**A** **BILL**

TO AMEND SECTION 23‑6‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PUBLIC SAFETY’S ANNUAL AUDIT AND THE EXPENDITURE OF CERTAIN REVENUE GENERATED BY THE DEPARTMENT, SO AS TO DELETE THE PROVISION THAT AUTHORIZES THE DEPARTMENT OF MOTOR VEHICLES TO CARRY FORWARD AND EXPEND CERTAIN MOTOR CARRIER REGISTRATION FEES, AND TO PROVIDE THAT CERTAIN REVENUE RECEIVED BY THE DEPARTMENT MAY BE EXPENDED FOR DRUG TESTING.

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

SECTION 1. Section 23‑6‑50 of the 1976 Code, as last amended by Act 353 of 2008, is further amended to read:

“Section 23‑6‑50. The director shall annually cause the department to be audited. The audit must be conducted by a certified public accountant or firm of certified public accountants to be selected by the State Auditor. The department may undergo an Agreed Upon Procedures audit in lieu of audited financial statements. The audit shall be in coordination with the State Auditor’s Office and will be in accordance with generally accepted accounting principles and must comprise all financial records and controls. The audit must be completed by November 1 following the close of the fiscal year. The costs and expenses of the audit must be paid by the department out of its funds.

Notwithstanding any other provision of law, all revenue generated by the department from the sale of vehicles, various equipment, less the cost of disposition incurred by the Department of Administration Division of Operations, gasoline and insurance claims, during the prior fiscal year may be retained and carried forward into the current fiscal year and expended for the purpose of purchasing like items. Any unexpended balance on June 30 of the prior fiscal year authorized to be expended or used for any federal grant program may be retained and carried forward to the current fiscal year and used for matching committed or unanticipated grant funds, or both. ~~The Department of Motor Vehicles is authorized to carry forward and expend all motor carrier registration fees collected pursuant to Chapter 23 of Title 58 for fiscal years 1996‑1997, 1997‑1998, 1998‑1999 into fiscal year 1999‑2000.~~

Notwithstanding any other provision of law, revenue received from the sale of publications, postal reimbursement, photo copying, electronic data from traffic collisions, sale of miscellaneous refuse and recyclable materials, insurance claim receipts, coin operated telephones, and revenue from building management services, andthe Department of Public Safety training series shall be retained by the department and expended in budgeted operations for professional training, fees and dues, clothing allowance, drug testing, and other related services or programs as the Director of the Department of Public Safety may deem necessary. In order to complete projects begun in a prior fiscal year, the department is authorized to expend federal and earmarked funds in the following fiscal year for expenditures incurred in the prior fiscal year.”

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

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