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COMMITTEE REPORT

April 18, 2013

**H. 3223**

Introduced by Rep. White

S. Printed 4/18/13--H.

Read the first time January 8, 2013.

**THE COMMITTEE ON WAYS AND MEANS**

To whom was referred a Bill (H. 3223) to amend Sections 1‑11‑55, as amended, 1‑11‑425, 1‑23‑120, as amended, 2‑1‑230, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

W. BRIAN WHITE for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

LPITS indicates there is no fiscal impact with the adoption of this bill.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTIONS 1‑11‑55, AS AMENDED, 1‑11‑425, 1‑23‑120, AS AMENDED, 2‑1‑230, 2‑3‑75, 2‑13‑60, 2‑13‑180, 2‑13‑190, AS AMENDED, 2‑13‑200, 2‑13‑210, 11‑35‑310, 11‑53‑20, AND 29‑6‑250, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING, IN WHOLE OR IN PART, TO THE OFFICE OF LEGISLATIVE PRINTING, INFORMATION AND TECHNOLOGY SYSTEMS (LPITS), SO AS TO CHANGE THE NAME OF THIS OFFICE TO THE LEGISLATIVE SERVICES AGENCY (LSA).

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

SECTION 1. Section 1‑11‑55(1) of the 1976 Code is amended to read:

“(1) ‘Governmental body’ means a state government department, commission, council, board, bureau, committee, institution, college, university, technical school, legislative body, agency, government corporation, or other establishment or official of the executive, judicial, or legislative branches of this State. Governmental body excludes the General Assembly, Legislative Council, the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems~~ Services Agency, and all local political subdivisions such as counties, municipalities, school districts, or public service or special purpose districts.”

SECTION 2. Section 1‑11‑425 of the 1976 Code is amended to read:

“Section 1‑11‑425. All agencies using appropriated funds shall print on the last page of all bound publications the following information:

(1) total printing cost,

(2) total number of documents printed, and

(3) cost per unit.

The President Pro Tempore of the Senate, the Speaker of the House, the Legislative ~~Printing, Information and Technology Systems~~ Services Agency, the presidents of each institution of higher education, and the State Board for Technical and Comprehensive Education may exempt from this requirement documents published by their respective agencies. Agency publications which are produced for resale are also exempt from this requirement.

Publications of public relations nature produced by Parks, Recreation and Tourism and the Division of State Development are exempt from this requirement.”

SECTION 3. Section 1‑23‑120(C) of the 1976 Code is amended to read:

“(C) Upon receipt of the regulation, the President and Speaker shall refer the regulation for review to the standing committees of the Senate and House which are most concerned with the function of the promulgating agency. A copy of the regulation or a synopsis of the regulation must be given to each member of the committee, and Legislative Council shall notify all members of the General Assembly when regulations are submitted for review either through electronic means or by addition of this information to the website maintained by the Legislative ~~Printing Information and Technology~~ Services Agency, or both. The committees to which regulations are referred have one hundred twenty days from the date regulations are submitted to the General Assembly to consider and take action on these regulations. However, if a regulation is referred to a committee and no action occurs in that committee on the regulation within sixty calendar days of receipt of the regulation, the regulation must be placed on the agenda of the full committee beginning with the next scheduled full committee meeting.”

SECTION 4. Section 2‑1‑230 of the 1976 Code, as added by Act 119 of 2005, is amended to read:

“Section 2‑1‑230. (A) With the exception of the Governor’s Executive Budget and related documents and telephone directories, an agency, a department, or an entity of state government required by law to report to the General Assembly shall prepare its report and transmit its report electronically to the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems (LPITS)~~ Services Agency (LSA) and to the State Library as provided in Section 60‑2‑30. ~~LPITS~~ LSA shall notify the members of the General Assembly that the report is available. An agency, a department, or an entity of state government may not provide the General Assembly with hard copies of a publication whether or not the publication, report, or other document is required by law to be furnished to the General Assembly, and a publication only may be provided to a member of the General Assembly if the member requests the publication.

