AMENDED

February 19, 2014

**S. 605**

Introduced by Senators Lourie, Sheheen, Jackson, Coleman, Johnson, Allen, McElveen, Bryant, Bright, Davis, Shealy and Campsen

S. Printed 2/19/14--S.

Read the first time April 10, 2013.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑13‑791 SO AS TO PROVIDE THAT THE USE OF ANY AIRCRAFT OWNED OR LEASED BY THIS STATE, OR ANY STATE AGENCY, ENTITY, OR INSTITUTION, INCLUDING INSTITUTIONS OF HIGHER LEARNING, BY A MEMBER OF THE GENERAL ASSEMBLY MUST BE FIRST APPROVED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES IN REGARD TO MEMBERS OF THE HOUSE, BY THE PRESIDENT PRO TEMPORE OF THE SENATE IN REGARD TO MEMBERS OF THE SENATE, OR BY THE CHAIRMAN OF A STATE BOARD, COMMISSION, OR COMMITTEE IN THE EXECUTIVE BRANCH IN REGARD TO A MEMBER OF THAT BOARD, COMMISSION, OR COMMITTEE WHO IS PERMITTED TO REQUEST USE OF STATE AIRCRAFT, TO PROVIDE THAT NO AIRCRAFT OWNED OR LEASED BY THIS STATE, OR ANY STATE AGENCY, ENTITY, OR INSTITUTION, INCLUDING INSTITUTIONS OF HIGHER LEARNING, MAY TRANSPORT A PERSON FROM A LOCATION IN OR OUT OF THIS STATE TO COLUMBIA OR ANOTHER LOCATION TO TESTIFY BEFORE A STANDING OR SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY OR EITHER HOUSE OF THE GENERAL ASSEMBLY ABOUT ANY MATTER UNDER CONSIDERATION BY THAT COMMITTEE, AND TO PROVIDE PENALTIES FOR VIOLATIONS, INCLUDING A REQUIREMENT THAT THE COST OF THE FLIGHT MUST BE REIMBURSED TO THE STATE GENERAL FUND.

Amend Title To Conform

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

SECTION 1. Article 7, Chapter 8, Title 13 of the 1976 Code is amended by adding:

“Section 8‑13‑791. (A)(1) Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of the General Assembly must be first approved by the Speaker of the House of Representatives in regard to members of the House or by the President Pro Tempore of the Senate in regard to members of the Senate.

(2) Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of a state board, commission, or committee in the executive branch who is permitted to request use of state aircraft must be first approved by the chairman of that board, commission, or committee.

(B) No approving official specified in subsection (A) may approve the use of any aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, if the aircraft will furnish transportation to a person, as defined in Section 8‑13‑1300(25), that receives any payment for operation expenses, as defined in Section 8‑13‑1300(34), from an account or fund that receives contributions, as defined in Section 8‑13‑1300(7), or campaign bank accounts, as defined in Section 8‑13‑1312. Further, no official, regardless of whether the official requires approval, may request the use of such aircraft if such a person is to be furnished transportation on the flight.

(C) Violations of this section are considered violations of the rules of conduct under state ethics laws and are punishable in the manner provided by this chapter and by law, except that in addition to all other penalties or remedies authorized by law, the violating member or other person authorizing the flight shall reimburse the state general fund within thirty days of the unauthorized flight for the full cost thereof.”

SECTION 2. This act takes effect upon approval by the Governor.

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