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JOINT RESOLUTIONS
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ACTS and JOINT RESOLUTIONS

**OF THE
GENERAL ASSEMBLY
OF THE
STATE of SOUTH CAROLINA**

2012 REGULAR SESSION

VOLUME II

**Second Part
of Seventy-Eighth Volume of Statutes at Large**

(The Acts and Joint Resolutions of 2011
Constitute the First Part)

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STEPHEN T. DRAFFIN
CODE COMMISSIONER

public service to the extent such service purchase would violate Section 415 or any other provision of the Internal Revenue Code.

(B) An active member may establish service credit for any period of paid educational service by making an actuarially neutral payment to the system to be determined by the actuary for the board, based on the member's current age and service credit, but not less than sixteen percent of the member's current salary or career highest fiscal year salary, whichever is greater, for each year of credit purchased. Periods of less than a year must be prorated. A member may not establish credit for a period of educational service for which the member also may receive a retirement benefit from another defined benefit retirement plan. A member may not establish service credit for educational service to the extent such service purchase would violate Section 415 or any other provision of the Internal Revenue Code.

(C) An active member may establish up to six years of service credit for any period of military service, if the member was discharged or separated from military service under conditions other than dishonorable, by making an actuarially neutral payment to the system to be determined by the actuary for the board, based on the member's current age and service credit, but not less than sixteen percent of the member's current salary or career highest fiscal year salary, whichever is greater, for each year of credit purchased. Periods of less than a year must be prorated.

(D) An active member on an approved leave of absence from an employer that participates in the system who returns to covered employment within four years may purchase service credit for the period of the approved leave, but may not purchase more than two years of service credit for each separate leave period, by making an actuarially neutral payment to the system to be determined by the actuary for the board, based on the member's current age and service credit, but not less than sixteen percent of the member's current salary or career highest fiscal year salary, whichever is greater, for each year of credit purchased. Periods of less than a year must be prorated.

(E) An active member who has five or more years of earned service credit may establish up to five years of nonqualified service by making an actuarially neutral payment to the system to be determined by the actuary for the board, based on the member's current age and service credit but not less than thirty-five percent of the member's current salary or career highest fiscal year salary, whichever is greater, for each year of credit purchased. Periods of less than a year must be prorated.

(F) An active member may establish service credit for any period of service in which the member participated in the State Optional

Retirement Program, the Optional Retirement Program for Teachers and School Administrators, or the Optional Retirement Program for Publicly Supported Four-Year and Postgraduate Institutions of Higher Education, by making an actuarially neutral payment to the system to be determined by the actuary for the board, based on the member's current age and service credit, but not less than sixteen percent of the member's current salary or career highest fiscal year salary, whichever is greater, for each year of credit purchased. Periods of less than a year must be prorated. A member may not establish credit for a period of service for which the member also may receive a retirement benefit from another defined benefit retirement plan. A member may not establish service credit under this subsection to the extent such service purchase would violate Section 415 or any other provision of the Internal Revenue Code. Service purchased under this subsection is 'earned service' and counts toward the required five or more years of earned service necessary for benefit eligibility. Compensation earned while participating in the State Optional Retirement Program, the Optional Retirement Program for Teachers and School Administrators, or the Optional Retirement Program for Publicly Supported Four-Year and Postgraduate Institutions of Higher Education is not earnable compensation under the system and shall not be used in calculating a member's average final compensation. A member purchasing service under this subsection who has funds invested in a TIAA Traditional account under a TIAA-CREF Retirement Annuity contract shall be eligible to make a plan to plan transfer in accordance with the terms of that contract.

(G) An active member who previously withdrew contributions from the system may reestablish the service credited to the member at the time of the withdrawal of contributions by repaying the amount of the contributions previously withdrawn, plus regular interest from the date of the withdrawal to the date of repayment to the system.

(H) An active member establishing retirement credit pursuant to this chapter may establish that credit by means of payroll deducted installment payments. Interest must be paid on the unpaid balance of the amount due at the rate of the prime rate plus two percent a year.

(I) An employer, at its discretion, may pay to the system all or a portion of the cost for an employee's purchase of service credit under this chapter. Amounts paid by the employer under this subsection for all purposes must be treated as employer contributions.

(J) Service credit purchased under this section is not 'earned service' and does not count toward the required five or more years of earned service necessary for benefit eligibility except:

(1) earned service previously withdrawn and reestablished;

(2) service rendered while participating in the State Optional Retirement Program, the Optional Retirement Program for Teachers and School Administrators, or the Optional Retirement Program for Publicly Supported Four-Year and Postgraduate Institutions of Higher Education that has been purchased pursuant to subsection (F); or

(3) service earned as a participant in the system, the South Carolina Retirement System, the Retirement System for Members of the General Assembly, or the Retirement System for Judges and Solicitors that is transferred to or purchased in the system.

(K) A member may purchase each type of service under this section once each fiscal year.

(L) At retirement, after March 31, 1991, a Class One or Class Two member shall receive credit for not more than ninety days of his unused sick leave from the member's last employer at no cost to the member. The leave must be credited at a rate where twenty days of unused sick leave equals one month of service. This additional service credit may not be used to qualify for retirement.

(M) The board shall promulgate regulations and prescribe rules and policies, as necessary, to implement the service purchase provisions of this chapter.

(N) An employee drawing workers' compensation who is on a leave of absence for a limited period may voluntarily contribute on his contractual salary, to be matched by the employer."

B. Upon approval of this act by the Governor, this section takes effect January 2, 2013.

Retirement eligibility

SECTION 22. Section 9-11-60 of the 1976 Code, as last amended by Act 387 of 2000, is further amended to read:

"Section 9-11-60.(1) A member may retire upon written application to the system setting forth at what time, no more than ninety days before nor more than six months after the execution and filing of the application, the member desires to be retired, if the member at the time specified for the member's service retirement has:

(a) five or more years of earned service or eight or more years of such service for a Class Three member;

(b) attained the age of fifty-five years or has twenty-five or more years of credited service, or twenty-seven or more years of such service for a Class Three member; and

(c) separated from service.

(2) Upon service retirement on or after July 1, 1989, the member shall receive a service retirement allowance which is equal to the sum of (a), (b), and (c) below:

(a) a monthly retirement allowance equal to ten dollars and ninety-seven cents multiplied by the number of years of his Class One service;

(b) a monthly retirement allowance equal to one-twelfth of two and fourteen hundredths percent of his average final compensation multiplied by the number of years of his Class Two or Class Three service;

(c) an additional monthly retirement allowance which is the actuarial equivalent of the member's accumulated additional contributions.

The sum of the retirement allowances computed under (a) and (b) above may not be less than the allowance which would have been provided under (a) if all of the member's credited service were Class One service. For a police officer who became a member before July 1, 1974, and who was a participant in the Supplemental Allowance Program, the portion of his service retirement allowance not provided by his accumulated contributions may not be less than it would have been if the provisions of the System in effect on June 30, 1974, had continued in effect until his date of retirement."

Death benefit

SECTION 23. Section 9-11-120(F) of the 1976 Code, as last amended by Act 176 of 2010, is further amended to read:

"(F) Upon the death of a retired member on or after July 1, 2000, there must be paid to the designated beneficiary or beneficiaries, if living at the time of the retired member's death, otherwise to the retired member's estate, a benefit of two thousand dollars if the retired member had ten years of creditable service but less than twenty years, four thousand dollars if the retired member had twenty years of creditable service but less than twenty-five or less than twenty-seven for a Class Three member, and six thousand dollars if the retired member had at least twenty-five years of creditable service or at least twenty-seven years of such service for a Class Three member, at the

time of retirement, if the retired member's most recent employer before retirement is covered by the preretirement death benefit program.”

Disability retirement

SECTION 24. Section 9-11-80 of the 1976 Code, as last amended by Act 162 of 2010, is further amended to read:

“Section 9-11-80.(1) On the application of a member in service or the member's employer, a member who has the years of earned service required for the member's class pursuant to Section 9-11-60(1) or any contributing member who is disabled as a result of an injury arising out of and in the course of the performance of the member's duties regardless of length of membership, may be retired by the retirement board not less than thirty days and not more than nine months next following the date of filing the application on a disability retirement allowance if the system, after a medical examination of the member, certifies that the member is mentally or physically incapacitated for the further performance of duty, that the incapacity is likely to be permanent, and that the member should be retired. For purposes of this section, a member is considered to be in service on the date the application is filed if the member is not retired and the last day the member was employed by a covered employer in the system occurred not more than ninety days before the date of filing.

The South Carolina Retirement System may contract with the Department of Vocational Rehabilitation to evaluate the medical evidence submitted with the disability application relative to the job being performed and make recommendations to the system. The system may approve a disability retirement subject to the member participating in vocational rehabilitation with the Department of Vocational Rehabilitation. Upon determination by the department that a member retired on disability is able to reenter the job market and work is available, the retirement system may adjust the benefit paid by the system in accordance with Sections 9-1-1580, 9-1-1590, 9-9-60, and 9-11-90.

(2)(A) Upon disability retirement based upon an application received by the system before January 1, 2014, the member shall receive a disability retirement allowance which shall be equal to a service retirement allowance computed on the basis of his average final compensation, his years of credited service and his accumulated additional contributions at the date of his disability retirement; provided, however, that, at disability retirement, his disability

retirement allowance shall be determined on the basis of the number of years of credited service the member would have completed had he remained in service until attaining age fifty-five and on the basis of the average final compensation. For the purpose of calculating the disability retirement allowance, the additional credited service so determined shall be either Class One service or Class Two service depending upon the classification of the member at time of retirement.

(B) Upon disability retirement based upon an application received by the system after December 31, 2013, the member shall receive a disability retirement allowance which is equal to a service retirement allowance computed on the basis of the member's average final compensation, the member's years of credited service, and the member's accumulated additional contributions at the date of the member's disability retirement. However, at disability retirement, the member's disability retirement allowance must be determined on the basis of the member's average final compensation at retirement and on the basis of the number of years of credited service the member would have completed had the member remained in service until attaining age fifty-five or until attaining twenty-five years of credited service, whichever is less. For the purpose of calculating the disability retirement allowance, the additional credited service so determined must be either Class One service or Class Two service depending upon the classification of the member at the time of retirement.

(3)(A) Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the Board may require any disability beneficiary who has not yet attained the age of fifty-five years to undergo a medical examination, such examination to be made at the place of residence of the beneficiary or other place mutually agreed upon, by the system. If a disability beneficiary who has not yet attained the age of fifty-five years refuses to submit to any such medical examination, the member's retirement allowance may be discontinued until the member's withdrawal of such refusal, and if the refusal continues for one year, all the member's rights in and to the member's retirement allowance may be revoked, but upon revocation any unexpended portion of the member's accumulated contributions to date of retirement shall be returned to the member.

(B) To continue to receive a disability retirement allowance, a member who is retired on a disability retirement allowance based upon an application received by the system after December 31, 2013, and who has not yet attained the age of fifty-five years shall provide proof to the system that the member is qualified for the receipt of Social

Security disability benefits. This proof must be submitted to the system within thirty days of the third anniversary of the member's disability retirement date and within thirty days of each anniversary thereafter. A member's disability retirement allowance ceases upon a determination by the Social Security Administration that the member is no longer entitled to Social Security disability benefits for any reason. If any disability beneficiary who has not yet attained the age of fifty-five years refuses to provide proof of disability required by the board, his disability retirement allowance must be discontinued until the member provides such proof. If a member's refusal to provide proof that the member remains qualified for Social Security disability benefits continues for one year, all of the member's rights in and to the member's disability retirement allowance pursuant to this section may be revoked by the board.

(4) If the system certifies that the member's disability has been removed and that the member has regained earning capacity, the member's disability retirement allowance may be discontinued, or if the disability has been partly removed and the member's earning capacity regained in part, the disability retirement allowance may be reduced proportionately as provided pursuant to Section 9-1-1580. The determination of the board as to any disputed question, after due consideration accorded to the member, is conclusive. If the retirement allowance of any member retired for disability is discontinued or reduced, and if the member again suffers disability within five years of the date of the member's recovery and again loses earning capacity, the member is entitled to apply to the board for a restoration of the original retirement allowance, and the board may restore all or part of the member's original retirement allowance. At the expiration of the five-year period, if the retirement allowance has not been restored, all rights in and to the member's disability retirement allowance are revoked. The member then is entitled to a deferred early retirement allowance as provided in Section 9-11-70 based upon the member's average final compensation and credited service at the member's date of disability retirement.

(5) After age fifty-five, a disability retiree is subject to the same earnings limitation as a service retiree.

(6) Notwithstanding any other provision of this section, upon retirement for disability after October 15, 1992, at any age, a member must receive a disability retirement allowance equal to at least fifteen percent of his average final compensation."

Return to covered employment

SECTION 25. A. Section 9-11-90(4)(a) of the 1976 Code, as last amended by Act 356 of 2002, is further amended to read:

“(a)(i) Notwithstanding the provisions of subsections (1) and (2) of this section, a retired member of the system who has been retired for at least thirty consecutive calendar days may be hired and return to employment covered by this system or any system provided in this title and may earn up to ten thousand dollars without affecting the monthly retirement allowance the member is receiving from this system. If the retired member continues in service after having earned ten thousand dollars in a calendar year, the member’s retirement allowance must be discontinued during the member’s period of service in the remainder of the calendar year. If the employment continues for at least forty-eight consecutive months, the provisions of Section 9-11-90(3) apply. If a retired member of the system returns to employment covered by the South Carolina Police Officers Retirement System or any other system provided in this title sooner than thirty consecutive calendar days after retirement, the member’s retirement allowance is suspended while the member remains employed by a participating employer of any of these systems. If an employer fails to notify the system of the engagement of a retired member to perform services, the employer shall reimburse the system for all benefits wrongly paid to the retired member.

(ii) The earnings limitation imposed pursuant to this item does not apply if the member meets at least one of the following qualifications:

(A) the member retired before January 2, 2013;

(B) the member has attained the age of fifty-seven years at retirement; or

(C) compensation received by the retired member from the covered employer is for service in a public office filled by the appointment of the Governor and with confirmation by the Senate, by appointment or election by the General Assembly, or by election of the qualified electors of the applicable jurisdiction.”

B. Upon approval of this act by the Governor, this section takes effect January 2, 2013.

Retirement allowance eligibility

SECTION 26. Section 9-11-130(1) of the 1976 Code, as last amended by Act 387 of 2000, is further amended to read:

“(1) The person nominated by a member pursuant to Section 9-11-110 to receive a lump sum amount if the member dies before retirement may, if the member:

(a) has five or more years of earned service or eight or more years of such service for a Class Three member;

(b) dies in service; and

(c) has either attained age fifty-five or has accumulated fifteen years of creditable service, elect to receive in lieu of the lump sum amount otherwise payable under Section 9-11-110(1)(a) an allowance for life in the same amount as if the deceased member had retired at the time of his death and had named the person as beneficiary under an election of Option B pursuant to Section 9-11-150(A).

For purposes of the benefit calculation, a member who is not yet eligible for service retirement is assumed to be fifty-five years of age.”

Contributions

SECTION 27. Subsections (1) and (12) of Section 9-11-210 of the 1976 Code, as last amended by Act 424 of 1988 and Act 14 of 2005, respectively, are further amended to read:

“(1) Each Class One member shall contribute to the system twenty-one dollars a month during his service after becoming a member. Each Class Two and Class Three member shall contribute to the system a percentage of the member’s earnable compensation as provided pursuant to Section 9-11-225.

(12) Payments for unused sick leave, single special payments at retirement, bonus and incentive-type payments, or any other payments not considered a part of the regular salary base are not compensation for which contributions are deductible. This item does not apply to bonus payments paid to certain categories of employees annually during their work careers. Bonus or special payments applied only during the ‘Average Final Compensation’ period are excluded as compensation. Not including Class Three members, contributions are deductible on up to and including forty-five days’ termination pay for unused annual leave. If a member has received termination pay for

unused annual leave on more than one occasion, contributions are deductible on up to and including forty-five days' termination pay for unused annual leave for each termination payment for unused annual leave received by the member. However, only an amount up to and including forty-five days' pay for unused annual leave from the member's last termination payment shall be included in a member's average final compensation calculation for members eligible to have unused annual leave included in that calculation."

Contributions

SECTION 28. Section 9-11-220(1) of the 1976 Code is amended to read:

"(1) Commencing as of July 1, 1974, each employer shall contribute to the system seven and one-half percent of the compensation of Class One members in its employ and a percentage of compensation for all other members in its employ as provided pursuant to Section 9-11-225."

Repeal

SECTION 29. Sections 9-11-70, 9-11-75, and 9-11-310 of the 1976 Code are repealed.

Part IV

Subpart 1

South Carolina Public Employee Benefit Authority

PEBA established

SECTION 30. A. Title 9 of the 1976 Code is amended by adding:

"CHAPTER 4

South Carolina Public Employee Benefit Authority

Article 1

General Provisions

Section 9-4-10. (A) Effective July 1, 2012, there is created the South Carolina Public Employee Benefit Authority. The governing body of the authority is a board of directors consisting of eleven members. The functions of the authority must be performed, exercised, and discharged under the supervision and direction of the board of directors.

