finalizing and distributing Code supplements.	Set and meet earlier deadlines for updating Code and finalizing and distributing Code supplements.	Primarily mid-Spring through early Fall	We maintain a high level of awareness of our deadlines with Thomson Reuters and are in constant communication with Thomson Reuters and with LSA to ensure all applicable deadlines are met well ahead of schedule.	We compare the deadlines stated in our contract with Thomson Reuters and times at which we submitted related code materials to Thomson Reuters and to past release and distribution dates to measure improvement in our task completion times.	2.1.1, 2.1.2, and 2.1.3	Provides updates to popular accessed sources of South Carolina statutory law as expeditiously as possible to accommodate a wide variety of users including government entities, the legal community, and the general public.

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Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who (customer) the agency must or may serve? (Y/N)	Does the law specify a deliverable (product or service) the agency must or may provide? (Y/N)
1	Part 1B, Section 91.17	State	Proviso	Authorizes the Legislative Council to 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	Yes	Yes
2	Section 1-23-20	State	Statute	Establishes the <i>State Register</i> and charges the Legislative Council with the custody, printing and distribution of certain documents related to proposed regulations under the APA	No	Yes
3	Section 1-23-30	State	Statute	Creates procedures related to the filing of proposed regulations with the Legislative Council	Yes	Yes
4	Section 1-23-40	State	Statute	Documents required to be filed with the Legislative Council in connection with the promulgation of proposed regulations under the APA	No	No
5	Section 1-23-50	State	Statute	Requires Legislative Council to establish procedures relating to the State Register under the APA	No	Yes
6	Section 1-23-60	State	Statute	Establishes the effect of filing certain documents with the Legislative Council under the APA	No	No
7	Section 1-23-80	State	Statute	Establishes funding of expenses of the Legislative Council in connection with the State Register and for the dispensation of funds collected from related sales by the Legislative Council	No	No
8	Section 1-23-90	State	Statute	Authorizes the Legislative Council to compile and produce the Code of Regulations	No	Yes
9	Section 1-23-100	State	Statute	Requires the Legislative Council to publish executive orders of the Governor which have general applicability in separate section of the <i>State Register</i>	No	Yes
10	Section 1-23-680	State	Statute	Exempts Administrative Law Court from reimbursing Legislative Council for cost of Code, supplements, and replacement volumes	Yes	Yes
11	Section 1-11-55	State	Statute	Places the Legislative Council among government entities excluded from the term "Governmental body" for the purposes of certain provisions relating to the leasing of real property by the Department of Administration	No	No
12	Section 2-3-65	State	Statute	Enables the Legislative Council to issue warrants on approved accounts for extra clerical services with approval of the Speaker of the House, the President of the Senate, and the Director of the Legislative Council	No	No
13	Section 2-3-70	State	Statute	Enables the Legislative Council to purchase its supplies and equipment	No	No
14	Section 2-13-10	State	Statute	Provides the election, term, and compensation of a Code Commissioner by the Legislative Council	No	No
15	Section 2-13-20	State	Statute	Requires the Legislative Council to elect a successor for the unexpired term of a Code Commissioner who vacates the office	No	No
16	Section 2-13-30	State	Statute	Establishes the powers of the Legislative Council as to the revision of the Code and establishes the Committee on Statutory Laws	No	No
17	Section 2-13-50	State	Statute	Designates the Code Commissioner as secretary of the Committee on Statutory Laws	No	No
18	Section 2-13-60	State	Statute	Describes duties of the Code Commissioner	No	No
19	Section 2-13-65	State	Statute	Directs the Code Commissioner to delete references to members of the General Assembly serving as members of state board and commissions, subject to an exception	No	Yes