(B) The agency, department, or entity of state government shall transmit these publications to the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems (LPITS)~~ Services Agency (LSA) by electronic medium in a format and form pursuant to technical standards as may be established by ~~LPITS~~ LSA. ~~LPITS~~ LSA shall make information transmitted available through its network.

(C) A report governed by the requirements of this section may be published in hard copy form for distribution to the General Assembly if authorized by the Speaker of the House and the President Pro Tempore of the Senate.”

SECTION 5. Section 2‑3‑75 of the 1976 Code is amended to read:

“Section 2‑3‑75. (A) The name of the Office of Legislative Printing, Information and Technology Systems (LPITS) on the effective date of this subsection is hereby changed to the Legislative Services Agency (LSA). All references to the former Office of Legislative Printing, Information and Technology Systems (LPITS) in the 1976 Code, or other provisions of law are considered to be and must be construed to mean the Legislative Services Agency (LSA).

(B) The ~~Office of~~ Legislative ~~Printing, Information and Technology Systems (LPITS)~~ Services Agency (LSA) is established under the joint direction and management of the Clerk of the Senate and the Clerk of the House. The clerks shall employ a director to carry out the business of the office, who shall have authority to hire and discharge staff with the approval of the clerks, with funds as may be authorized by the General Assembly. The ~~Office of~~ Legislative ~~Printing, Information and Technology Systems~~ Services Agency has the following authority and duties:

(1) The ~~Office of~~ Legislative ~~Printing, Information and Technology Systems~~ Services Agency shall provide printing and technical services to the House of Representatives, the Senate, the Legislative Council, and the Code Commissioner. The Director of ~~LPITS~~ LSA, with the approval of the clerks shall contract for all legislative printing requirements not otherwise provided for by law. ~~LPITS~~ LSA shall also contract for the printing requirements of the Code Commissioner as contained in Section 2‑13‑60(4).

(2) Any materials which have been printed or paid for under the ~~LPITS~~ LSA printing contract may be sold to other state agencies and private persons. All funds received for this service must be deposited in the state treasury to the credit of the general fund of the State. Before any funds are paid into the state treasury, all necessary expenses incurred by the ~~Office of LPITS~~ LSA in the production and distribution of materials in accordance with this section may be first deducted and retained by the ~~Office of LPITS~~ LSA. Payment for these expenses may be made on order of the Director of Legislative ~~Printing, Information and Technology Systems~~ Services Agency and approval of the Clerks of the House and Senate.

(3) Legislative ~~Printing, Information and Technology Systems~~ Services Agency may sell by means of electronic transmission or by other means as it considers appropriate any legislative document or report which may be obtained under the provisions of Chapter 4, ~~of~~ Title 30 ~~of the 1976 Code~~. This sale is with the approval of the Clerks of the House and Senate upon their prior consultation with the Speaker of the House and the President Pro Tempore of the Senate.”

SECTION 6. Section 2‑13‑60(5) of the 1976 Code is amended to read:

“(5) annually prepare for publication, to be printed by the Office of Legislative ~~Printing, Information and Technology Systems (LPITS)~~ Services Agency, the statutes and joint resolutions passed at the preceding session;”

SECTION 7. Section 2‑13‑180 of the 1976 Code is amended to read:

“Section 2‑13‑180. The Code Commissioner, from time to time during any session of the General Assembly, shall furnish the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems (LPITS)~~ Services Agency (LSA) with all acts and joint resolutions of a general and permanent nature which have become law. The ~~Office of~~ Legislative ~~Printing, Information and Technology Systems (LPITS)~~ Services Agency (LSA) as soon as practicable after delivery of these acts and joint resolutions shall furnish the Code Commissioner with page proofs of all acts and joint resolutions.”

SECTION 8. Section 2‑13‑190 of the 1976 Code, as last amended by Act 10 of 2009, is further amended to read:

“Section 2‑13‑190. After receiving the page proofs corrected from the Code Commissioner, the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems (LPITS)~~ Services Agency shall print the same and shall deliver not more than twenty‑five copies to the Code Commissioner as the commissioner orders. ~~LPITS~~ LSA shall publish the advance sheets online as directed by the Code Commissioner and in accordance with applicable law. Dissemination of advance sheets to previous recipients will be accomplished by making them available online only and will not be provided in printed form.”