(B)(1) The board is composed of:

(a) three nonrepresentative members appointed by the Governor;

(b) two members appointed by the President Pro Tempore of the Senate, one a nonrepresentative member and one a representative member who is either an active or retired member of SCPORS;

(c) two members appointed by the Chairman of the Senate Finance Committee, one a nonrepresentative member and one a representative member who is a retired member of SCRS;

(d) two members appointed by the Speaker of the House of Representatives, one a nonrepresentative member and one a representative member who must be a state employee who is an active contributing member of SCRS;

(e) two members appointed by the Chairman of the House Ways and Means Committee, one a nonrepresentative member and one a representative member who is an active contributing member of SCRS employed by a public school district.

(2) For purposes of the appointments provided by this section, a nonrepresentative member may not belong to those classes of employees and retirees from whom representative members must be appointed.

(C)(1) A nonrepresentative member may not be appointed to the board unless the person possesses at least one of the following qualifications:

(a) at least twelve years of professional experience in the financial management of pensions or insurance plans;

(b) at least twelve years academic experience and holds a bachelor's or higher degree from a college or university as classified by the Carnegie Foundation;

(c) at least twelve years of professional experience as a certified public accountant with financial management, pension, or insurance audit expertise;

(d) at least twelve years as a Certified Financial Planner credentialed by the Certified Financial Planner Board of Standards; or

(e) at least twelve years membership in the South Carolina Bar and extensive experience in one or more of the following areas of law:

- (i) taxation;
- (ii) insurance;
- (iii) health care;
- (iv) securities;
- (v) corporate;
- (vi) finance; or
- (vii) the Employment Retirement Income Security Act (ERISA).

(2) A representative member may not be appointed to the board unless the person:

(a) possesses one of the qualifications set forth in item (1); or

(b) has at least twelve years of public employment experience and holds a bachelor's degree from a college or university as classified by the Carnegie Foundation.

(D) Members of the board shall serve for terms of two years and until their successors are appointed and qualify. Vacancies must be filled within sixty days in the manner of original appointment for the unexpired portion of the term. Terms commence on July first of even numbered years. Upon a member's appointment, the appointing official shall certify to the Secretary of State that the appointee meets or exceeds the qualifications set forth in subsections (B) and (C). No person appointed may qualify unless he first certifies that he meets or exceeds the qualifications applicable for their appointment. A member serves at the pleasure of the member's appointing authority.

(E) The members shall select a nonrepresentative member to serve as chairman and shall select those other officers they determine necessary. Subject to the qualifications for chairman provided in this section, members may set their own policy related to the rotation of the selection of a chairman of the board.

(F)(1) Each member must receive an annual salary of twelve thousand dollars. This compensation must be paid from approved accounts of general funds and retirement system funds based on the

proportionate amount of time the board devotes to its various functions. Members may receive the mileage and subsistence authorized by law for members of state boards, commissions, and committees paid from approved accounts funded by general funds and retirement system funds in the proportion that compensation is paid.

(2) Notwithstanding any other provision of law, membership on the board does not make a member eligible to participate in a retirement system administered pursuant to this title and does not make a member eligible to participate in the employee insurance program administered pursuant to Article 5, Chapter 11, Title 1. Any compensation paid on account of the member's service on the board is not considered earnable compensation for purposes of any state retirement system.

(G) Minimally, the board shall meet monthly. If the chairman considers it more effective, the board may meet by teleconferencing or video conferencing. However, if the agenda of the meeting consists of items that are not exempt from disclosure or the meeting may not be closed to the public pursuant to Chapter 4, Title 30, the provisions of Chapter 4, Title 30 apply, and the meeting must be open to the public.

(H) Effective July 1, 2012, the following offices, divisions, or components of the State Budget and Control Board are transferred to, and incorporated into, an administrative agency of state government to be known as the South Carolina Public Employee Benefit Authority:

- (1) Employee Insurance Program; and
- (2) the Retirement Division.

Section 9-4-15. RESERVED

Section 9-4-20. RESERVED

Section 9-4-30. (A)(1) The South Carolina Public Employee Benefit Authority shall operate a retirement division to administer the various retirement systems and retirement programs pursuant to Title 9 and, effective after December 31, 2013, to administer the deferred compensation program pursuant to Chapter 23, Title 8.

(2) Expenses incurred by the Retirement Division in administering, after December 31, 2013, the deferred compensation plans must be reimbursed to the Retirement Division from funds generated by the deferred compensation plans available to pay for administrative expenses.

(B) The South Carolina Public Employee Benefits Authority shall provide copies of annual actuarial valuations of all retirement systems

requiring such annual valuations to the General Assembly by the second Tuesday in January of every year.

Section 9-4-40. Each year in the general appropriations act, the General Assembly shall appropriate sufficient funds to the Office of the State Inspector General to employ a private audit firm to perform a fiduciary audit on the South Carolina Public Employee Benefit Authority. The audit firm must be selected by the State Inspector General. The report from the previous fiscal year must be completed by January fifteenth. Upon completion, the report must be submitted to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

Section 9-4-45. (A) Policy determinations made by the South Carolina Public Benefit Authority are subject to approval by the State Budget and Control Board or its successor, evidenced by a majority vote of the board.

(B) For purposes of this section, policy determination means a determination by law required to be made by the South Carolina Public Benefit Authority in its administration of the Employee Insurance Program relating to coverage changes and premium increases and in its administration of the Retirement Division, actuarial assumptions governing the retirement system and adjustments in employer and employee contributions.

Section 9-4-50. (A) The South Carolina Public Employee Benefit Authority shall maintain a transaction register that includes a complete record of all funds expended, from whatever source for whatever purpose. The register must be prominently posted on the authority's Internet website and made available for public viewing and downloading.

(1)(a) The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee;
- (iii) the identification number of the transaction; and
- (iv) a description of the expenditure, including the source of funds, a category title, and an object title for the expenditure.

(b) The register must include all reimbursements for expenses, but must not include an entry for:

(i) salary, wages, or other compensation paid to individual employees; and

(ii) retirement benefits, deferred compensation plan distributions, insurance reimbursements, or other payments paid to individual employees, members, or participants, as applicable, pursuant to programs administered by the board.

(c) The register must not include a social security number.

(d) The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure.

(e) The register may exclude any information that can be used to identify an individual employee or student.

(f) This section does not require the posting of any information that is not required to be disclosed under Chapter 4, Title 30.

(2) The register must be searchable and updated at least once a month. Each monthly register must be maintained on the Internet website for at least three years.

(B) Any information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting required by this section.

(C) If the authority has a question or issue relating to technical aspects of complying with the requirements of this section or the disclosure of public information under this section, it shall consult with the Office of the Comptroller General, which may provide guidance to the authority.”

B. This section takes effect July 1, 2012.

Subpart 2

Conforming Amendments for the South Carolina Public Employee Benefit Authority

Reference change

SECTION 31. Section 1-11-703(9) and (10) of the 1976 Code, as added by Act 195 of 2008, is amended to read:

“(9) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority.

(10) ‘Employee insurance program’ or ‘EIP’ means the office of the South Carolina Public Employee Benefit Authority designated by the board to operate insurance programs pursuant to this article.”

Reference change

SECTION 32. Section 1-11-710(A) of the 1976 Code, as last amended by Act 195 of 2008, before the first item, is further amended to read:

“(A) The board shall:”

Reference change

SECTION 33. Section 1-11-720(B) of the 1976 Code is amended to read:

“(B) To be eligible to participate in the state health and dental insurance plans, the entities listed in subsection (A) shall comply with the requirements established by the board, and the benefits provided must be the same benefits provided to state and school district employees. These entities must agree to participate for a minimum of four years and the board may adjust the premiums during the coverage period based on experience. An entity which withdraws from participation may not subsequently rejoin during the first four years after the withdrawal date.”

Reference change

SECTION 34. Section 1-11-725 of the 1976 Code, as added by Act 353 of 2008, is amended to read:

“Section 1-11-725. The board’s experience rating of all local disabilities and special needs providers pursuant to Section 1-11-720(A)(3) must be rated as a single group when rating all optional groups participating in the state employee health insurance program.”

Reference change

SECTION 35. Section 1-11-730(A)(2) of the 1976 Code, as last amended by Act 195 of 2008, is further amended to read:

“(2) A member of the General Assembly who leaves office or retires with at least eight years’ credited service in the General Assembly Retirement System is eligible to participate in the state health and dental plans by paying the full premium as determined by the board.”

Reference change

SECTION 36. Sections 1-11-740 and 1-11-750 of the 1976 Code are amended to read:

“Section 1-11-740. The Division of Insurance Services of the board may develop an optional long-term care insurance program for active and retired members of the various state retirement systems depending on the availability of a qualified vendor. A program must require members to pay the full insurance premium.

Section 1-11-750. The board shall devise a method of withholding long-term care insurance premiums offered under Section 1-11-740 for retirees if sufficient enrollment is obtained to make the deductions feasible.”

Reference change

SECTION 37. Section 1-11-770(A) of the 1976 Code, before the first item, is amended to read:

“(A) Subject to appropriations, the General Assembly authorizes the board to plan, develop, and implement a statewide South Carolina 211 Network, which must serve as the single point of coordination for information and referral for health and human services. The objectives for establishing the South Carolina 211 Network are to:”

Reference change

SECTION 38. A. Sections 8-23-20 and 8-23-30 of the 1976 Code, as last amended by Act 305 of 2008, are further amended to read:

“Section 8-23-20. The Board of Directors of the South Carolina Public Employee Benefit Authority shall establish such rules and regulations as it deems necessary to implement and administer the Deferred Compensation Program. The board shall make such

administrative appointments and contracts as are necessary to carry out the purpose and intent of this chapter and in the administration of account assets. For purposes of administering this program, an individual account shall be maintained in the name of each employee.

The board shall select, through competitive bidding and contracts, plans for purchase of fixed and variable annuities, savings, mutual funds, insurance, and such other investments as the board may approve which are not in conflict with the State Constitution and with the advice and approval of the State Treasurer.

Costs of administration may be paid from the interest earnings of the funds accrued as a result of deposits or as an assessment against each account.

Section 8-23-30. The State or any political subdivision of the State, by contract, may agree with an employee to defer a portion of his compensation in an amount as provided for in a plan approved by the Board of Directors of the South Carolina Public Employee Benefit Authority and subsequently with the consent of the employee may contract for purchase or otherwise procure fixed or variable annuities, savings, mutual funds, insurance, or such other investments as the board may approve for the purpose of carrying out the objectives of the program with the advice and approval of the State Treasurer. The investments shall be underwritten and offered in compliance with applicable federal and state laws and regulations by persons who are authorized by the board in accordance with the provisions of this chapter.”

B. Section 8-23-70 of the 1976 Code is amended to read:

“Section 8-23-70. The Deferred Compensation Program established pursuant to this chapter shall be in addition to retirement, pension, or benefit systems established by the State, federal government, or political subdivision and no deferral of income under the Deferred Compensation Program shall affect a reduction of any retirement, pension, social security, or other benefit provided by law. Any sum deferred under the Deferred Compensation Program shall not be subject to taxation until distribution is actually made to the employee.

Nothing contained in this chapter shall be construed to prohibit counties, municipalities, school districts, and other political subdivisions of the State and their employees from participation in deferred compensation plans or programs offered independently of the Board of Directors of the South Carolina Public Employee Benefit

Authority by building and loan or savings and loan associations, banks, trust companies, and credit unions chartered by the state or federal governments, and all such political subdivisions shall be empowered with such contractual authority as may be necessary or incident to such participation; provided, however, that (a) such deferred compensation plans or programs shall comply with applicable federal income tax law in providing income deferral, (b) all deferred amounts shall be held in accounts, certificates of deposit, or other forms of savings vehicles which are insured by the Federal Savings and Loan Insurance Corporation in the case of savings and loan associations, the Federal Deposit Insurance Corporation in the case of commercial banks, and the National Credit Union Administration in the case of credit unions.”

C. Section 8-23-110 of the 1976 Code, as added by Act 387 of 2000, is amended to read:

“Section 8-23-110. (A) The Board of Directors of the South Carolina Public Employee Benefit Authority shall ensure that plan documents governing deferred compensation plans administered by the board permit employer contributions to the extent allowed under the Internal Revenue Code.

(B) Political subdivisions of the State, including school districts, participating in deferred compensation plans administered by the board or such plans offered by other providers may make matching or other contributions on behalf of their participating employees.

(C) As an additional benefit for state employees, and to the extent funds are appropriated for this purpose, the State shall make matching or other contributions on behalf of state employees participating in the deferred compensation plans offered by the board or such plans offered by other providers in an amount and under the terms and conditions prescribed for such contributions by the board.”

D. The amendments to Sections 8-23-20, 8-23-30, 8-23-70, and 8-23-110 of the 1976 Code contained in this section take effect January 1, 2014.

Reference change

SECTION 39. Section 9-1-10(6) of the 1976 Code, as last amended by Act 387 of 2000, is further amended to read:

“(6) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority which shall act under the provisions of this chapter through its Division of Retirement Systems.”

Reference change

SECTION 40. Section 9-1-20 of the 1976 Code is amended to read:

“Section 9-1-20. A retirement system is hereby established and placed under the management of the board for the purpose of providing retirement allowances and other benefits for teachers and employees of the State and political subdivisions or agencies or departments thereof. The system so created shall have the power and privileges of a corporation and shall be known as the ‘South Carolina Retirement System’, and by such name all of its business shall be transacted, all of its funds invested, and all of its cash, securities, and other property held.”

Reference change

SECTION 41. Section 9-1-210 of the 1976 Code is amended to read:

“Section 9-1-210. The general administration and responsibility for the proper operation of the system and for making effective the provisions hereof are hereby vested in the board.”

Reference change, Retirement System cotrustees

SECTION 42. A. Section 9-1-310 of the 1976 Code, as last amended by Act 155 of 2005, is further amended to read:

“Section 9-1-310. The administrative cost of the South Carolina Retirement System, the South Carolina Police Officers Retirement System, the Retirement System for Members of the General Assembly of the State of South Carolina, the Retirement System for Judges and Solicitors of the State of South Carolina, and the National Guard Retirement System must be funded from the interest earnings of the above systems. The allocation of the administrative costs of the systems must be made by the board and must be based upon a proration of the cost in proportion to the assets that each system bears to the total assets of all of the systems for the most recently completed fiscal year.”

B. Section 9-1-1310(A) of the 1976 Code, as last amended by Act 153 of 2005, is further amended to read:

“(A) The South Carolina Public Employee Benefit Authority and the State Budget and Control Board, or its successor, are cotrustees of the retirement system as ‘retirement system’ is defined in Section 9-16-10(8) in performing the functions imposed on them by law in the governance of the Retirement System. Notwithstanding any other provision of law, any reference in law to the trustee of the Retirement System must be construed to conform to the cotrusteeship as provided in this subsection. The Retirement System Investment Commission shall invest and reinvest the funds of the retirement system as ‘retirement system’ is defined in Section 9-16-10(8), subject to all the terms, conditions, limitations, and restrictions imposed by Section 16, Article X of the South Carolina Constitution, subsection (B) of this section, and Chapter 16 of this title.”

Reference change

SECTION 43. Section 9-1-1515(D)(2) of the 1976 Code, as last amended by Act 100 of 1999, is further amended to read:

“(2) A member taking early retirement may maintain coverage under the State Insurance Benefits Plan until the date his coverage is reinstated pursuant to item (1) of this subsection by paying the total premium cost, including the employer’s contribution, in the manner provided by the Division of Insurance Services of the board.”

Reference change

SECTION 44. Section 9-1-1830 of the 1976 Code is amended to read:

“Section 9-1-1830. Starting July 1, 1981, there must be paid to the system, and credited to the post-retirement increase special fund, contributions by the employers in an amount equal to two-tenths of one percent of the earnable compensation of each member employed by each employer. In addition, the board, on the recommendation of the actuary, shall transfer a portion of the monies as are received pursuant to Section 9-1-1050 that are available due to actuarial gains in the system if the transfers do not adversely affect the funding status of the system. Starting July 1, 1986, all contributions previously credited to

the postretirement increase special fund must be diverted and credited to the employer annuity accumulation fund.”

Name changed, reference change

SECTION 45. Chapter 2, Title 9 of the 1976 Code is amended to read:

“CHAPTER 2

Retirement and Preretirement Advisory Panel

Section 9-2-10. There is created the South Carolina Retirement and Preretirement Advisory Panel for the purpose of advising the Director of the South Carolina Retirement System and the Director of the State Personnel Division on matters relating to retirement and preretirement programs and policies.

Section 9-2-20. (a) The panel shall consist of eight members appointed by the Board of Directors of the South Carolina Public Employee Benefit Authority and must be constituted as follows:

- (1) one member representing municipal employees;
- (2) one member representing county employees;

(3) three members representing state employees, one of whom must be retired and one of whom must be an active or retired law enforcement officer who is contributing to or receiving benefits from the Police Officers Retirement System. If this law enforcement member is retired, the other two members representing state employees do not have to be retired;

(4) two members representing public school teachers, one of whom must be retired;

(5) one member representing the higher education teachers. The board of directors shall invite the appropriate associations, groups, and individuals to recommend persons to serve on the panel.

