**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3788**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Harrell, Cato, Cooper, Jennings, M.A. Pitts and Thompson

Document Path: l:\council\bills\gjk\20193sd09.docx

Introduced in the House on March 26, 2009

Currently residing in the House Committee on **Ways and Means**

Summary: Research Authority Committee

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/26/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\03-26-09.docx)‑5

3/26/2009 House Referred to Committee on **Ways and Means** [HJ](file:///h:\HJ%20Archive\2009\03-26-09.docx)‑6

**VERSIONS OF THIS BILL**

[3/26/2009](file:///p:\pprever\2009-10\3788_20090326.docx)

**A** **BILL**

TO AMEND SECTION 13‑17‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF THE SOUTH CAROLINA RESEARCH AUTHORITY AND ITS MEMBERS, MEETINGS, AND PROCEDURES, SO AS TO AUTHORIZE THE THREE RESEARCH UNIVERSITY PRESIDENTS TO DESIGNATE THEIR CHIEF RESEARCH OFFICERS TO PARTICIPATE IN RESEARCH AUTHORITY EXECUTIVE COMMITTEE MEETINGS ON THEIR BEHALF UNDER CERTAIN CONDITIONS; TO AMEND SECTION 13‑17‑70, AS AMENDED, RELATING TO POWERS AND DUTIES OF THE BOARD OF THE RESEARCH AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE BOARD’S AUTHORITY TO PROVIDE GUARANTEES FOR OBLIGATIONS OF RESEARCH AUTHORITY AFFILIATES; AND TO AMEND SECTION 13‑17‑87, AS AMENDED, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO FURTHER PROVIDE FOR THE PROCEDURES FOR FINANCING THESE INNOVATION CENTERS.

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

SECTION 1. Section 13‑17‑40(B)(1) of the 1976 Code, as last amended by Act 83 of 2007, is further amended to read:

“(1) The President of Clemson University, President of the Medical University of South Carolina, President of the University of South Carolina at Columbia, the Governor or his designee, the Chairman of the House Ways and Means Committee’s designee, the Chairman of the Senate Finance Committee’s designee, and the chairman of the board of trustees shall serve as the executive committee of the board of trustees. Each of the three university presidents, with respect to no more than two executive committee meetings each calendar year, may designate in his place that university’s chief research officer, as determined in the sole discretion of the designating president, to participate in and vote at executive committee meetings specified in the designation. The executive committee has all powers and authority of the board of trustees. The board shall have an advisory role only and shall advise the executive committee of the actions recommended by the board.”

SECTION 2. Section 13‑17‑70(12) of the 1976 Code is amended to read:

“(12) to provide guarantees as security for notes, bonds, evidences of indebtedness, or other obligations of affiliates as defined in Section 35‑2‑201, or of other entities with respect to which the authority has the right to appoint one or more board members, and to mortgage, pledge, hypothecate, or otherwise encumber the property, real, personal, or mixed, or facilities, or revenues of the authority as security for such guarantees, or for notes, bonds, evidences of indebtedness, or other obligations of the authority; provided, the authority shall have no authority to pledge the credit and the taxing power of the State or any of its political subdivisions;”

SECTION 3. Section 13‑17‑87(E) of the 1976 Code is amended to read:

“(E) Costs associated with the physical space for the innovation centers including, but not limited to, the costs to acquire, lease, or build the physical space and to ~~up‑fit~~ up fit the physical space, ~~must~~ may be financed through the issuance of general obligation debt to the maximum extent allowed by Chapter 51, ~~of~~ Title 11, the South Carolina Research University Infrastructure Act, ~~or~~ by private match funding, from the budget of the authority, or by other means. ~~Other costs associated with the innovation centers must be funded from the budget of the authority, as specified elsewhere in this chapter.~~ The facilities and programs at each site may be tailored to the predominant research focuses of that area. Each may contain wet and dry laboratory space, office space, prototype production facilities, pilot operations, clean rooms, and other specialized facilities.”

SECTION 4. This act takes effect upon approval by the Governor.

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