**South Carolina General Assembly**

121st Session, 2015-2016

**A143, R147, H3534**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Cobb‑Hunter

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Introduced in the House on February 5, 2015

Introduced in the Senate on April 28, 2015

Last Amended on March 1, 2016

Passed by the General Assembly on March 9, 2016

Governor's Action: March 14, 2016, Signed

Summary: Higher Education Excellence Enhancement Program

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/5/2015 House Introduced and read first time ([House Journal‑page 6](file:///h%3A%5CHJ%20Archive%5C2015%5C02-05-15.docx))

 2/5/2015 House Referred to Committee on **Education and Public Works** ([House Journal‑page 6](file:///h%3A%5CHJ%20Archive%5C2015%5C02-05-15.docx))

 4/22/2015 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 3](file:///h%3A%5CHJ%20Archive%5C2015%5C04-22-15.docx))

 4/23/2015 House Amended ([House Journal‑page 25](file:///h%3A%5CHJ%20Archive%5C2015%5C04-23-15.docx))

 4/23/2015 House Read second time ([House Journal‑page 25](file:///h%3A%5CHJ%20Archive%5C2015%5C04-23-15.docx))

 4/23/2015 House Roll call Yeas‑95 Nays‑0 ([House Journal‑page 28](file:///h%3A%5CHJ%20Archive%5C2015%5C04-23-15.docx))

 4/23/2015 House Unanimous consent for third reading on next legislative day ([House Journal‑page 29](file:///h%3A%5CHJ%20Archive%5C2015%5C04-23-15.docx))

 4/24/2015 Scrivener's error corrected

 4/25/2015 House Read third time and sent to Senate ([House Journal‑page 2](file:///h%3A%5CHJ%20Archive%5C2015%5C04-25-15.docx))

 4/28/2015 Senate Introduced and read first time ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2015%5C04-28-15.docx))

 4/28/2015 Senate Referred to Committee on **Education** ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2015%5C04-28-15.docx))

 2/25/2016 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2016%5C02-25-16.docx))

 2/29/2016 Scrivener's error corrected

 3/1/2016 Senate Committee Amendment Adopted ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2016%5C03-01-16.docx))

 3/1/2016 Senate Read second time ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2016%5C03-01-16.docx))

 3/1/2016 Senate Roll call Ayes‑35 Nays‑0 ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2016%5C03-01-16.docx))

 3/2/2016 Scrivener's error corrected

 3/8/2016 Senate Read third time and returned to House with amendments ([Senate Journal‑page 12](file:///h%3A%5CSJ%20Archive%5C2016%5C03-08-16.docx))

 3/9/2016 House Concurred in Senate amendment and enrolled ([House Journal‑page 22](file:///h%3A%5CHJ%20Archive%5C2016%5C03-09-16.docx))

 3/9/2016 House Roll call Yeas‑105 Nays‑0 ([House Journal‑page 22](file:///h%3A%5CHJ%20Archive%5C2016%5C03-09-16.docx))

 3/10/2016 Ratified R 147

 3/14/2016 Signed By Governor

 3/16/2016 Effective date 07/01/16

 3/17/2016 Act No. 143

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3534&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/5/2015](file:///p%3A%5Cpprever%5C2015-16%5C3534_20150205.docx)

[4/22/2015](file:///p%3A%5Cpprever%5C2015-16%5C3534_20150422.docx)

[4/23/2015](file:///p%3A%5Cpprever%5C2015-16%5C3534_20150423.docx)

[4/24/2015](file:///p%3A%5Cpprever%5C2015-16%5C3534_20150424.docx)

[2/25/2016](file:///p%3A%5Cpprever%5C2015-16%5C3534_20160225.docx)

[2/29/2016](file:///p%3A%5Cpprever%5C2015-16%5C3534_20160229.docx)

[3/1/2016](file:///p%3A%5Cpprever%5C2015-16%5C3534_20160301.docx)