(b) The terms of the members shall be for four years and until their successors have been appointed and qualify. No member shall serve more than two consecutive terms. After serving two consecutive terms a member shall be eligible to serve again, four years after the expiration of his second term. Provided that of those first appointed, four of the members shall serve for a term of two years. In the event of a vacancy, a successor shall be appointed in the same manner as the original appointment to serve the unexpired term.

(c) A chairman, vice chairman, and secretary shall be elected from among the membership to serve for terms of two years.

Section 9-2-30. The panel shall meet once a year with the Director of the South Carolina Retirement System, once a year with the State Personnel Director, and once a year with the Executive Director of the South Carolina Public Employee Benefit Authority. The chairman may call additional meetings of the panel at such other times as considered necessary and shall give timely notice of such meetings.

Section 9-2-40. The panel shall review retirement and preretirement programs and policies, propose recommendations, and identify major issues for consideration.

Section 9-2-50. The panel is authorized to seek reasonable staff assistance from the South Carolina Retirement System, the State Personnel Division, and other state agencies which may be concerned with a particular area of study. The panel is also encouraged to use such resources as faculty and students at public universities, colleges, and technical education schools in South Carolina.”

Reference change

SECTION 46. Section 9-8-10(3) of the 1976 Code is amended to read:

“(3) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority.”

Reference change

SECTION 47. Section 9-8-30(1) of the 1976 Code is amended to read:

“(1) The administration and responsibility for the operation of the system and for making effective the provisions of this chapter are vested in the board.”

Reference change

SECTION 48. The last undesignated paragraph of Section 9-8-60(1) of the 1976 Code, as added by Act 164 of 1993, is amended to read:

“A person receiving retirement allowances under this system who is elected to the General Assembly continues to receive the retirement allowances while serving in the General Assembly, and also must be a member of the retirement system unless the person files a statement with the board on a form prescribed by the board electing not to participate in the applicable system while a member of the General Assembly. A person making this election shall not make contributions to the applicable retirement system nor shall the State make contributions on the member’s behalf and the person is not entitled to benefits from the applicable retirement system after ceasing to be a member of the General Assembly.”

Reference change

SECTION 49. Section 9-9-10(3) of the 1976 Code is amended to read:

“(3) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority.”

Reference change

SECTION 50. Section 9-9-30(1) of the 1976 Code is amended to read:

“(1) The general administration and responsibility for the proper operation of the system and for making effective the provisions hereof are hereby vested in the board.”

Reference change

SECTION 51. Section 9-10-10(1) of the 1976 Code, as added by Act 155 of 2005, is amended to read:

“(1) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority, acting pursuant to the provisions of this chapter through its Division of Retirement Systems.”

Reference change

SECTION 52. Section 9-10-60(D) of the 1976 Code, as added by Act 155 of 2005, is amended to read:

“(D) The General Assembly annually shall appropriate sums sufficient to establish and maintain the National Guard Retirement System on a sound actuarial basis as determined by the board.”

Reference change

SECTION 53. Section 9-11-10(9) of the 1976 Code, as last amended by Act 387 of 2000, is further amended to read:

“(9) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority acting through its Division of Retirement Systems.”

Reference change

SECTION 54. Section 9-11-30(1) of the 1976 Code is amended to read:

“(1) The general administration and responsibility for the proper operation of the system and for making effective the provisions hereof are hereby vested in the board.”

Reference change

SECTION 55. Section 9-12-10(1) of the 1976 Code, as added by Act 311 of 2008, is amended to read:

“(1) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority acting as trustee of the retirement systems and acting through its Division of Retirement Systems.”

Reference change

SECTION 56. Items (3) and (9) of Section 9-16-10 of the 1976 Code, as added by Act 371 of 1998, are amended to read:

“(3) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority acting as trustee of the retirement system.

(9) ‘Trustee’ means the Board of Directors of the South Carolina Public Employee Benefit Authority.”

PEBA reference added

SECTION 57. Section 9-16-55(F) of the 1976 Code, as added by Act 248 of 2008, is amended to read:

“(F) Present and former board members, officers, and employees of the State Budget and Control Board, present, future, and former directors, officers, and employees of the South Carolina Public Employee Benefit Authority, the Retirement System Investment Commission, and contract investment managers retained by the commission must be indemnified from the general fund of the State and held harmless by the State from all claims, demands, suits, actions, damages, judgments, costs, charges, and expenses, including court costs and attorney’s fees, and against all liability, losses, and damages of any nature whatsoever that these present, future, or former board members, officers, employees, or contract investment managers shall or may at any time sustain by reason of any decision to restrict, reduce, or eliminate investments pursuant to this section.”

Reference change

SECTION 58. Section 9-18-10(3) of the 1976 Code, as added by Act 38 of 1995, is amended to read:

“(3) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority.”

Reference change

SECTION 59. Section 9-20-30 of the 1976 Code, as last amended by Act 54 of 2001, is further amended to read:

“Section 9-20-30. The South Carolina Retirement System shall provide for the administration of the State Optional Retirement Program under this chapter. The Director of the South Carolina

Retirement System acting on behalf of the Board of Directors of the South Carolina Public Employee Benefit Authority shall designate no fewer than four companies to provide annuity contracts, mutual fund accounts, or similar investment products offered through state or national banking institutions, or a combination of them, under the program. In making the designation, selection criteria must include:

(1) the nature and extent of the rights and benefits to be provided by the contracts or accounts, or both, of participants and their beneficiaries;

(2) the relation of the rights and benefits to the amount of contributions to be made;

(3) the suitability of these rights and benefits to the needs of the participants;

(4) the ability and experience of the designated companies in providing suitable rights and benefits under the contracts or accounts, or both;

(5) the ability and experience of the designated companies to provide suitable education and investment options.

Companies participating in the optional retirement program for publicly supported four-year and postgraduate institutions of higher education as of July 1, 2002, or the optional retirement program for teachers and school administrators as of July 1, 2001, may continue to participate in this program and participation is governed by their existing contracts.”

Reference change

SECTION 60. Section 9-21-20(2) of the 1976 Code, as added by Act 12 of 2003, is amended to read:

“(2) ‘Board’ means the Board of Directors of the South Carolina Public Employee Benefit Authority.”

Reference change

SECTION 61. Section 59-1-470 of the 1976 Code is amended to read:

“Section 59-1-470. Funds appropriated by the General Assembly for a deferred compensation employer matching contribution must be distributed by the State Department of Education to school districts for the purpose of providing an employer matching contribution for

eligible school district employees making contributions to deferred compensation plans offered by the South Carolina Deferred Compensation Commission or, after December 31, 2013, the South Carolina Public Employee Benefit Authority, or other approved and qualified plans of other providers. These funds must be distributed in a manner consistent with the provisions of Section 8-23-110. The employer matching contribution by the school district may not exceed three hundred dollars for each eligible employee a year.”

Time effective

SECTION 62. This subpart takes effect July 1, 2012.

Subpart 3

Transfer and Devolution

Retirement System Investment Commission

Deferred Compensation Commission abolished

SECTION 63. Effective July 1, 2012, Section 9-16-310 of the 1976 Code, relating to the State Retirement Systems Investment Panel, is repealed. Effective after December 31, 2013, the Deferred Compensation Commission is abolished. All of the functions and duties of the Deferred Compensation Commission are devolved upon the Board of Directors of the South Carolina Public Employee Benefit Authority as of January 1, 2014.

Retirement System Investment Commission

SECTION 64. A. Section 9-16-315 of the 1976 Code, as added by Act 153 of 2005, is amended to read:

“Section 9-16-315. (A) There is established the ‘Retirement System Investment Commission’ (RSIC) consisting of seven members as follows:

- (1) one member appointed by the Governor;
- (2) the State Treasurer, ex officio;
- (3) one member appointed by the Comptroller General;
- (4) one member appointed by the Chairman of the Senate Finance Committee;

(5) one member appointed by the Chairman of the Ways and Means Committee of the House of Representatives;

(6) one member who is a retired member of the retirement system. This representative member must be appointed by unanimous vote of the voting members of the commission; and

(7) the Executive Director of South Carolina Public Employee Benefit Authority, ex officio, without voting privileges.

(B) The State Treasurer may appoint a member to serve in his stead. A member appointed by the State Treasurer shall serve for a term coterminous with the State Treasurer and must possess at least one of the qualifications provided in subsection (E). Once appointed, this member may not be removed except as provided in subsection (C).

(C) Except as provided in subsection (B), members shall serve for terms of five years and until their successors are appointed and qualify, except that of those first appointed, the appointees of the Comptroller General and the Chairman of the Senate Finance Committee shall serve for terms of three years and the appointee of the Chairman of the Committee on Ways and Means and the representative appointee shall serve for terms of one year. Terms are deemed to expire after June thirtieth of the year in which the term is due to expire. Members are appointed for a term and may be removed before the term expires only by the Governor for the reasons provided in Section 1-3-240(C).

(D) The commission shall select one of the voting members to serve as chairman and shall select those other officers it determines necessary, but the State Treasurer may not serve as chairman.

(E) A person may not be appointed to the commission unless the person possesses at least one of the following qualifications:

(1) the Chartered Financial Analyst credential of the CFA Institute;

(2) the Certified Financial Planner credential of the Certified Financial Planner Board of Standards;

(3) reserved;

(4) at least twenty years professional actuarial experience, including at least ten as an Enrolled Actuary licensed by a Joint Board of the Department of the Treasury and the Department of Labor, to perform a variety of actuarial tasks required of pension plans in the United States by the Employee Retirement Income Security Act of 1974;

(5) at least twenty years professional teaching experience in economics or finance, ten of which must have occurred at a doctorate-granting university, master's granting college or university, or a baccalaureate college as classified by the Carnegie Foundation;

(6) an earned Ph.D. in economics or finance from a doctorate-granting institution as classified by the Carnegie Foundation; or

(7) the Certified Internal Auditor credential of The Institute of Internal Auditors.

(F) Not including the State Treasurer, no person may be appointed or continue to serve who is an elected or appointed officer or employee of the State or any of its political subdivisions, including school districts.

(G) The Retirement System Investment Commission is established to invest the funds of the retirement system. All of the powers and duties of the State Budget and Control Board as investor in equity securities and the State Treasurer's function of investing in fixed income instruments are transferred to and devolved upon the Retirement System Investment Commission. To assist the commission in its investment function, it shall employ a chief investment officer, who under the direction and supervision of the commission, and as its agent, shall develop and maintain annual investment plans and invest and oversee the investment of retirement system funds. The chief investment officer serves at the pleasure of the commission and must receive the compensation the commission determines appropriate. The commission may employ the other professional, administrative, and clerical personnel it determines necessary and fix their compensation. All employees of the commission are employees at will. The compensation of the chief investment officer and other employees of the commission is not subject to the state compensation plan.

(H)(1) The administrative costs of the Retirement System Investment Commission must be paid from the earnings of the state retirement system in the manner provided in Section 9-1-1310.

(2) Effective beginning July 1, 2012, each commission member, not including the Executive Director of the South Carolina Public Employee Benefit Authority, must receive an annual salary of twenty thousand dollars plus mileage and subsistence as provided by law for members of state boards, committees, and commissions paid as provided pursuant to item (1) of this subsection. Notwithstanding any other provision of law, membership on the commission does not make a member eligible to participate in a retirement system administered pursuant to this title and does not make a member eligible to participate in the employee insurance program administered pursuant to Article 5, Chapter 11, Title 1. Compensation paid on account of the member's service on the commission is not considered earnable compensation for purposes of any retirement system administered pursuant to this title."

B. Article 3, Chapter 16, Title 9 of the 1976 Code is amended by adding:

“Section 9-16-380. Each year in the general appropriations act, the General Assembly shall appropriate sufficient funds to the Office of the State Inspector General to employ a private audit firm to perform a fiduciary audit on the Retirement System Investment Commission. The audit firm must be selected by the State Inspector General. The report from the previous fiscal year must be completed by January fifteenth. Upon completion, the report must be submitted to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.”

C. Notwithstanding the provision of Section 9-16-315(E) as amended in this section, appointed members of the Retirement System Investment Commission serving on June 30, 2012, shall continue to serve for the remainder of their current and any succeeding terms for which they are appointed, after which their successors must have a qualification described in Section 9-16-315(E) as amended by this section.

Transition

SECTION 65. (A) Where the provisions of this act transfer portions of the Budget and Control Board to the South Carolina Public Employee Benefit Authority, the employees, authorized appropriations, and assets and liabilities of the transferred portions of the Budget and Control Board are also transferred to and become part of the South Carolina Public Employee Benefit Authority. All classified or unclassified personnel employed by the transferred portions of the Budget and Control Board either by contract or by employment at will, shall become on July 1, 2012, employees of the South Carolina Public Employee Benefit Authority, with the same compensation, classification, and grade level, as applicable. Before its abolition, the Budget and Control Board shall cause all necessary actions to be taken to accomplish this transfer in accordance with state laws and regulations. Notwithstanding the provisions of Section 9-4-10(A) of the 1976 Code, as added by this act, on the effective date of this section, the Governor and the Chairmen of the House Ways and Means

Committee and the Senate Finance Committee jointly shall appoint the initial and any necessary succeeding Executive Director of the South Carolina Public Employee Benefit Authority to serve through December 31, 2013, after which the position must be filled by the appointment of the authority board. Notwithstanding the provisions of Section 9-4-10(F) of the 1976 Code, as added by this act, the Governor shall name a member of the Board of Directors of the South Carolina Public Employee Benefit Authority to serve as chairman of that board through December 31, 2013.

(B) Regulations promulgated by the transferred portions of the Budget and Control Board are continued and are considered to be promulgated by the South Carolina Public Employee Benefit Authority. Contracts entered into by the Budget and Control Board and the Deferred Compensation Commission are continued and are considered to be devolved upon the South Carolina Public Employee Benefit Authority at the time of the transfer.

(C) The Code Commissioner is directed to change or correct all references to the Employee Insurance Program, the Retirement Division, and the Deferred Compensation Commission to reflect its transfer to the South Carolina Public Employee Benefit Authority. References to the name of the Employee Insurance Program, the Retirement Division, and the Deferred Compensation Commission in the 1976 Code or other provisions of law are considered to be and must be construed to mean appropriate references.

Retirement allowance eligibility

SECTION 66. A. Section 9-1-1660 of the 1976 Code, as last amended by Act 387 of 2000, is further amended by adding two new subsections at the end to read:

“(C) Regardless of whether a member is in service, if a member dies before retirement and, at the time of the member’s death, was eligible to receive a service retirement allowance pursuant to Section 9-1-1510 or Section 9-1-1515, the person nominated by a member to receive the full amount of the member’s accumulated contributions if the member dies before retirement may elect to receive, in lieu of the accumulated contributions, an allowance for life in the same amount as if the deceased member had retired at the time of the member’s death and had named the person as beneficiary under an election of Option B of Section 9-1-1620(A).

(D) If a member has designated more than one beneficiary for the receipt of the member's accumulated contributions if the member dies before retirement, and if those beneficiaries become eligible to elect an allowance pursuant to this section upon the member's death, all of the beneficiaries must elect the allowance in order for the allowance to become payable in lieu of the return of accumulated contributions."

B. Section 9-11-130 of the 1976 Code, as last amended by Act 387 of 2000, is further amended by adding two new subsections at the end to read:

"(3) Regardless of whether a member is in service, if a member dies before retirement and, at the time of the member's death, was eligible to receive a service retirement allowance pursuant to Section 9-11-60 or Section 9-11-70, the person nominated by a member pursuant to Section 9-11-110 to receive a lump sum amount if the member dies before retirement may elect to receive, in lieu of the lump sum amount otherwise payable, an allowance for life in the same amount as if the deceased member had retired at the time of the member's death and had named the person as beneficiary under an election of Option B under Section 9-11-150(A).

(4) If a member has designated more than one beneficiary pursuant to Section 9-11-110 to receive a lump sum amount if the member dies before retirement, and if those beneficiaries become eligible to elect an allowance pursuant to this section upon the member's death, all of the beneficiaries must elect the allowance in order for the allowance to become payable in lieu of the lump sum amount otherwise payable."

Subpart 4

Effective Date of this Part

Time effective

SECTION 67. Except where otherwise provided, this Part takes effect July 1, 2012.

Part V

Provisions Applying to More Than One Retirement System

Assumed rate of return

SECTION 68. Article 3, Chapter 16, Title 9 of the 1976 Code is amended by adding:

“Section 9-16-335. For all purposes of this title, the assumed annual rate of return on the investments of the Retirement System must be established by the General Assembly pursuant to this section. Effective July 1, 2012, the assumed annual rate of return on retirement system investments is seven and one-half percent.”

Member accounts

SECTION 69. A. Section 9-1-1135 of the 1976 Code, as added by Act 311 of 2008, is amended to read:

“Section 9-1-1135. (A) Interest must be credited to the account of each member once each year as of June thirtieth, on the basis of the balance in the account of each member as of the previous June thirtieth. Upon the death, retirement, or termination of a member, interest must be figured to the end of the month immediately preceding the date of refund or retirement, interest being based on the balance in the member’s account as of the June thirtieth immediately preceding the date of refund or retirement.

