RECALLED

March 22, 2018

**H. 4851**

Introduced by Reps. Felder, J.E. Smith, Jefferson and W. Newton

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Read the first time February 7, 2018.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60‑11‑152 SO AS TO PROVIDE FOR THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF THE DEPARTMENT OF ARCHIVES AND HISTORY TO ANOTHER PUBLIC OR NONPROFIT INSTITUTION BY GIFT OR SALE, TO PROVIDE FOR THE USE OF RESULTING PROCEEDS, AND TO PROVIDE ANNUAL REPORTING REQUIREMENTS; BY ADDING SECTION 60‑11‑153 SO AS TO PROVIDE FOR THE RETENTION AND USE BY THE DEPARTMENT OF ARCHIVES AND HISTORY OF CERTAIN PROCEEDS GENERATED BY ITS OPERATIONS; AND TO REPEAL SECTION 60‑11‑120 RELATING TO THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF DEPARTMENT OF ARCHIVES AND HISTORY.

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

SECTION 1. Article 1, Chapter 11, Title 60 of the 1976 Code is amended by adding:

“Section 60‑11‑152. Upon approval by the commission, the agency may remove certain record and nonrecord materials from its collections by gift to another public or nonprofit institution or by sale. This is a supplemental form of disposition beyond that recognized in the Public Records Act for the retention, copying, and destruction of public records, and it pertains only to those accessioned archive materials having a market value and which duplicate existing archival material, fall outside the scope of the archives collection policy, or have no further possible research value. All funds realized through sale must be placed in a special account to be used for improved access to and preservation of the state archives collections. The commission annually shall report to the State Department of Administration regarding these dispositions.

Section 60‑11‑153. The proceeds of facilities rentals, gift shop operations, training sessions, sales of publications, reproduction of documents, repair of documents, research fees, handling charges, and the proceeds of sales of National Register of Historic Places certificates and plaques by the Archives Department must be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of facility operations and maintenance, gift shop inventory, additional training sessions, publications, reproduction expenses, repair expenses, and National Register of Historic Places certificates and plaques, and selected Historic Preservation Grants.”

SECTION 2. Section 60‑11‑120 of the 1976 Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor.

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