SECTION 9. Section 2‑13‑200 of the 1976 Code is amended to read:

“Section 2‑13‑200. The Code Commissioner and the Legislative Council may sell the service mentioned in Section 2‑13‑190 on terms agreeable to the council and the Code Commissioner. All funds received for this service must be deposited in the state treasury, to the credit of the general funds of the State, but before any funds are paid into the state treasury, the expenses of the Code Commissioner and the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems (LPITS)~~ Services Agency (LSA) for additional supplies, postage, and clerical help may be first deducted. Payment of these additional expenses may be made on order of the Chairman of the Legislative Council and the Clerks of the House and Senate.”

SECTION 10. Section 2‑13‑210 of the 1976 Code is amended to read:

“Section 2‑13‑210. Within twenty‑five days after the adjournment of any session of the General Assembly, the Code Commissioner shall furnish the Director of the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems~~ Services Agency all acts and joint resolutions passed, and which have been approved by the Governor. The Code Commissioner shall deliver to the Director of the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems~~ Services Agency, within fifteen days after the receipt of the final page proof, a complete index of all the acts and joint resolutions furnished the director and such other copy as may be necessary for the published acts. The style and makeup of the acts and joint resolutions must be in such form as the Code Commissioner and Clerks of the Senate and the House may agree upon.”

SECTION 11. Section 11‑35‑310(18) of the 1976 Code is amended to read:

“(18) ‘Governmental Body’ means a state government department, commission, council, board, bureau, committee, institution, college, university, technical school, agency, government corporation, or other establishment or official of the executive or judicial branch. Governmental body excludes the General Assembly or its respective branches or its committees, Legislative Council, the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems~~ Services Agency, and all local political subdivisions such as counties, municipalities, school districts, or public service or special purpose districts or any entity created by act of the General Assembly for the purpose of erecting monuments or memorials or commissioning art that is being procured exclusively by private funds.”

SECTION 12. Section 11‑53‑20 of the 1976 Code is amended to read:

“Section 11‑53‑20. It is mandated by the General Assembly that the SCEIS shall be implemented for all agencies, with the exception of lump‑sum agencies, the General Assembly or its respective branches or its committees, Legislative Council, and the ~~Office of~~ Legislative ~~Printing and Information Technology Resources~~ Services Agency. The South Carolina Enterprise Information System Oversight Committee, as appointed by the Comptroller General, shall provide oversight for the implementation and continued operations of the system. The Budget and Control Board is authorized to use any available existing technology resources to assist with funding of the initial implementation of the system. It is further the intent of the General Assembly to fund the central government costs related to the implementation of the system. Agencies are required to implement SCEIS at a cost and in accordance with a schedule developed and approved by the SCEIS Oversight Committee. Full implementation must be completed within five years. An agency’s implementation cost shall be borne by that agency through existing appropriations, grants, and/or the State Treasurer’s Master Lease Program and shall be for the implementation of the "back office" administrative functions that are common to all agencies in the areas of purchasing, finance, human resources, payroll, and budgeting. Any issues arising with regard to project scope, implementation schedule, and associated costs shall be directed to the SCEIS Oversight Committee for resolution. In cooperation with the Comptroller General and the Budget and Control Board’s Division of State Information Technology, the South Carolina Enterprise Information System Oversight Committee is required to report by January ~~31~~ thirty‑first of the fiscal year to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee the status of the system’s implementation and on‑going operations.”

SECTION 13. Section 29‑6‑250(4) of the 1976 Code is amended to read:

“(4) For purposes of this section, ‘governmental body’ means a state government department, commission, council, board, bureau, committee, institution, college, university, technical school, agency, government corporation, or other establishment or official of the executive or judicial branch, and all local political subdivisions. Governmental body excludes the General Assembly or its respective branches or its committees, Legislative Council, the ~~Office of~~ Legislative ~~Printing, Information and Technology Systems~~ Services Agency, or any entity created by act of the General Assembly for the purpose of erecting monuments or memorials or commissioning art that is procured exclusively by private funds.”

SECTION 14. This act takes effect upon approval by the Governor.

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