(B) Notwithstanding subsection (A), interest must not be credited to an inactive member account. For purposes of this subsection, a member account becomes inactive on July first if no contributions were made to the account in the preceding twelve months.”

B. Section 9-8-185 of the 1976 Code, as added by Act 311 of 2008, is amended to read:

“Section 9-8-185. (A) Interest must be credited to the account of each member once each year as of June thirtieth, on the basis of the balance in the account of each member as of the previous June thirtieth. Upon the death, retirement, or termination of a member, interest must be figured to the end of the month immediately preceding the date of refund or retirement, interest being based on the balance in the member’s account as of the June thirtieth immediately preceding the date of refund or retirement.

(B) Notwithstanding subsection (A), interest must not be credited to an inactive member account. For purposes of this subsection, a

member account becomes inactive on July first if no contributions were made to the account in the preceding twelve months.”

C. Section 9-9-175 of the 1976 Code, as added by Act 311 of 2008, is amended to read:

“Section 9-9-175. (A) Interest must be credited to the account of each member once each year as of June thirtieth, on the basis of the balance in the account of each member as of the previous June thirtieth. Upon the death, retirement, or termination of a member, interest must be figured to the end of the month immediately preceding the date of refund or retirement, interest being based on the balance in the member’s account as of the June thirtieth immediately preceding the date of refund or retirement.

(B) Notwithstanding subsection (A), interest must not be credited to an inactive member account. For purposes of this subsection, a member account becomes inactive on July first if no contributions were made to the account in the preceding twelve months.”

D. Section 9-11-265 of the 1976 Code, as added by Act 311 of 2008, is amended to read:

“Section 9-11-265. (A) Interest must be credited to the account of each member once each year as of June thirtieth, on the basis of the balance in the account of each member as of the previous June thirtieth. Upon the death, retirement, or termination of a member, interest must be figured to the end of the month immediately preceding the date of refund or retirement, interest being based on the balance in the member’s account as of the June thirtieth immediately preceding the date of refund or retirement.

(B) Notwithstanding subsection (A), interest must not be credited to an inactive member account. For purposes of this subsection, a member account becomes inactive on July first if no contributions were made to the account in the preceding twelve months.”

Part VI

Miscellaneous, Effective Date

Magistrates

SECTION 70. Section 22-1-15(C) of the 1976 Code is amended to read:

“(C) The provisions of Section 22-1-10(B)(2)(b) do not apply to a magistrate serving on June 30, 2005, during his tenure in office, and do not apply to a magistrate serving after June 30, 2005, who retires and is reappointed within one year of the date of his retirement and during his tenure in office for the new appointment.”

Study

SECTION 71. The Human Resources Division of the State Budget and Control Board, or its successor, shall conduct a study to determine an appropriate level of compensation for statewide constitutional officers and members of the General Assembly and make a report with any recommendations for salary adjustments to the General Assembly no later than January 15, 2013.

Study

SECTION 72. The Public Employee Benefit Authority, through its Retirement Systems Division, shall conduct a study of the impact of the costs to SCRS and SCPORS of compensation “spiking” on the calculation of average final compensation for retirees of those retirement systems. The report and any accompanying recommendations must be completed and forwarded to the Governor and the General Assembly no later than April 15, 2013.

Study

SECTION 73. The Retirement Division shall conduct a study on revisions to the eligibility for disability retirement under the various retirement systems established pursuant to Title 9 of the 1976 Code and make a report with recommendations no later than December 1, 2012, to the Senate Finance Committee and the House Ways and Means

Committee. The chairmen of those committees shall appoint a joint committee to consider that report and recommendations.

Severability clause

SECTION 74. If any part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other parts, sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Savings clause

SECTION 75. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

Time effective

SECTION 76. Except where otherwise stated, this act takes effect July 1, 2012.

Ratified the 22nd day of June, 2012.

Approved the 26th day of June, 2012.

No. 279

(R313, S1088)

AN ACT TO AMEND SECTION 1-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA COMMISSION ON HUMAN AFFAIRS, SO AS TO PROVIDE FOR REPRESENTATION ON THE COMMISSION FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 1-15-10, AS AMENDED, RELATING TO THE COMMISSION ON WOMEN, SO AS TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 1-31-10, RELATING TO THE STATE COMMISSION FOR MINORITY AFFAIRS, SO AS TO PROVIDE FOR REPRESENTATION ON THE COMMISSION FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 6-19-30, RELATING TO THE ADVISORY COMMITTEE FOR STATE GRANTS TO PUBLIC WATER AND SEWER AUTHORITIES, SO AS TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 8-13-310, RELATING TO THE STATE ETHICS COMMISSION, SO AS TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 13-1-1050, AS AMENDED, RELATING TO THE AERONAUTICS COMMISSION, SO AS TO PROVIDE FOR REPRESENTATION ON THE COMMISSION FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 13-17-40, AS AMENDED, RELATING TO THE SOUTH CAROLINA RESEARCH AUTHORITY, SO AS TO PROVIDE FOR REPRESENTATION ON THE AUTHORITY FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 24-21-10, AS AMENDED, RELATING TO THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO PROVIDE FOR REPRESENTATION ON THE BOARD FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 25-19-10, RELATING TO THE SOUTH CAROLINA PRISONER OF WAR COMMISSION, SO AS TO PROVIDE FOR REPRESENTATION ON THE COMMISSION FROM THE CREATION OF THE SEVENTH

CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-57-40, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA REAL ESTATE COMMISSION, SO AS TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-59-10, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION, SO AS TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-69-10, RELATING TO THE MEMBERSHIP OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS, SO AS TO PROVIDE FOR THE APPOINTMENT OF ONE ADDITIONAL MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-81-50, RELATING TO THE MEMBERSHIP OF THE STATE ATHLETIC COMMISSION, SO AS TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 41-43-30, AS AMENDED, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA JOBS - ECONOMIC DEVELOPMENT AUTHORITY, SO AS TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 43-25-10, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA COMMISSION FOR THE BLIND, SO AS TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 43-31-40, RELATING TO THE MEMBERSHIP OF THE STATE AGENCY OF VOCATIONAL REHABILITATION, SO AS TO ELIMINATE THE AT-LARGE SEAT AND REPLACE IT WITH A MEMBER FROM THE NEWLY CREATED SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO PROVIDE FOR REPRESENTATION ON THE BOARD FROM THE SEVENTH CONGRESSIONAL DISTRICT, TO PROVIDE FOR THE APPOINTMENT OF THE BOARD CHAIRMAN, AND TO CLARIFY THE DATES UPON WHICH THE CURRENT MEMBERS' TERMS SHALL TERMINATE; TO AMEND

SECTION 48-39-40, RELATING TO THE COASTAL ZONE MANAGEMENT APPELLATE PANEL, SO AS TO INCREASE THE MEMBERSHIP FROM FOURTEEN TO FIFTEEN WITH MEMBERS APPOINTED FROM EACH CONGRESSIONAL DISTRICT; TO AMEND SECTION 48-39-45, RELATING TO THE COASTAL ZONE MANAGEMENT ADVISORY COUNCIL, SO AS TO INCREASE THE MEMBERSHIP FROM FOURTEEN TO FIFTEEN WITH MEMBERS APPOINTED FROM EACH CONGRESSIONAL DISTRICT; TO AMEND SECTION 48-59-40, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO INCREASE THE MEMBERSHIP FROM TWELVE TO FOURTEEN, INCLUDING ONE MEMBER FROM THE NEWLY CREATED SEVENTH CONGRESSIONAL DISTRICT AND ONE NEW MEMBER FROM THE STATE AT LARGE; TO AMEND SECTION 51-13-1720, RELATING TO THE BOARD OF REGENTS OF THE OLD JACKSONBOROUGH HISTORIC DISTRICT, SO AS TO INCREASE THE MEMBERSHIP FROM NINE TO TEN WITH THE ADDITIONAL MEMBER APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 51-17-50, AS AMENDED, RELATING TO THE HERITAGE TRUST ADVISORY BOARD, SO AS TO INCREASE THE MEMBERSHIP WITH THE ADDITIONAL MEMBER APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 51-18-60, AS AMENDED, RELATING TO THE WAR BETWEEN THE STATES ADVISORY BOARD, SO AS TO INCREASE THE MEMBERSHIP FROM ELEVEN TO THIRTEEN WITH ONE ADDITIONAL MEMBER APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT AND ONE MEMBER APPOINTED BY THE GOVERNOR AT LARGE; TO AMEND SECTION 51-22-30, RELATING TO THE LEGACY TRUST FUND BOARD, SO AS TO INCREASE THE MEMBERSHIP FROM FIFTEEN TO SEVENTEEN WITH TWO ADDITIONAL MEMBERS APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 58-3-20, AS AMENDED, RELATING TO THE COMPOSITION OF THE PUBLIC SERVICE COMMISSION, SO AS TO PROVIDE FOR REPRESENTATION ON THE COMMISSION FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 58-31-20, AS AMENDED, RELATING TO THE

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY BOARD OF DIRECTORS, SO AS TO INCREASE THE MEMBERSHIP FROM ELEVEN TO TWELVE WITH MEMBERS APPOINTED FROM EACH CONGRESSIONAL DISTRICT, AND TO IMPOSE EXPERIENCE REQUIREMENTS; TO AMEND SECTION 59-26-50, RELATING TO THE EDUCATOR IMPROVEMENT TASK FORCE, SO AS TO INCREASE THE MEMBERSHIP FROM TWELVE TO THIRTEEN WITH ONE ADDITIONAL MEMBER APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 59-53-610, RELATING TO THE DENMARK TECHNICAL COLLEGE AREA COMMISSION, SO AS TO PROVIDE THAT THE MEMBERS OF THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION FROM THE SIXTH CONGRESSIONAL DISTRICT INSTEAD OF THE THIRD CONGRESSIONAL DISTRICT IS A MEMBER OF THE COMMISSION EX OFFICIO; TO AMEND SECTION 63-11-700, RELATING TO THE BOARD OF THE DIVISION FOR REVIEW OF THE FOSTER CARE OF CHILDREN, SO AS TO ELIMINATE THE AT-LARGE SEAT AND REPLACE IT WITH A MEMBER FROM THE NEWLY CREATED SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 63-11-920, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND BOARD OF DIRECTORS, SO AS TO ELIMINATE ONE OF THE AT-LARGE SEATS, REPLACING IT INSTEAD WITH A MEMBER FROM THE NEWLY CREATED SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 63-19-610, RELATING TO THE STATE BOARD OF JUVENILE PAROLE, SO AS TO REDUCE THE BOARD'S MEMBERSHIP FROM TEN TO SEVEN MEMBERS, AND TO CLARIFY RESOURCES THAT THE DEPARTMENT OF JUVENILE JUSTICE SHALL CONTINUE TO PROVIDE TO THE BOARD; AND TO INCLUDE LEGISLATIVE FINDINGS AND PROVISIONS REGARDING CONTINUATION OF SERVICE ON CERTAIN BOARDS, COMMISSIONS, OR COMMITTEES AFFECTED BY CONGRESSIONAL REDISTRICTING.

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

South Carolina Commission on Human Affairs, composition, terms of office

SECTION 1. Section 1-13-40(b) of the 1976 Code is amended to read:

“(b) The commission shall consist of a member from each congressional district appointed by the Governor, with the advice and consent of the Senate, and two members at large appointed by the Governor. Each member shall serve for a term of three years and until their successors are appointed and qualify. Vacancies must be filled in the manner of the original appointment for the unexpired term.”

State Commission on Women, composition, terms of office

SECTION 2. Section 1-15-10 of the 1976 Code, as last amended by Act 249 of 2008, is further amended to read:

“Section 1-15-10. There is created a Commission on Women to be composed of sixteen members appointed by the Governor with the advice and consent of the Senate from among persons with a competency in the area of public affairs and women’s activities. One member must be appointed from each congressional district and the remaining members from the State at large. The commission must be under and a part of the Office of the Governor. Members of the commission shall serve for terms of four years and until their successors are appointed and qualify, except of those members first appointed after the expansion of the commission to fifteen members, two members shall serve a term of one year, two members shall serve a term of two years, two members shall serve a term of three years, and two members shall serve a term of four years. Members appointed prior to and after the expansion of the commission to fifteen members must be designated by the Governor as being appointed to serve either from a particular congressional district or at large. The member first appointed from the Seventh Congressional District after the expansion of the commission to sixteen members shall serve a four-year term. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. No member must be eligible to serve more than two consecutive terms.”

State Commission for Minority Affairs, composition, terms of office

SECTION 3. Section 1-31-10 of the 1976 Code is amended to read:

“Section 1-31-10. There is created a State Commission for Minority Affairs consisting of nine members and the Governor ex officio. The Governor must appoint one person from each of the congressional districts of the State and two persons from the State at large upon the advice and consent of the Senate. The Governor shall designate the chairman. The members serve for a term of four years and until their successors are appointed and qualify. A vacancy must be filled in the same manner as original appointment for the remainder of the unexpired term. A majority of the members of the commission must be African American.”

Advisory committee for state grants to public water and sewer authorities, funding, composition, terms of office

SECTION 4. Section 6-19-30 of the 1976 Code is amended to read:

“Section 6-19-30. The fund for such grants must be from either revenue-sharing trust funds or from general appropriations to the Department of Health and Environmental Control, which shall administer the grants for intermission to public water supply authorities or districts, sewer authorities or districts, water and sewer authorities, rural community water or sewer systems, nonprofit corporations, or municipal sewer systems to which the grant is made. The Governor, with the advice and consent of the Senate, shall appoint an advisory committee composed of seven members, one from each congressional district of the State. In addition an employee of the Department of Health and Environmental Control, designated by the commissioner thereof, shall serve ex officio as a member of the committee. The Governor may invite a director, or his representative, from an agency providing water and sewer funds to serve as an advisory nonvoting member to the committee. All members must be appointed for terms of three years. In the event of a vacancy a successor shall be appointed for the unexpired term in the manner of original appointment. The advisory committee shall meet as soon after its appointment as may be practicable and shall organize by electing a chairman, vice chairman, secretary, and such other officers as it may deem desirable. The advisory committee shall select the projects to be funded pursuant to

Section 6-19-40. Funds also may be expended from gifts or grants from any source which are made available for the purpose of carrying out the provisions of this chapter. Appropriations made to the fund but not expended at the end of the fiscal year for which appropriated shall not revert to the general fund but shall accrue to the credit of the fund. Grants must be made only for water supply and waste water facilities projects on which construction was not commenced before April 1, 1974.”

State Ethics Commission, composition

SECTION 5. Section 8-13-310(B) of the 1976 Code, as added by Act 248 of 1991, is amended to read:

“(B) There is created the State Ethics Commission composed of nine members appointed by the Governor, upon the advice and consent of the General Assembly. One member shall represent each of the seven congressional districts, and two members must be appointed from the State at large. No member of the General Assembly or other public official must be eligible to serve on the State Ethics Commission. The Governor shall make the appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the commission is representative of all citizens of the State of South Carolina.”

State Aeronautics Commission, terms of office

SECTION 6. Section 13-1-1050(B) of the 1976 Code, as last amended by Act 270 of 2012, is further amended to read:

“(B) The terms of the initial members of the commission appointed from congressional district are as follows:

- (1) commission members appointed to represent congressional district one and two, two years;
- (2) commission members appointed to represent congressional district three, four, and seven, three years;
- (3) commission members appointed to represent congressional district five and six, four years.”

South Carolina Research Authority, composition, terms of office

SECTION 7. Section 13-17-40(A) of the 1976 Code, as last amended by Act 209 of 2012, is further amended to read:

“(A)(1) The SCRA shall consist of a board of twenty-four trustees that includes the following ex officio members: President of the Council of Private Colleges of South Carolina, Chairman of the South Carolina Commission on Higher Education, President of Clemson University, President of the Medical University of South Carolina, President of South Carolina State College, President of the University of South Carolina, Director of Savannah River National Laboratory, President of Francis Marion University, Chairman of the State Board for Technical and Comprehensive Education, Governor of South Carolina or his designee, Chairman of the House Ways and Means Committee or his designee, Chairman of the Senate Finance Committee or his designee, and the Secretary of Commerce or his designee.

(2) The Governor shall name the chairman who must not be a public official and who serves at the pleasure of the Governor. The remaining ten trustees must be elected by the board of trustees from a list of nominees submitted by an ad hoc committee named by the chairman and composed of the members serving as elected trustees. Each of the Congressional Districts of South Carolina must have at least one of the ten trustees.

(3) Terms of elected trustees are for four years, and half expire every two years. An elected trustee may not serve more than two consecutive four-year elected terms. Vacancies must be filled for the unexpired term in the manner of original appointment. A vacancy occurs upon the expiration of the term of service, death, resignation, disqualification, or removal of a trustee.”