20	Section 2-13-70	State	Statute	Authorizes the Code Commissioner to add crimes and offenses enacted by the General Assembly based on category	No	Yes
21	Section 2-13-70	State	Statute	States the office of Code Commissioner is not a Constitutional office and requires annual financial accounting to the members of the Legislative Council	No	No
22	Section 2-13-80	State	Statute	Provides for annual cumulative supplements to the Code	No	Yes
23	Section 2-13-90	State	Statute	Provides for the replacement of Code volumes	No	Yes
24	Section 2-13-100	State	Statute	Enables the Legislative Council to contract for the preparation and publication of the annual cumulative supplements, but for not more than a period of five years	No	Yes
25	Section 2-13-140	State	Statute	Grants the Code Commissioner and the Legislative Council access to State papers and documents in the custody of Secretary of State or other custodians of the State law and archives, and to require the cooperation of other state agencies and officials with the codifying the general statutory law	No	No
26	Section 2-13-150	State	Statute	Requires the Legislative Council to determine the laws to be included in the Code and report on them	No	No
27	Section 2-13-160	State	Statute	Requires that when the Code Commissioner is preparing a proposed code for adoption by the General Assembly, he must remove provisions providing compensation of state and local government employees	Yes	Yes
28	Section 2-13-180	State	Statute	Imposes certain requirements on the Code Commissioner and LSA with respect to the printing and publishing of advance sheets and acts and joint resolutions	No	Yes
29	Section 2-13-200	State	Statute	Authorizes the Legislative Council to sell the advance sheets and provides for the management and use of the proceeds	No	Yes
30	Section 2-13-210	State	Statute	Imposes certain requirements on the Code Commissioner and LSA with respect to the printing and publishing of acts and joint resolutions	No	Yes
31	Section 2-13-240	State	Statute	Requires the Legislative Council to distribute sets of the Code to specific parties, permits the Legislative Council to sell or distribute remaining copies of the Code, and exempts members of the Legislative Council, among others, from Sections 8-15-30 and 8-15-40, relating to the obligation of public officials with respect to the sets of the Code provided to them	Yes	Yes
32	Section 2-15-90	State	Statute	Requires the Legislative Council to cooperate with the Legislative Audit Council regarding the preparation of suggested legislation resulting from studies by the LAC staff	Yes	Yes
33	Section 2-47-20	State	Statute	Requires the Legislative Council, along with other legislative staff organizations, to assist the Joint Bond Review Committee as requested	Yes	Yes
34	Section 2-51-10	State	Statute	Requires the Legislative Council to provide legal services to the permanent committee charged with studying public and private services, programs, and facilities for the aging in South Carolina	Yes	Yes
35	Section 7-13-2120	State	Statute	Designates the Code Commissioner as a member of the Constitutional Ballot Commission	No	No
36	Section 8-15-30	State	Statute	Grants the Code Commissioner certain discretion in the distribution of sets of the Code to state and county officers entitled to receive a set of the Code	Yes	Yes
37	Section 11-25-620	State	Statute	Requires the Legislative Council to deliver bound copies of the House and Senate Journals to the House Clerk, the Senate Clerk, and the members of the General Assembly, and permits the Legislative Council to exchange copies with other states and distribute remaining copies in its discretion	Yes	Yes
38	Section 11-35-310	State	Statute	Excludes the Legislative Council, among others, from the South Carolina Consolidated Procurement Code by excepting it from the definition of the term "governmental body"	No	No

39	Section 14-3-840	State	Statute	Requires the Legislative Council to distribute copies of the reports of the decisions of the Supreme Court purchased by the State to certain government officials, the State Supreme Court Library, certain other states and territories, and shall retain remaining copies for use of this State	Yes	Yes
40	Section 14-27-20	State	Statute	Designates the Director of the Legislative Council as a member of the Judicial Council	No	No
41	Section 22-2-30	State	Statute	Directs the Legislative Council to prepare the necessary legislation to establish the jury areas for introduction in the General Assembly by the respective Judiciary Committees of the Senate and House of Representatives based on information submitted by the chief magistrates for administration of relevant counties	Yes	Yes
42	Section 29-6-250	State	Statute	Exempts the Legislative Council, among others, from certain payment bond requirements of government bodies entering certain contracts to improve real property	Yes	Yes