[3/2/2016](file:///p%3A%5Cpprever%5C2015-16%5C3534_20160302.docx)

(A143, R147, H3534)

**AN ACT** **TO AMEND SECTION 2‑77‑15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "ELIGIBLE INSTITUTION" AS IT PERTAINS TO THE SOUTH CAROLINA HIGHER EDUCATION EXCELLENCE ENHANCEMENT PROGRAM, SO AS TO INCLUDE INSTITUTIONS THAT OFFER AT LEAST ONE NONSECTARIAN PROGRAM AT THE BACCALAUREATE LEVEL, HISTORICALLY SINGLE GENDER WOMEN’S INSTITUTIONS OF TRADITIONAL STUDENTS, AND INSTITUTIONS ACCREDITED BY AN ORGANIZATION THAT IS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION AND ALSO RECEIVES TITLE III FUNDING; AND TO AMEND SECTION 2‑77‑20, AS AMENDED, RELATING TO THE ALLOCATION OF APPROPRIATED FUNDS AMONG ELIGIBLE INSTITUTIONS, SO AS TO REQUIRE THE COMMISSION ON HIGHER EDUCATION ANNUALLY TO REVIEW AND DETERMINE WHETHER EACH ELIGIBLE INSTITUTION APPROPRIATELY USED THESE FUNDS, AND TO PROVIDE REQUIREMENTS FOR FUNDING REDUCTIONS AND ALTERNATE FUNDING DISTRIBUTIONS WHEN THE COMMISSION FINDS AN ELIGIBLE INSTITUTION INAPPROPRIATELY USED THESE FUNDS.**

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

**“Eligible institutions”, definition expanded**

SECTION 1. Section 2‑77‑15(1) of the 1976 Code, as last amended by Act 162 of 2005, is further amended to read:

 “(1) ‘Eligible institution’ means a four‑year institution of higher learning or an institution of higher learning that is accredited to offer, and is actively offering, at least one nonsectarian program at the baccalaureate level:

 (a)(i) at which sixty percent or more of the enrolled undergraduate students were low‑income and educationally disadvantaged students, for the four consecutive years immediately preceding the then current year and which is defined in Part B, Subchapter III, Chapter 28, Title 20 of the United States Code; or

 (ii) which is an historically single gender women’s institution of traditional students, as evidenced by ninety percent or more of full‑time female undergraduates under twenty‑five years of age for the four consecutive years immediately preceding the current year;

 (b)(i) that is accredited by the Southern Association of Colleges and Schools; or

 (ii) which receives Title III funding and is accredited by an accrediting organization recognized by the United States Department of Education;

 (c) that is organized as a nonprofit corporation or is a public institution; and

 (d) that has its main campus located in South Carolina.”

**Funding allocation process revised**

SECTION 2. Section 2‑77‑20(C) of the 1976 Code, as last amended by Act 74 of 2011, is further amended to read:

 “(C)(1) An institution seeking to qualify as an eligible institution must submit an annual application to the commission. The commission must certify the eligibility of institutions seeking contracts pursuant to this section. Subject to the provisions of item (2), and less any allocations made pursuant to item (2), the funds appropriated for this program must be allocated equally among the eligible institutions.

 (2) The Commission on Higher Education, or its successor, annually shall review and determine if funds allocated to a school pursuant to item (1) have been properly used by the school pursuant to Section 2‑77‑30. If the Commission on Higher Education, or its successor, determines these funds were used inappropriately by a school, the funds must be returned, and the following year that school’s allocation must be reduced by fifty percent of the amount appropriated to each eligible institution pursuant to item (1). The balance remaining from a school’s reduced allocation must be distributed equally among the remaining eligible institutions.”

**Time effective**

SECTION 3. This act takes effect July 1, 2016.

Ratified the 10th day of March, 2016.

Approved the 14th day of March, 2016.

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