State Board of Probation, Parole and Pardon Services, composition, terms of office

SECTION 8. Section 24-21-10(B) of the 1976 Code, as last amended by Act 223 of 2012, is further amended to read:

“(B)The Board of Probation, Parole and Pardon Services is composed of seven members. The terms of office of the members are for six years. Each of the seven members must be appointed from each of the congressional districts. At least one appointee shall have at least five years of work or volunteer experience in one or more of the

following fields: parole, probation, corrections, criminal justice, law, law enforcement, psychology, psychiatry, sociology, or social work. Vacancies must be filled by gubernatorial appointment with the advice and consent of the Senate for the unexpired term. If a vacancy occurs during a recess of the Senate, the Governor may fill the vacancy by appointment for the unexpired term pending the consent of the Senate, provided the appointment is received for confirmation on the first day of the Senate's next meeting following the vacancy. A chairman must be elected annually by a majority of the membership of the board. The chairman may serve consecutive terms."

South Carolina Prisoner of War Commission, composition, terms of office

SECTION 9. Section 25-19-10 of the 1976 Code is amended to read:

"Section 25-19-10. There is established a Prisoner of War Commission in South Carolina composed of one member from each congressional district and one member from the State at large, to be appointed by the Governor with the advice and consent of a majority of the Senate members representing the congressional district involved and a majority of the House of Representatives members representing the congressional district involved. A chairman must be elected annually by the commission from its membership. All members must be former prisoners of war. The South Carolina Department of the American Ex-Prisoners of War may submit to the Governor names and biographical data on former prisoners of war willing and able to serve. Their terms are for four years and until their successors are appointed and qualify. Vacancies must be filled by the Governor for the remainder of an unexpired term."

South Carolina Real Estate Commission, composition

SECTION 10. Section 40-57-40(A) of the 1976 Code is amended to read:

"(A) The South Carolina Real Estate Commission consists of ten members elected or appointed as follows:

(1) seven members who are professionally engaged in the active practice of real estate, one elected from each of the seven congressional districts by a majority of house members and senators, representing the

house and senate districts located within each of the congressional districts;

(2) two members representing the public who are not professionally engaged in the practice of real estate, each appointed by the Governor with the advice and consent of the Senate;

(3) the nine elected and appointed members shall elect from the State at large one additional member who must be in the active practice of real estate.”

South Carolina Residential Builders Commission, composition, terms of office

SECTION 11. Section 40-59-10(A) of the 1976 Code is amended to read:

“(A) There is created the South Carolina Residential Builders Commission which must be composed of eight persons who have been residents of the State for at least five years and two of whom must be consumers not engaged in the business of residential building, four of whom have been actively engaged in residential building for a period of at least five years before the date of their appointment, and who must be recommended to the Governor by the South Carolina Home Builders Association, and one of whom has been actively engaged in residential specialty contracting for a period of at least five years before the date of appointment. One member must be appointed from each congressional district, and one must be appointed from the State at large. Members of the commission must be appointed by the Governor with the advice and consent of the Senate for a term of four years or until their successors are appointed and qualify. A vacancy occurring by reason of death, resignation, removal for cause, or otherwise must be filled for the remainder of the unexpired term in the manner of the original appointment. The Governor may remove any member of the commission in accordance with Section 1-3-240.”

State Board of Veterinary Medical Examiners, composition, terms of office

SECTION 12. Section 40-69-10(A) of the 1976 Code is amended to read:

“(A) There is created the State Board of Veterinary Medical Examiners to be composed of ten members, one of whom must be a

consumer member from the State at large, one of whom must be a licensed veterinary technician practicing in this State, one of whom must be a veterinarian from the State at large, and seven of whom must be veterinarians representing each of the seven congressional districts. Each veterinarian and veterinary technician must be a resident of the State, licensed by the State, and currently practicing with at least five years of clinical experience. Each veterinarian representing a congressional district must reside in the district that he represents. The consumer member must be a resident of this State. The terms of the members are for six years and until their successors are appointed and qualify. The chairman may vote only in the case of a tie vote by the board.”

State Athletic Commission, composition, terms of office

SECTION 13. Section 40-81-50(A) of the 1976 Code is amended to read:

“(A) There is created the State Athletic Commission consisting of nine members appointed by the Governor with the advice and consent of the Senate to regulate boxing, kickboxing, wrestling, mixed martial arts, and other combative sports in this State. One member must be appointed from each congressional district of the State and two from the State at large. One of the at-large appointments must be a physician licensed and in good standing in the State. The terms of the members are for four years and until their successors are appointed and qualified. Vacancies must be filled by the Governor for the remainder of an unexpired term. The commissioners of the State Athletic Commission may not have any financial interest, direct or indirect, in the promotion, management, or result of any boxing, kickboxing, mixed martial arts, or wrestling event or exhibition.”

South Carolina Jobs-Economic Development Authority, responsibility

SECTION 14. Section 41-43-30 of the 1976 Code, as last amended by Act 248 of 1991, is further amended to read:

“Section 41-43-30. There is created the South Carolina Jobs-Economic Development Authority, a public body corporate and politic and an agency of the State, with the responsibility of effecting

the public purposes of this act. The authority is governed by a Board of Directors (board) which consists of ten members.”

South Carolina Commission for the Blind, composition, terms of office

SECTION 15. Section 43-25-10 of the 1976 Code is amended to read:

“Section 43-25-10. There is created the South Carolina Commission for the Blind. The commission shall consist of seven members, one from each of the seven congressional districts, of whom three shall have a visual acuity not to exceed 20/200. The Governor shall, with the advice and consent of the Senate, appoint the members of the commission for terms of four years and until their successors are appointed and qualify. All vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. The members of the commission shall elect one of its members as chairman for a term of two years or until his successor has been elected. The chairman shall preside at the regular meetings of the commission to be held at least once each month. The chairman may call a meeting when he considers it necessary to be held at a time to be determined by the commission. The commission shall appoint a commissioner and other officers as the commission considers necessary, none of whom may be a member of the commission, and shall fix the compensation and prescribe the duties of these appointees. The members of the commission shall receive no salary but must be allowed the usual mileage, subsistence, and per diem as authorized by law for commissions, committees, and boards.”

State Agency of Vocational Rehabilitation, composition, terms of office

SECTION 16. Section 43-31-40 of the 1976 Code is amended to read:

“Section 43-31-40. The Governor shall appoint a State Agency of Vocational Rehabilitation to be composed of seven members, and this agency shall provide for the administration of this chapter. The members of the agency shall consist of one member from each congressional district. The Governor, upon the advice and consent of the Senate, shall appoint the members. The members shall serve a term

of seven years. The terms of office must always remain staggered so that the term of one member expires every year with appointments to fill unexpired terms caused by death, resignation, or disability.”

State Department of Natural Resources Board, composition, terms of office

SECTION 17. Section 48-4-30 of the 1976 Code is amended to read:

“Section 48-4-30. (A) The department must be governed by a board consisting of nonsalaried board members to be appointed and constituted in a manner provided by law. The Governor shall appoint one member to serve as chairman, upon the advice and consent of the Senate. The appointment to chairman is subject to the advice and consent of the Senate, even if the person appointed to serve as chairman is already a current member of the board.

(B) All board members must be appointed by the Governor with the advice and consent of the Senate. One member must be appointed from each congressional district of the State.

(C) Notwithstanding subsection (B), membership on the board also shall include the at-large board member serving on the board on March 1, 2012. The at-large board member may continue to serve on the board until that board member’s term expires, he is removed from the board as provided by law, or he resigns from the board. At the expiration of the at-large board member’s term, or upon his removal from or resignation from the board, the provisions of this subsection no longer apply to the composition of the membership of the board.

(D) In making appointments, race, gender, and other demographic factors should be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed. Board members must possess sound moral character, superior knowledge in the fields of wildlife, marine, and natural resource management, and proven administrative ability.

(E) The Governor may remove any board member pursuant to the provisions of Section 1-3-240.

(F) Terms of the members must be for four years and until their successors are appointed and qualify. If a vacancy occurs when the General Assembly is not in session, it must be filled by the Governor’s

appointment for the unexpired term, subject to confirmation by the Senate at the next session of the General Assembly.

(G) Each board member, within thirty days after notice of appointment and before taking office, shall take and file with the Secretary of State the oath of office prescribed by the State Constitution.

(H) Notwithstanding subsection (E), the terms of members representing congressional districts serving on the board on March 1, 2012, shall terminate on the dates provided in this subsection. The terms of the members representing the Fourth and the Sixth Congressional Districts shall expire July 1, 2012. The terms of the members representing the First, Second, Third, and Fifth Congressional Districts shall expire on July 1, 2014.

(I) Notwithstanding subsection (E), the initial term of the member representing the Seventh Congressional District shall expire July 1, 2016.”

Coastal Zone Management Appellate Panel, composition

SECTION 18. Section 48-39-40(A) of the 1976 Code is amended to read:

“(A) On July 1, 1994, there is created the Coastal Zone Management Appellate Panel which consists of fifteen members, which shall act as an advisory council to the Department of Health and Environmental Control. The members of the panel must be constituted as follows: eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; seven members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote. The panel shall elect a chairman, vice chairman, and other officers it considers necessary.”

Coastal Zone Management Advisory Council, composition

SECTION 19. Section 48-39-45(A) of the 1976 Code, as added by Act 285 of 2010, is amended to read:

“(A)(1) On July 1, 2010, there is created the Coastal Zone Management Advisory Council that consists of fifteen members, which shall act as an advisory council to the department’s Office of Ocean and Coastal Resources Management.

(2) The members of the council must be constituted as follows:

(a) eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; and

(b) seven members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote.

(3) The council shall elect a chairman, vice chairman, and other officers it considers necessary.”

South Carolina Conservation Bank, composition

SECTION 20. Section 48-59-40(A) of the 1976 Code is amended to read:

“(A) There is established the South Carolina Conservation Bank. The bank is governed by a fourteen-member board selected as follows:

(1) the Chairman of the Board for the Department of Natural Resources, the Chairman of the South Carolina Forestry Commission, and the Director of the South Carolina Department of Parks, Recreation and Tourism, all of whom shall serve ex officio and without voting privileges;

(2) three members appointed by the Governor from the State at large;

(3) four members appointed by the Speaker of the House of Representatives, one each from the Third, Fourth, and Sixth Congressional Districts and one member from the State at large; and

(4) four members appointed by the President Pro Tempore of the Senate, one each from the First, Second, Fifth, and Seventh Congressional Districts.”

Old Jacksonborough Historic Authority, composition

SECTION 21. Section 51-13-1720 of the 1976 Code is amended to read:

“Section 51-13-1720. The authority must be governed by a board of regents consisting of ten members, as follows:

- (a) the resident Senator for Colleton County shall serve ex officio;
- (b) the Representative in whose district the present Village of Jacksonborough is located shall serve ex officio;
- (c) four members resident in Colleton County appointed by the Governor upon recommendation of the Colleton County Legislative Delegation;
- (d) one member resident in the First or Second Congressional District appointed by the Governor with the advice and consent of the Senate;
- (e) one member resident in the Third or Fourth Congressional District appointed by the Governor with the advice and consent of the Senate;
- (f) one member resident in the Fifth or Sixth Congressional District appointed by the Governor with the advice and consent of the Senate;
- (g) one member resident in the Seventh Congressional District appointed by the Governor with the advice and consent of the Senate.

The terms of the members must be for four years and until their successors are appointed and qualify except that those originally appointed to the board of regents, four shall serve two years and three shall serve for four years. The length of such terms must be determined by lot. In the case of a vacancy, the vacancy must be filled in the manner of the original appointment for the unexpired portion of the term only. The board of regents, upon being appointed, shall meet and elect a chairman and other officers it considers necessary from its membership.”

Heritage Trust Advisory Board, composition

SECTION 22. Section 51-17-50 of the 1976 Code, as last amended by Act 361 of 1994, is further amended to read:

“Section 51-17-50. The Heritage Trust Advisory Board is hereby created to assist the board of the department in carrying out its duties and responsibilities under this chapter. The advisory board shall

consist of sixteen members who must be chosen as follows and shall elect from its membership a chairman:

(1) From the general public, seven persons, one from each congressional district within the State, who must be appointed by the Governor and serve for a term of six years. Of these seven, four persons must be from the scientific community who are recognized and qualified experts in the ecology of natural areas, and three persons must be from the cultural community who are recognized and qualified experts in the history and archeology of the State. The term 'expert' does not of necessity denote a professional but one learned and interested in the field.

(2) From state government, the following persons or their designees:

(a) the Chairman of the Board of the Department of Natural Resources;

(b) the Director of the Department of Natural Resources;

(c) the Director of the South Carolina Department of Parks, Recreation and Tourism;

(d) the Director of the Land Resources Conservation Districts Division of the Department of Natural Resources;

(e) the Director of the South Carolina Department of Archives and History;

(f) the State Forester;

(g) the State Archeologist;

(h) the Director of the State Museum; and

(i) the Secretary of Commerce.”

War Between the States Heritage Trust Advisory Board, composition

SECTION 23. Section 51-18-60 of the 1976 Code, as last amended by Act 273 of 2008, is further amended to read:

“Section 51-18-60. The War Between the States Heritage Trust Advisory Board is created to assist the commission in carrying out its duties and responsibilities under this chapter. The advisory board shall consist of thirteen members who must be chosen as follows and shall elect from its membership a chairman:

(1) From the general public, eight persons, one from each congressional district within the State and one at large, who must be appointed by the Governor and serve for a term of six years. These persons must be residents of the State who are recognized experts in

the history and archeology of the State who have demonstrated an interest in historical, cultural, and natural preservation of historical sites and who have a background in South Carolina history and/or African-American history and/or Confederate history. The term 'expert' does not of necessity denote a professional but one learned and interested in the field.

(2) From state government, the following persons or their designees:

(a) the Chairman of the Board of the Department of Natural Resources;

(b) the Director of the South Carolina Department of Parks, Recreation and Tourism;

(c) the Chairman of the Board of the Department of Archives and History;

(d) the Chairman of the Board of the State Museum Commission; and

(e) the Curator or Director of the South Carolina Confederate Relic Room and Military Museum.”

Legacy Trust Fund Board of Directors, composition, terms of office

SECTION 24. Section 51-22-30(A) of the 1976 Code, as added by Act 145 of 1995, is amended to read:

“(A) There is created a seventeen-member board of directors, fifteen of which must be appointed by the Governor. The Governor shall appoint two board members from each congressional district and one board member from the State at large, who shall serve as the chairman. All terms are for four years and members shall serve until their successors are appointed and qualify. In addition, notwithstanding the provisions of Section 8-13-770, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, or their designees, shall serve as members of the board. The Governor must exercise due diligence in appointing a chairman and board members with backgrounds and experience in conservation, preservation, or recreation, or a combination of those backgrounds.”

Public Service Commission, composition, terms of office

SECTION 25. Section 58-3-20 of the 1976 Code, as last amended by Act 175 of 2004, is further amended to read:

“Section 58-3-20. (A) The commission is composed of seven members to be elected by the General Assembly in the manner prescribed by this chapter. Each member must have:

(1) a baccalaureate or more advanced degree from:

(a) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;

(b) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(c) an institution of higher learning chartered before 1962; and

(2) a background of substantial duration and an expertise in at least one of the following:

(a) energy issues;

(b) telecommunications issues;

(c) consumer protection and advocacy issues;

(d) water and wastewater issues;

(e) finance, economics, and statistics;

(f) accounting;

(g) engineering; or

(h) law.

(B) The review committee may find a candidate qualified although the candidate does not have a background of substantial duration and expertise in one of the eight enumerated areas contained in subsection (A)(2) of this section if three-fourths of the review committee vote to qualify the candidate and provide written justification of their decision in the report as to the qualifications of the candidates.

(C) The qualification provisions of subsection (A) of this section do not apply to the reelection of a commissioner elected by the General Assembly on March 3, 2004, so long as there is no break in service.

(D)(1) Beginning in 2004, the members of the Public Service Commission must be elected to staggered terms. In 2004, the members representing the Second, Fourth, and Sixth Congressional Districts must be elected for terms ending on June 30, 2006, and until their successors are elected and qualify. Thereafter, members representing the Second, Fourth, and Sixth Congressional Districts must be elected to terms of four years and until their successors are elected and qualify. In 2004, the members representing the First, Third, and Fifth Congressional Districts and the State at large must be elected for terms ending on June 30, 2008, and until their successors are elected and qualify. Thereafter, members representing the First, Third, and Fifth Congressional Districts and the State at large must be elected to terms

of four years and until their successors are elected and qualify. Notwithstanding the provisions of this section, members representing the First, Third, and Fifth Congressional Districts shall serve until the expiration of their terms, and in 2013, members representing the First, Third, and Fifth Congressional Districts must be elected for terms ending on June 30, 2016, and until their successors are elected and qualified.

(2) In the event there are Seven Congressional Districts, the member elected from the State at large shall serve until the expiration of his term, and in 2013, a member representing the Seventh Congressional District must be elected for a term ending on June 30, 2016, and until his successor is elected and qualified. Thereafter, the member representing the Seventh Congressional District must be elected to terms of four years and until his successor is elected and qualified. Upon the election and qualification of the member representing the Seventh Congressional District, the at large member elected to satisfy the requirements of subsection (E) immediately shall cease to be a member of the commission.

(E) The General Assembly must provide for the election of the seven-member commission and elect its members based upon the congressional districts established by the General Assembly pursuant to the latest official United States Decennial Census. If the number of congressional districts is less than seven, additional members must be elected at large to provide for a seven-member commission. In the event the congressional districts established by the General Assembly are under review by a court for compliance with statutory or constitutional requirements, an election scheduled pursuant to this section shall not be held until a final determination is made by the courts regarding the congressional districts. The inability to hold an election due to judicial review of the congressional districts does not constitute a vacancy on the commission and the commissioners serve until their successors are elected and qualify.

(F) The Governor may fill vacancies in the office of commissioner until the successor in the office for a full term or an unexpired term, as applicable, has been elected by the General Assembly. In cases where a vacancy occurs on the commission when the General Assembly is not in session, the Governor may fill the vacancy by an interim appointment. The Governor must report the interim appointment to the General Assembly and must forward a formal appointment at its next ensuing regular session.”

South Carolina Public Service Authority, composition, terms of office

SECTION 26. Section 58-31-20(A) of the 1976 Code, as last amended by Act 137 of 2005, is further amended to read:

“(A) The Public Service Authority consists of a board of twelve directors who reside in South Carolina and who have the qualifications stated in this section, as determined by the State Regulation of Public Utilities Review Committee pursuant to Section 58-3-530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of the authority; and two from the State at large, one of whom must be chairman. Two of the directors must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. A director shall not serve as an employee or board member of an electric cooperative during his term as a director. Each director shall serve for a term of seven years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, with the advice and consent of the Senate, must appoint a successor, who shall hold office for a term of seven years or until his successor has been appointed and qualified. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director’s successor, with the advice and consent of the Senate, and the successor-director shall hold office for the unexpired term. A director may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties, the actual expense to be advanced from the contingent fund of the Governor until the time the Public Service Authority is in funds, at which time the contingent fund must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board must be paid from these funds, and the compensation and expenses must be fixed by the advisory board established in this section. Members of the board of directors may be removed for cause, pursuant to Section 1-3-240(C), by the Governor of the State, the advisory board, or a majority thereof. A member of the General Assembly of the State of South Carolina is not eligible for

appointment as Director of the Public Service Authority during the term of his office. No more than two members from the same county may serve as directors at any time.”

South Carolina Educator Improvement Task Force, composition

SECTION 27. Section 59-26-50(a) of the 1976 Code is amended to read:

“(a) There is created as an agency of state government the South Carolina Educator Improvement Task Force composed of thirteen members. The State Superintendent of Education with the advice and consent of the State Board of Education shall appoint six members, one of whom may be himself, one of whom must be a public school teacher and one of whom must be a public school administrator. The Governor shall appoint seven members, one from each congressional district and not less than two of whom must be employed at state institutions of higher education and not less than one of whom is a member of a local school board. A vacancy must be filled in the manner of the original appointment. The members shall receive per diem, mileage, and subsistence as provided by law for members of state boards, committees, and commissions to be paid from funds appropriated for the operation of the State Department of Education. Every consideration must be given to insure appropriate racial balance in appointments.”

Denmark Technical College Area Commission, composition, terms of office

SECTION 28. Section 59-53-610 of the 1976 Code is amended to read:

“Section 59-53-610. There is created the Denmark Technical College Area Commission which shall serve as the governing body of Denmark Technical College. The commission is a body politic and corporate and consists of eight members who must be appointed in the manner pursuant to this section. Two members must be residents of Allendale County who must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Allendale County. Two members must be residents of Bamberg County who must be appointed by the Governor upon the recommendation of a majority of the members of the General

Assembly representing Bamberg County. Two members must be residents of Barnwell County who must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Barnwell County. Two members must be appointed at large without regard to county of residence by the Governor upon the advice and consent of the Senate. In addition, the member of the State Board for Technical and Comprehensive Education from the Sixth Congressional District is a member of the commission ex officio. The members of the commission must be appointed for terms of four years each and until their successors are appointed and qualify, except that the two at-large members shall serve initial terms of one year each, the two members from Allendale County shall serve initial terms of two years each, the two members from Bamberg County shall serve initial terms of three years each, and the two members from Barnwell County shall serve initial terms of four years each.

A vacancy must be filled in the manner of the original appointment for the unexpired portion of the term only. As soon as possible after the initial appointments have been made, the commission shall organize by electing one of its members as chairman, one as vice chairman, and one as secretary. The terms of the initial appointees are extended so that all terms expire on the first of July of the appropriate year.”

Division for Review of the Foster Care of Children, composition

SECTION 29. Section 63-11-700(A) of the 1976 Code is amended to read:

“(A) There is created, as part of the Office of the Governor, the Division for Review of the Foster Care of Children. The division must be supported by a board consisting of seven members, all of whom must be past or present members of local review boards. There must be one member from each congressional district, all appointed by the Governor with the advice and consent of the Senate.”

South Carolina Children’s Trust Fund Board of Directors, composition, terms of office

SECTION 30. Section 63-11-920 of the 1976 Code is amended to read:

“Section 63-11-920. There is created the Board of Directors for the Children’s Trust Fund of South Carolina composed of seventeen members appointed by the Governor, ten at large from the State from nominees of the Board of Directors of the Children’s Trust Fund, plus one from each of the state’s congressional districts. Members shall serve for terms of four years and until successors are appointed and qualify. Vacancies for any reason must be filled in the manner of the original appointment for the unexpired term.

Members may be paid per diem, mileage, and subsistence as established by the board not to exceed the amounts provided by law for state boards, committees, and commissions. A complete report of the activities of the trust fund must be made annually to the General Assembly.”

State Board of Juvenile Parole, composition

SECTION 31. Section 63-19-610(A) of the 1976 Code is amended to read:

“(A)(1) There is created the Board of Juvenile Parole. The parole board is composed of seven members appointed by the Governor with the advice and consent of the Senate. In making these appointments, the Governor shall select members who are representative of the racial, gender, and geographical diversity of the State. If a vacancy occurs on the parole board when the Senate is not in session, the Governor may appoint a member to fill the vacancy and the appointee is a de facto member until the Senate acts upon the appointment.

(2) The Department of Juvenile Justice shall continue to provide to the Board of Juvenile Parole the budgetary, fiscal, personnel, and training information resources and other support considered necessary by the parole board to perform its mandated functions.”

Legislative findings

SECTION 32. The General Assembly finds that the sections presented in this act constitute one subject as required by Section 17, Article III of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections on the subject of agencies, boards, commissions, or committees that fall under the jurisdiction of the South Carolina General Assembly, and whose membership is determined by congressional district.

Continuity of service provisions

SECTION 33. Due to the congressional redistricting, any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires. Further, the inability to hold an election or to make an appointment due to judicial review of the congressional districts does not constitute a vacancy.

Time effective

SECTION 34. This act takes effect upon approval by the Governor.

Ratified the 22nd day of June, 2012.

Approved the 26th day of June, 2012.

No. 280

(R314, S1137)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40-3-325 AND 40-22-295 SO AS TO ENACT THE "ARCHITECTS' AND ENGINEERS' VOLUNTEER ACT" WHICH PROVIDES SPECIFIED IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN VOLUNTARY ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED STATE OR NATIONAL EMERGENCY AT THE REQUEST OF THE GOVERNOR, TO PROVIDE EXCEPTIONS TO THIS IMMUNITY, AND TO

PROVIDE THE CONDITIONS AND CIRCUMSTANCES UNDER WHICH THIS GRANT OF IMMUNITY IS APPLICABLE.

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

Citation

SECTION 1. This act may be cited as the “Architects’ and Engineers’ Volunteer Act”.

Architect immunity

SECTION 2. Chapter 3, Title 40 of the 1976 Code is amended by adding:

“Section 40-3-325. A licensed architect under the provisions of this chapter is immune from liability for volunteer architectural services provided during an emergency in the same manner as a licensed engineer is immune for volunteer engineering services as provided in Section 40-22-295. This section does not provide immunity from liability for persons merely registered in this State pursuant to Section 40-3-260.”

Engineer immunity

SECTION 3. Chapter 22, Title 40 of the 1976 Code is amended by adding:

“Section 40-22-295. (A) A licensed engineer who voluntarily, without compensation, provides structural, electrical, mechanical, or other engineering services at the scene of a declared national or state emergency, at the request of the Governor, is not liable for any personal injury, wrongful death, property damage, or other loss caused by the licensed engineer’s acts, errors, or omissions in performing the engineering services for a structure, building, piping, or other engineered system, either publicly or privately owned. Immunity from liability under this section is only effective as to services rendered during the thirty days following the event that gave rise to the declared state of emergency.

(B)(1) Any licensed engineer appointed pursuant to this section must not be held liable for any civil damages as a result of the

providing of requested engineering services unless the damages result from providing, or failing to provide engineering services if the consequences of the services provided are proven by a preponderance of the evidence to be the result of gross negligence or recklessness.

(2) This section applies if the engineer does not receive payment other than as allowed in Section 8-25-40 for the appointed services and prescribed duties. However, if the engineer is an employee of the State, the engineer may continue to receive compensation from his employer.

(C) This section does not provide immunity from liability to persons providing services pursuant to Section 40-22-75.”

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 22nd day of June, 2012.

Approved the 26th day of June, 2012.

No. 281

(R315, S1229)

AN ACT TO AMEND SECTION 38-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSURE OF INSURANCE ADJUSTERS, SO AS TO PROVIDE SPECIFIC EXEMPTIONS FROM LICENSURE, TO DEFINE TERMS, AND TO PROVIDE AN ADJUSTER LICENSED UNDER THIS CHAPTER MUST REVIEW THE DENIAL OF A CLAIM CONTESTED BY AN INSURED.

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

Licensure of insurance adjusters, exemptions, definitions, and reviews

SECTION 1. Section 38-47-10 of the 1976 Code is amended to read:

“Section 38-47-10. (A) An individual commonly called an adjuster, adjusting losses for an insurer licensed to do business in this State, must be licensed by the director or his designee. These individuals shall apply for a license on a form prescribed by the director or his designee. The director or his designee shall satisfy himself that each applicant for an adjuster’s license is an individual of good moral character, has sufficient knowledge of the insurance business and his duties as an adjuster, has not violated the insurance laws of the State, and is a fit and proper individual for the position. No license may be issued to a nonresident adjuster who resides in a state refusing to license South Carolina adjusters.

(B) The following individuals are exempt from licensure as an adjuster:

(1) A producer licensed under Chapter 43 is not required to comply with this section.

(2) An individual who, for portable electronics insurance, collects claim information from, or furnishes claim information to, insureds or claimants and who conducts data entry, including entering data into an automated claims adjudication system, provided that no more than twenty-five such persons are under the supervision of a licensed adjuster or a licensed producer who is otherwise exempt from licensure pursuant to paragraph (1).

(C) For purposes of this section, ‘automated claims adjudication system’ means a preprogrammed computer system designed for the collection, data entry, calculation, and final resolution of portable electronics insurance claims that:

(1) only may be used by a licensed adjuster, licensed producer, or supervised individuals operating pursuant to this paragraph;

(2) must comply with all claims payment requirements of the insurance code; and

(3) must be certified as compliant with this section by a licensed independent adjuster who is an officer of the entity or an affiliate of the entity that employs an individual operating pursuant to this section.

(D) If the insured’s claim is denied and the insured contests the denial, an individual licensed under this section must review the denial with the insured.”

Time effective

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

Ratified the 22nd day of June, 2012.

Approved the 26th day of June, 2012.

No. 282

(R324, S1340)

AN ACT TO AMEND SECTION 41-15-520, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REMEDIES OF AN EMPLOYEE ALLEGING DISCRIMINATION, SO AS TO PROVIDE PROCEDURES THE DIRECTOR OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL FOLLOW UPON RECEIPT OF A COMPLAINT ALLEGING DISCRIMINATION.

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

Remedies of an employee charging discrimination

SECTION 1. Section 41-15-520 of the 1976 Code, as last amended by Act 50 of 2011, is further amended to read:

“Section 41-15-520. A private sector employee believing that he has been discharged or otherwise discriminated against by any person in violation of Section 41-15-510 may, within thirty days after the violation occurs, file a complaint with the Director of the Department of Labor, Licensing and Regulation alleging the discrimination. Upon receipt of the complaint, the director shall within fifteen days forward the complaints that allege violations of Section 41-15-510 and violations of a federal statute other than 29 U.S.C. Section 660(c) to the United States Department of Labor Whistleblower Program. For other complaints, the director shall cause an investigation to be made as he deems appropriate. If upon such investigation the director determines the provisions of Section 41-15-510 have been violated, he shall institute an action in the appropriate court of common pleas against such person. In any such action the court of common pleas shall have jurisdiction for cause shown to restrain violations of Section 41-15-510 and order all appropriate relief including rehiring or reinstatement of the employee to his former position with back pay. A public sector

employee believing that he has been discharged or otherwise discriminated against by any person in violation of Section 41-15-510 may proceed with a civil action pursuant to the provisions contained in Chapter 27, Title 8.”

Time effective

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

Ratified the 28th day of June, 2012.

Approved the 29th day of June, 2012.

No. 283

(R325, S1419)

AN ACT TO AMEND CHAPTER 45, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE BROKERS AND SURPLUS LINES INSURANCE, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE REVENUE COLLECTED FROM THE BROKER'S PREMIUM TAX RATE MUST BE CREDITED TO A SPECIAL EARMARKED FUND, TO PROVIDE THE MANNER IN WHICH THE FUND MAY BE USED AND DISBURSED, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO CONDUCT EXAMINATIONS OF BROKER RECORDS, TO ALLOW THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS NECESSARY TO IMPLEMENT THE CHAPTER, TO PROVIDE THE MANNER IN WHICH THE NONADMITTED AND REINSURANCE REFORM ACT OF 2010 MAY BE IMPLEMENTED; AND TO AMEND SECTION 38-7-160, RELATING TO MUNICIPAL LICENSE FEES AND TAXES, SO AS TO DISALLOW A MUNICIPALITY FROM CHARGING AN ADDITIONAL LICENSE FEE OR TAX BASED UPON A PERCENTAGE OF PREMIUMS FOR PURPOSES OF SURPLUS LINES INSURANCE.

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

Definitions, revenue from broker's premium tax credited to special earmarked fund, expenditure of such fund, examination of broker records, regulations, Implementation of Nonadmitted and Reinsurance Reform Act of 2010

SECTION 1. Chapter 45, Title 38 of the 1976 Code is amended to read:

“CHAPTER 45

Insurance Brokers and Surplus Lines Insurance

Section 38-45-10. As used in this chapter:

(1) ‘Admitted insurer’ means an insurer licensed to engage in the business of insurance in this State.

(2) ‘Affiliate’ means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.

(3) ‘Affiliated group’ means any group of entities that are all affiliated.

(4) ‘Control’ means:

(a) the entity directly or indirectly or acting through one or more other persons owns, controls, or has the power to vote twenty-five percent or more of any class of voting securities of the other entity; or

(b) the entity controls in any manner the election of a majority of the directors or trustees of the other entity.

(5) ‘Exempt commercial purchaser’ means any person purchasing commercial insurance that, at the time of placement, meets the following requirements:

(a) the person employs or retains a qualified risk manager to negotiate insurance coverage;

(b) the person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of one hundred thousand dollars in the immediately preceding twelve months; and

(c)(i) the person meets at least one of the following criteria:

(A) the person possesses a net worth in excess of twenty million dollars, as that amount is adjusted pursuant to sub-subitem (ii);

(B) the person generates annual revenues in excess of fifty million dollars, as that amount is adjusted pursuant to sub-subitem (ii);

(C) the person employs more than five hundred full-time or full-time equivalent employees per individual insured or is a member

of an affiliated group employing more than one thousand employees in the aggregate;

(D) the person is a not-for-profit organization or public entity generating annual budgeted expenditures of at least thirty million dollars as that amount is adjusted pursuant to sub-subitem (ii); or

(E) the person is a municipality with a population in excess of fifty thousand persons.

(ii) Effective on the January 1, 2017, and each fifth January first thereafter, the amounts in sub-subitems (i)(A), (B), and (D) of subitem (c) shall be adjusted to reflect the percentage change for the five-year period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(6)(a) 'Home state', with respect to an insured, means:

(i) the state in which an insured maintains its principal place of business or, in the case of an individual, the individual's principal residence; or

(ii) if one hundred percent of the insured risk is located out of the state referred to in sub-subitem (i), the state to which the greatest percentage of the insured's taxable premium for that insurance contract is allocated.

(b) Notwithstanding the provisions of subitem (a), if more than one insured from an affiliated group are named insureds on a single surplus lines insurance contract, the term 'home state' means the home state, as determined pursuant to subitem (a), of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract.

(7) 'Independently procured insurance' means insurance procured directly by an insured from a surplus lines insurer.

(8)(a) 'Insurance broker' means a property and casualty insurance producer licensed by the director or his designee who:

(i) sells, solicits, or negotiates insurance on behalf of an insured;

(ii) takes or transmits other than for himself an application for insurance or a policy of insurance to or from an insured;

(iii) advertises or otherwise gives notice that he receives or transmits a surplus lines application or policies;

(iv) receives or delivers a policy of surplus lines insurance for an insured on behalf of a surplus lines insurer;

(v) receives, collects, or transmits a premium of surplus lines insurance; or

(vi) performs another act in the making of a surplus lines insurance contract for or with an insured.

(b) However, an insurance broker's license is not required of a broker's office employee acting within the confines of the broker's office, under the direction and supervision of the licensed broker and within the scope of the broker's license, in the acceptance of request for insurance and payment of premiums and the performance of clerical, stenographic, and similar office duties.

(c) An insurance broker may place that insurance either with an eligible surplus lines insurer or with a licensed insurance producer appointed by an insurance carrier licensed in this State.

(9) 'Municipal agent' means the Municipal Association of South Carolina or other designated agent of the municipality for the purpose set forth in this chapter.

(10) 'Surplus lines insurance' means any property and casualty insurance permitted to be placed directly or through a surplus lines broker with a surplus lines insurer eligible to accept the insurance as defined in Section 38-1-20(56).

(11) 'Surplus lines insurer' means an insurer not licensed to engage in the business of insurance in this State, but does not include a risk retention group, as that term is defined in Section 2(a)(4) of the Liability Risk Retention Act of 1986 (15 U.S.C. 3901(a)(4)).

(12) 'Premium tax' means, with respect to surplus lines or independently procured insurance coverage, any tax, fee, assessment, or other charge imposed by a governmental entity directly or indirectly based on any payment made as consideration for an insurance contract, including premium deposits, assessments, registration fees, and any other compensation given in consideration for a contract of insurance.

(13) 'Broker's premium tax rate' means a blended tax rate of six percent. The rate is comprised of a four percent state broker's premium tax and a two percent municipal broker's premium tax.

(14) 'Qualified risk manager' means, with respect to a policyholder of commercial insurance, a person who meets all of the following requirements:

(a) the person is an employee of, or third-party consultant retained by, the commercial policyholder;

(b) the person provides skilled services in loss prevention, loss reduction, or risk and insurance coverage analysis, and purchase of insurance; and

(c)(i)(A) the person has a bachelor's degree or higher from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by

the director or other state regulatory official or entity to demonstrate minimum competence in risk management; and

(B) has three years of experience in risk financing, claims administration, loss prevention, risk and insurance analysis, or purchasing commercial lines of insurance; or

(aa) has a designation as a Chartered Property and Casualty Underwriter (CPCU) issued by the American Institute for CPCU/Insurance Institute of America;

(bb) has a designation as an Associate in Risk Management (ARM) issued by the American Institute for CPCU/Insurance Institute of America;

(cc) has a designation as Certified Risk Manager (CRM) issued by the National Alliance for Insurance Education & Research;

(dd) has a designation as a RIMS Fellow (RF) issued by the Global Risk Management Institute; or

(ee) any other designation, certification, or license determined by the director or other state insurance regulatory official or entity to demonstrate minimum competency in risk management;

(ii)(A) has at least seven years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; and

(B) has any one of the designations specified in subitems (c)(i)(B)(aa) through (c)(i)(B)(ee);

(iii) has at least ten years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; or

(iv) has a graduate degree from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by the director or other state regulatory official or entity to demonstrate minimum competence in risk management.

(15) 'State' includes any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

Section 38-45-20. A resident property and casualty-licensed insurance producer may be licensed as an insurance broker by the director or his designee if the following requirements are met:

(1) licensure of the resident as an insurance producer for the same lines of insurance for which he proposes to apply as a broker of this State;

(2) successfully passed the South Carolina broker licensing examination;

(3) payment of a biennial license fee of two hundred dollars which is earned fully when received, not refundable;

(4) filing of a bond with the department in a form approved by the Attorney General in favor of South Carolina of ten thousand dollars executed by a corporate surety licensed to transact surety insurance in this State and personally countersigned by a licensed resident agent of the surety. The bond must be conditioned to pay a person insured or seeking insurance through the broker who sustains loss as a result of:

(a) the broker's violation of or failure to comply with an insurance law or regulation of this State;

(b) the broker's failure to transmit properly a payment received by him, cash or credit, for transmission to an insurer or an insured; or

(c) an act of fraud committed by the broker in connection with an insurance transaction. Instead of a bond, the broker may file with the department certificates of deposit of ten thousand dollars of building and loan associations or federal savings and loan associations located within the State in which deposits are guaranteed by the Federal Savings and Loan Insurance Corporation, not to exceed the amount of insurance, or of banks located within the State in which deposits are guaranteed by the Federal Deposit Insurance Corporation, not to exceed the amount of insurance. An aggrieved person may institute an action in the county of his residence against the broker or his surety, or both, to recover on the bond or against the broker to recover from the certificates of deposit, and a copy of the summons and complaint in the action must be served on the director, who is not required to be made a party to the action;

(5) payment to the department, within thirty days after March thirty-first, June thirtieth, September thirtieth, and December thirty-first each year, of the broker's premium tax rate upon premiums for policies of insurers not licensed in this State. In computing total premiums, return premiums on risks and dividends paid or credited to policyholders are excluded. The credit must be refunded to the policyholder.

Section 38-45-30.A nonresident may be licensed as an insurance broker by the director or his designee if the following requirements are met:

(1) filing an application on a form prescribed by the director or his designee;

(2) filing an affidavit stating he will not during the period of the license place, directly or indirectly, insurance on a risk located in this State except through licensed producers of insurers licensed to do business in this State;

(3) filing an affidavit stating he is a licensed broker in another state;

(4) paying a biennial license fee of two hundred dollars fully earned when received, not refundable;

(5) an aggrieved person may institute an action in the county of his residence against the broker to recover damages. A copy of the summons and complaint in the action must be served on the director, who is not required to be made a party to the action;

(6) paying the department, within thirty days after March thirty-first, June thirtieth, September thirtieth, and December thirty-first each year, the broker's premium tax rate upon premiums for policies of insurers not licensed in this State. In computing total premiums, return premiums on risks and dividends paid or credited to policyholders are excluded. The credit must be refunded to the policyholder.

Section 38-45-35. When an individual applies for an insurance broker's license, he shall supply the department his business and residence address. The broker shall notify the department within thirty days of any change in these addresses.

Section 38-45-40. The director or his designee may enter into reciprocal agreements with the insurance commissioners of other states in regard to licensing of nonresident brokers if in his judgment the arrangements or agreements are in the best interest of the State and if the applicant for the license meets the minimum statutory requirements of this State for the issuance of a broker's license. However, the director or his designee may not enter into or continue any reciprocal agreement unless the other state is as liberal as this State in licensing nonresident brokers.

Section 38-45-50. Each license issued is for an indefinite term unless revoked or suspended. If the biennial license fee of a broker is not paid at the time and in the manner the department provides by regulation, the license must be canceled. If the license is to be reinstated, an original application must be filed and a reinstatement fee equal to the biennial license fee unpaid must be paid in addition to the regular biennial license fee.

Section 38-45-55. The revenue collected from the broker's premium tax rate imposed pursuant to the provisions of Sections 38-45-20(5), 38-45-30(6), and 38-45-190, must be credited to a special earmarked fund, distinct from the general fund, and expended only for the purposes provided in this chapter.

Section 38-45-60. (A) As soon after December thirty-first of each year as may be convenient, the director or his designee shall render an accounting to the State Treasurer of the state portion of the broker's premium tax rate payment collected showing the counties in which the risk covered by the insurance is located and shall furnish a duplicate of the accounting to the Comptroller General. The Comptroller General shall draw his warrant on the State Treasurer for one-fourth of the state's portion of the broker's premium tax rate payment collected by the department on property insurance, payable to the county treasurer of the county in which the property is located. The county treasurer shall distribute the broker's premium tax collected on property insurance in accordance with the requirements of Sections 23-9-360 and 23-9-470 and Sections 38-7-70 and 38-7-80.

(B) As soon as practical after December thirty-first, but no later than July first of each year, the department shall distribute from the special earmarked fund, distinct from the general fund, the municipal portion of the broker's premium tax rate payment collected for the prior tax year in accordance with the requirements of Sections 38-45-20(5) and 38-45-30(6). This amount must be paid to the municipal agent with a full accounting, provided by the department, including, but not limited to, the name and address of the broker, and amount of the broker's premium tax rate payment collected from each broker, and showing the counties in which the risk covered by the insurance is located. The municipal agent shall distribute the funds annually to each municipality with which it contracts based on the data submitted by the department.

Section 38-45-70. A broker's license entitles the holder to solicit insurance in any county of this State. However, municipalities may impose license fees in accordance with this title.

Section 38-45-80. All brokers doing any kind of insurance business in this State shall make and keep a full and correct record of the business done by them, showing the number, date, term, amount insured, premiums, and the person to whom issued of every policy or certificate of renewal. The information from these records must be

furnished to the director or his designee on demand and the original books or records are open to the inspection of the director or his designee on demand. These records must be kept for a minimum of five years. The director or his designee also may conduct examinations of broker records. Examinations must be conducted in accordance with the requirements of Chapter 13 of this title. The broker is responsible for the costs of any examination.

Section 38-45-90. At the request of a licensed resident broker, the director or his designee may approve certain nonadmitted insurers as eligible surplus lines insurers to write business on risks located in this State that one or more insurers licensed in this State to write that line of business in this State have declined to write. The director or his designee may require the broker to submit, on behalf of the insurer, documents necessary to satisfy him that the insurer is licensed in his home state, that it is solvent, and that its operation is not hazardous to the policyholders. The director or his designee may require the broker or the insurer to file additional documents at any time to maintain the insurer's status as an eligible surplus lines insurer. The director or his designee may withdraw his approval at any time the insurer fails to meet any of the requirements. While the insurer maintains his status as an eligible surplus lines insurer, a duly licensed broker, under the terms of this chapter, may place business with the insurer. An insurance broker shall exercise due care in the placing of insurance. Each broker transacting business in the State during a calendar year shall file annually with the department within thirty days after December thirty-first a detailed report of this business. The report must be in the form the director or his designee prescribes. The broker's books, papers, and accounts must be open at all times to the inspection of the director or his designee.

Section 38-45-100. A licensed insurance broker may divide commissions with producers or brokers in other states or with a producer licensed in this State for an insurer doing the particular class of insurance desired to be placed through the broker.

Section 38-45-110. The broker shall write or stamp upon the face of each policy and application of an eligible surplus lines insurer the words, 'This company has been approved by the director or his designee of the South Carolina Department of Insurance to write business in this State as an eligible surplus lines insurer, but it is not afforded guaranty fund protection'.

Section 38-45-120. Every insurance broker who sells an insurance policy written or issued by an insurer not licensed to do business in this State is personally liable for the limits of the coverage provided for in the policy if the broker fails to comply with the provisions of this title relating to policies issued by insurers not licensed to do business in this State.

Section 38-45-130. All losses occurring under policies placed through an insurance broker may be adjusted by a licensed producer or adjuster in this State. All inspections of property and endorsements on policies may be made by a licensed broker or any other licensed insurance producer in this State authorized to do so.

Section 38-45-140. When the director or his designee determines after investigation that a broker has violated this title, he may, upon ten days' notice, impose the penalties provided in Section 38-2-10.

Section 38-45-150. Any person violating this chapter is guilty of a misdemeanor. Each risk written in violation of this chapter is considered a separate offense.

Section 38-45-160. No policy fee may be charged by a broker unless it is a reasonable fee, it is made part of the contract, and the broker's premium tax rate is paid upon the policy fee. If for any reason the director or his designee disapproves the placement or the insurer ultimately refuses to write the risk, the broker shall immediately refund the full policy fee to the policyholder.

Section 38-45-170. Before the director or his designee approves a nonadmitted insurer as an eligible surplus lines insurer, the insurer shall appoint in writing the director and his successors in office to be its true and lawful attorney upon whom all legal process in any action or proceeding against it must be served and in this writing shall agree that any lawful process against it which is served upon this attorney is of the same legal force and validity as if served upon the insurer and that the authority continues in force so long as any liability remains outstanding in the State. Copies of the appointment, certified by the director, are sufficient evidence of the appointment and must be admitted in evidence with the same force and effect as the original might be admitted.

Section 38-45-180. The department may promulgate regulations and prescribe forms and procedures necessary to implement this chapter.

Section 38-45-190. (A) For the purposes of carrying out the Nonadmitted and Reinsurance Reform Act of 2010, the director or his designee may enter into an agreement with a single state to facilitate the collection, allocation, and disbursement of premium taxes attributable to the placement of surplus lines insurance, provide for uniform methods of allocation and reporting among surplus lines insurance risk classifications, and share information among states relating to surplus lines insurance premium taxes. The General Assembly may approve, modify, or rescind any such agreement.

(B) The director or his designee is authorized to participate in a clearing house established through a multistate agreement approved by the General Assembly for the purpose of collecting and disbursing to reciprocal states any funds collected pursuant to subsection (A) applicable to properties, risks, or exposures located or to be performed outside of this State. To the extent that other states where portions of the properties, risks, or exposures reside have failed to enter into an agreement or reciprocal allocation procedure with this State, the net premium tax collected shall be retained by this State.

Section 38-45-195. Nothing in this chapter precludes the director or his designee from collecting one hundred percent of the taxes due under this chapter for all risks placed in the surplus lines market.”

Prohibition of additional license fee for surplus lines insurance

SECTION 2. Section 38-7-160 of the 1976 Code is amended to read:

“Section 38-7-160. This title may not be construed as preventing any municipality from levying and collecting license fees or taxes in accordance with its ordinances. However, for surplus lines insurance no municipality may charge an additional license fee or tax based upon a percentage of premiums. A municipality may not charge a license fee to fire insurers or their agents licensed by the director or his designee in any other manner than on a percentage of the premiums collected in the municipality or realized from risks located within the limits of the municipality, or both, the license fee not to exceed two percent of the premiums collected in the municipality and realized from risks located in the municipality, except in cities of fifty thousand inhabitants or more, where not exceeding five percent may be charged.

Preference must be given hereunder to the municipality wherein the insured property is located, and, if a license is levied against the insuring company on such basis, that company may not be subject to a similar license from a municipality wherein it may collect the premium for such transaction.”

Severability clause

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 4. This act takes effect January 1, 2012.

Ratified the 28th day of June, 2012.

Approved the 29th day of June, 2012.

No. 284

(R326, H3508)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO RETITLE ARTICLE 23, CHAPTER 9, TITLE 58, RELATING TO GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS AS “GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDERS”; BY ADDING SECTION 58-9-2660 SO AS TO PROVIDE A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER MAY PETITION THE PUBLIC SERVICE

COMMISSION TO DESIGNATE ONE OR MORE AREAS AS AN "UNSERVED AREA", TO SPECIFY THE PROCEDURE FOR MAKING AND PROTESTING THIS PETITION, TO PROVIDE FOR A HEARING OF A PROTEST TO A PETITION, TO PROVIDE FOR THE APPLICATION OF CERTAIN PROVISIONS OF LAW TO AN UNSERVED AREA, AND TO PROVIDE A PROCESS FOR PETITIONING FOR A DETERMINATION THAT AN AREA HAS CEASED TO BE AN UNSERVED AREA; TO AMEND SECTION 58-9-10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING TELEPHONE COMPANIES, SO AS TO MODIFY THE DEFINITION OF "BROADBAND SERVICE"; TO AMEND SECTION 58-9-2600, RELATING TO THE PURPOSE OF ARTICLE 23, CHAPTER 9, TITLE 58, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY THE SCOPE OF THE ARTICLE; TO AMEND SECTION 58-9-2610, RELATING TO DEFINITIONS CONCERNING GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 58-9-2620, AS AMENDED, RELATING TO DUTIES, RESTRICTIONS, RATE COMPUTATIONS, AND ACCOUNTING REQUIREMENTS OF GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES, TO ALLOW A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER MAY PROVIDE CERTAIN MATCHING FUNDS TO COMPLY WITH A FEDERAL GRANT, TO GIVE THE OFFICE OF REGULATORY STAFF JURISDICTION TO INVESTIGATE THE COMPLIANCE OF A GOVERNMENT-OWNED COMMUNICATIONS PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, TO PROVIDE THE COMMISSION MAY ENFORCE THE COMPLIANCE OF A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, AND TO CLARIFY THAT THIS SECTION DOES NOT EXPAND OR LIMIT THE JURISDICTION OF THE COMMISSION OR OFFICE OF REGULATORY STAFF WITH RESPECT TO ANY SERVICE PROVIDER OTHER THAN A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER; TO AMEND SECTION 58-9-2630, RELATING TO CERTAIN TAX COLLECTIONS AND PAYMENTS, SO AS TO

MAKE CONFORMING CHANGES; TO AMEND SECTION 58-9-2650, RELATING TO LIABILITY INSURANCE RATES FOR COMMUNICATIONS OPERATIONS, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTION 58-9-2670 SO AS TO EXEMPT CERTAIN GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDERS FROM CERTAIN PROVISIONS; BY ADDING SECTION 58-9-2689 SO AS TO REQUIRE THE STATE REGULATION OF PUBLIC UTILITIES REVIEW COMMITTEE TO SUBMIT A REPORT TO THE GENERAL ASSEMBLY EVERY FIVE YEARS DETAILING THE EFFECT OF THIS ACT; AND TO CLARIFY THAT THIS ACT DOES NOT EXPAND, DIMINISH, OR OTHERWISE AFFECT CERTAIN PROVISIONS REGARDING THE SOUTH CAROLINA LIGHTRAIL CONSORTIUM.

Whereas, the technology used to provide communications services has evolved and continues to evolve at an ever-increasing pace; and

Whereas, certain political subdivisions of the State have applied for and received federal grants to provide certain broadband projects in designated areas of the State; and

Whereas, the General Assembly finds that it is appropriate to update the existing statutes addressing government-owned telecommunications service providers in a manner that does not prevent those political subdivisions from complying with the terms and conditions of such federal grants. Now, therefore,

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

Retitling of Article 23, Chapter 9, Title 58

SECTION 1. Article 23, Chapter 9, Title 58 of the 1976 Code is retitled "Government-Owned Communications Service Providers".

Broadband Service, Unserved Area

SECTION 2. Article 23, Chapter 9, Title 58 of the 1976 Code is amended by adding:

"Section 58-9-2660. (A) A government-owned communications service provider may petition the commission to designate one or more

areas as an unserved area. The petition must identify with specificity each 2010 Census tract within a persistent poverty county described in Section 58-9-2610(G) and each 2010 Census block in any other county for which this designation is sought. The petition also must identify each county that contains any Census tract or block identified in the petition. If an objection is not filed pursuant to subsection (C), the commission must grant the petition and designate each 2010 Census tract or block identified in the petition as an unserved area.

(B) The commission shall maintain a list, by county, of all broadband service providers who have provided to the commission written notification that they wish to receive notice of petitions to designate unserved areas in a particular county or counties. The commission must serve electronic notice of the petition described in subsection (A) on all broadband service providers in the affected county or counties that requested notice of petitions within five working days of the petition's filing. The commission also must post public notice of the filing of the petition on its website.

(C)(1) A broadband service provider that has not notified the commission of its wish to receive notice of petitions pursuant to subsection (B) or a resident of an area designated in a petition filed pursuant to subsection (A) may, within thirty days after the commission posts public notice of the filing of the petition on its website, file with the commission an objection to this designation on the ground that one or more areas designated in the petition is not an unserved area.

(2) A provider of broadband service in the area designated in a petition filed pursuant to subsection (A) that notified the commission of its wish to receive notice of petitions may, within thirty days after service of the notice required in subsection (B), file with the commission an objection to this designation on the ground that one or more areas designated in the petition is not an unserved area.

(3) Any provider or resident filing an objection must file testimony supporting the objection within thirty days after the objection is filed. If no testimony is filed in support of the objection, the petition must be granted.

(D) If an objection is filed pursuant to subsection (C), the commission must:

- (1) give the petitioner an opportunity to submit prefiled testimony responding to the objection;
- (2) hold a hearing on the dispute; and
- (3) rule on the petition within ninety days after the objection is filed.

(E) Upon a commission designation that an area is an unserved area, the provisions of Sections 58-9-2620, 58-9-2630, and 58-9-2650 must not apply to a broadband service provided by the petitioner in that area until the later of:

(1) sixty months after the effective date of this act if, at the time an area is designated as an unserved area, the transmission speed requirements for basic broadband tier 1 service as defined by the Federal Communications Commission for broadband gathering and reporting are the same as they were on the effective date;

(2) thirty-six months after the effective date of this act if, at the time an area is designated as an unserved area, the transmission speed requirements for basic broadband tier 1 service as defined by the Federal Communications Commission for broadband gathering and reporting are different than they were on the effective date of this act; or

(3) twelve months after the commission determines pursuant to subsection (F) that the area is no longer an unserved area.

(F) A provider of broadband service or a resident of an area designated as an unserved area may petition the commission to determine that the area is no longer an unserved area. After notice and an opportunity for a hearing, the commission must grant the petition if, considering only broadband service that is available from providers other than the government-owned communications service provider that filed the petition resulting in the designation by the commission of the area as an unserved area, the commission determines that the area no longer satisfies the relevant definition of 'unserved' in Section 58-9-2610(G)."

Definition of broadband service

SECTION 3. Section 58-9-10(17) of the 1976 Code, as added by Act 6 of 2003, is amended to read:

“(17) The term ‘broadband service’ means a service that is used to deliver video or to provide access to the Internet or content and services similar to that accessible through the Internet, and that consists of the offering of:

(a) a capability to transmit information at a rate that is generally not less than one hundred ninety kilobits per second in at least one direction; or

(b) a service that uses one or more of the following to provide this access:

- (i) computer processing;
- (ii) information storage; and
- (iii) protocol conversion.”

Purpose and Scope of Article 23, Chapter 9, Title 58

SECTION 4. Section 58-9-2600 of the 1976 Code, as added by Act 360 of 2002, is amended to read:

“Section 58-9-2600. This article regulates the provision of communications service by an agency, entity, instrumentality, or a political subdivision of this State, excluding the State Budget and Control Board, for services provided as of the effective date of this article.”

Definitions

SECTION 5. Section 58-9-2610 of the 1976 Code, as added by Act 360 of 2002, is amended to read:

“Section 58-9-2610. As used in this article:

(A)(1) ‘Government-owned communications service provider’ means a state or local political subdivision, instrumentality of the State, person, or entity providing a communications service to the public for hire over a facility, operation, or system that is directly or indirectly owned by, operated by, or a financial benefit obtained by or derived from, an agency, instrumentality, or entity of the State or local government. ‘Government-owned communications service provider’ does not include the State Budget and Control Board for services provided as of the effective date of this article.

(2) The term ‘government-owned communications service provider’ does not include a state or local governmental entity, instrumentality, or agency that obtains or derives financial benefit solely from leasing or renting, to a person or entity, property that is not, in and of itself, a facility used to provide a communications service.

(B) ‘Communications service’ means a telecommunications service, a broadband service, or both.

(C) ‘Telecommunications service’ means a telecommunications service as defined in Section 58-9-2200(1).

(D) ‘Broadband service’ means a service that meets the definition of ‘broadband service’ in Section 58-9-10(17) and that has transmission speeds that are equal to or greater than the requirements for basic

broadband tier 1 service as defined by the Federal Communications Commission for broadband data gathering and reporting. This definition does not modify or otherwise affect the definition of 'broadband services' for the purposes of Section 58-9-280(G).

(E) 'Person' as defined in Section 58-9-10(4) includes a 'government-owned communications service provider'.

(F) 'Public' means the public generally or a limited portion of the public, including a person or corporation. The term 'public' excludes governmental agencies or entities when they receive communications service from the State Budget and Control Board pursuant to its statutory authority or other legal requirements.

(G) 'Unserved area' means:

(1) within a county that is identified as a persistent poverty county by the United States Department of Agriculture, Economic Research Service pursuant to the most recent data from the Bureau of the Census, a nongovernment-owned communications service provider's territory within a 2010 Census tract, as designated by the United States Census Bureau, in which at least seventy-five percent of households have either no access to broadband service or access to broadband service only from a satellite provider; and

(2) within any other county, a 2010 Census block, as designated by the United States Census Bureau, in which at least ninety percent of households have either no access to broadband service or access to broadband service only from a satellite provider.

For the purposes of this subsection, 'household' has the same meaning as prescribed by the United States Census Bureau.

(H) 'Commission' means the South Carolina Public Service Commission."

Matching funds, investigation and enforcement, conforming amendments

SECTION 6. Section 58-9-2620 of the 1976 Code, as last amended by Act 318 of 2006, is further amended to read:

"Section 58-9-2620. Notwithstanding any other provision of law, a government-owned communications service provider must:

(1) be subject to the same local, state, and federal regulatory, statutory, and other legal requirements to which nongovernment-owned communications service providers are subject, including regulation and other legal requirements by the commission and the Office of Regulatory Staff;

(2) not receive a financial benefit that is not available to a nongovernment-owned communications service provider on the same terms and conditions as it is available to a government-owned communications service provider, including, but not limited to, tax exemptions and governmental subsidies of any type. Tax exempt capital financing may be used consistent with Sections 58-9-2620(4)(a) and 58-9-2630(C);

(3) not be permitted to subsidize the cost of providing a communications service with funds from any other noncommunications service, operation, or other revenue source. If a determination is made that a direct or indirect subsidy has occurred, the government-owned communications service provider immediately must increase prices for communications service in a manner that ensures that the subsidy will not continue, and any amounts used directly or indirectly to subsidize the past operations will be reimbursed to the general treasury of the appropriate state or local government. This subsection does not prohibit a government-owned communications service provider from providing matching funds or in-kind contributions in order to comply with the terms of a federal grant as long as it imputes the matching funds and the value of the in-kind contributions in calculating the cost incurred and in the rates to be charged for the provision of a communications service;

(4) impute, in calculating the cost incurred and in the rates to be charged for the provision of a communications service, the following:

(a) cost of capital component that is the equivalent to the cost of capital available to nongovernment-owned communications service providers in the same state or locality; and

(b) an amount equal to all taxes, licenses, fees, and other assessments applicable to a nongovernment-owned communications provider including, but not limited to, federal, state, and local taxes, rights of way franchise consent, or administrative fees, and pole attachment fees;

(5) keep separate books and separately account for the revenues, expenses, property, and source of investment dollars associated with the provision of communications service; and

(6) be required to prepare and publish an independent annual audit in accordance with generally accepted accounting principles that reflects the full cost of providing the service, including all direct and indirect costs. The indirect costs must include, but are not limited to, amounts for rights of way franchise, consent, or administrative fees, regulatory fees, occupation taxes, pole attachment fees, and ad valorem taxes. The annual accounting must reflect any direct or indirect

subsidies received by the government-owned communications service provider.

Notwithstanding any other provision of law, the Office of Regulatory Staff has jurisdiction to investigate, and the commission has authority to enforce, a government-owned communications service provider to comply with the provisions of this section.

Records demonstrating compliance with the provisions of this section must be filed with the commission, provided to the Office of Regulatory Staff and made available for public inspection and copying. Nothing in this article expands or restricts the existing jurisdiction of the commission or the Office of Regulatory Staff regarding a service or provider other than a government-owned communications service provider.”

Conforming amendments

SECTION 7. Section 58-9-2630 of the 1976 Code, as added by Act 360 of 2002, is amended to read:

“Section 58-9-2630. (A) A government-owned communications service provider shall pay or collect taxes annually in a manner equivalent to taxes paid by a nongovernment-owned communications service provider through payment of the following:

(1) all state taxes, including corporate income taxes under Section 12-6-530, and utility license taxes under Section 12-20-100;

(2) all local taxes, including local business license taxes, under Section 58-9-2230, together with any franchise fees and other local taxes and fees, including impact, user, service, or permit fees, pole rental fees, and rights of way franchise, consent, or administrative fees; and

(3) all property taxes on otherwise exempt real and personal property that are directly used in the provision of a communications service.

(B) A government-owned communications service provider shall compute, collect, and remit taxes in the same manner as a nongovernment-owned communications service provider and must be entitled to the same deductions.

(C) A government-owned communications service provider shall annually remit to the general fund of the governmental entity owning the communications service provider an amount equal to all taxes or fees a private sector communications service provider must pay.

(D) The taxpayer confidentiality provisions contained in Title 12 do not apply to the filing of a government-owned communications service provider. However, the Department of Revenue shall require an annual report of all communications service providers. The report must require a communications company licensed in this State to report the total gross of retail communications to which the business license tax is applicable pursuant to Section 58-9-2220. This information must be available to any entity authorized to collect a tax on retail communications or its agent. Information provided to an entity or agent authorized to collect a tax must not be disclosed or provided to another person. This information only may be used by an entity or agent of an entity authorized to collect a tax for purposes of determining the accuracy of tax returns, filings, and payment of taxes.”

Conforming amendments

SECTION 8. Section 58-9-2650 of the 1976 Code, as added by Act 360 of 2002, is amended to read:

“Section 58-9-2650. The Department of Insurance must determine the South Carolina average market rate for private sector liability insurance for communications operations. To have government-owned and nongovernment-owned communications service providers in the same competitive position, to the extent possible, the rate paid for liability insurance for government-owned communications operations must be equal to or greater than the average market rate for private sector liability insurance in South Carolina as determined by the Department of Insurance. To the extent that any government-owned communications service provider pays less than the average market rate for this insurance established by the Department of Insurance, the difference must be remitted by the government-owned communications service provider to the general fund of the government owning that communications service provider. However, nothing in this section may be construed to mean a government-owned communications provider is not covered by the South Carolina Tort Claims Act.”

Exemptions of certain provisions

SECTION 9. Article 23, Chapter 9, Title 58 of the 1976 Code is amended by adding:

“Section 58-9-2670. (A) For any government-owned communications service provider that, on or before the effective date of this act, was awarded funding for a Comprehensive Community Infrastructure middle-mile project pursuant to the Broadband Technology Opportunities Program administered by the United States Department of Commerce’s National Telecommunications and Information Administration:

(1) the provisions of Section 58-9-2630 do not apply;

(2) the provisions of Sections 58-9-2620, 58-9-2650, and 58-9-2660 do not apply to the provision of communications services by a government-owned communications service provider to the governmental entity that owns the communications facility, operation, or system; and

(3) the provisions of Sections 58-9-2620, 58-9-2650, and 58-9-2660 do not apply to the extent that the middle-mile services it offers are used to actually provide communications services to end users in unserved areas. The provider may use any reasonable methodology to comply with this provision. On an annual basis, the provider must file with the commission and provide to the Office of Regulatory Staff a detailed explanation of the methodology it uses to comply with this section, along with supporting documentation, and the explanation and documentation must be made available for public inspection and copying.

(B) The provisions of Sections 58-9-2620, 58-9-2630, 58-9-2650, and 58-9-2660 do not apply to any government-owned communications service provider, that, on or before the effective date of this act, was awarded a grant for a last-mile project pursuant to the Broadband Initiatives Program administered by the United States Department of Agriculture’s Rural Utilities Service, to the extent that the government-owned communications service provider provides communications services to addresses that are within the area set forth in its application for the grant, referenced above or to addresses that satisfy each of the following five criteria: (i) are within the border of the grant recipient’s county; (ii) are six miles or further from the center point of any incorporated area that, as of December 31, 2011, had a population in excess of ten thousand as determined by the 2010 Census; (iii) are outside any area that, as of December 31, 2011, was served by a rural telephone company, as defined in 47 U.S.C. Section 153(37), that provided service to less than fifteen thousand access lines within its local exchange study area in the State; (iv) are outside the boundaries of any industrial or business park owned in whole or in part by the grant recipient’s county and occupied by one or more persons or

entities as of the effective date of this act; and (v) are one mile or further from the center of any incorporated area or unincorporated community with a population of no more than one thousand five hundred as long as the address is, as of December 31, 2011, within an exchange of a rural telephone company as defined in 47 U.S.C. Section 153(37). The provisions of Sections 58-9-2620, 58-9-2630, 58-9-2650, and 58-9-2660 apply to the extent that the government-owned communications service provider provides communications service to any other addresses. In order not to impede efficient network design, nothing in this subsection prohibits the incidental placement of the government-owned communications service provider's facilities outside the borders of the grant recipient's county as long as such facilities are not used to provide any communications services to any addresses outside the grant recipient's county.

(C) The provisions of Sections 58-9-2620, 58-9-2630, 58-9-2650, and 58-9-2660 do not apply to any municipality that is a government-owned communications service provider and that: (i) applied, on or before December 31, 2011, for a grant for a last-mile project pursuant to the Broadband Initiatives Program administered by the United States Department of Agriculture's Rural Utilities Service; (ii) expended funds in excess of twenty-five thousand dollars to complete business plans or feasibility studies in support of such application; and (iii) is awarded federal funds to support the project identified in the application referenced in item (i) of this subsection. The exemption provided in this subsection applies only to the extent that the municipality that is a government-owned communications service provider provides communications services to addresses that are within both the county in which the municipality is located and the area described in its grant application referenced in item (i) of this subsection or to addresses that are within the limits of the municipality that meet the requirements of this subsection, it being the specific intent that this subsection (C) shall apply to the entire geographic area described in any grant application that meets the requirements of this subsection as well as the entire area within the limits of any municipality that meets the requirement of this subsection.

(D) For any government-owned communications service provider that, on or before the effective date of this act, also was a charter member institution of the South Carolina LightRail Consortium, the provisions of Sections 58-9-2620, 58-9-2630, and 58-9-2650 do not apply to the institution or any of its affiliated organizations in the provision of connection to national research and educational networks described in 59-151-110(A), provided that: (i) the institution and its

affiliated organizations use such connection solely for research and education-related activities; (ii) under no circumstances will the institution or any of its affiliated organizations provide service that connects commercial sites or that carries commercial traffic, commercial Internet traffic or K-12 traffic originated in South Carolina; and (iii) neither such charter member institution of the South Carolina LightRail Consortium nor any affiliated organization is authorized to otherwise compete with the commercial communications or information offerings of private sector participants. As used in this subsection, 'affiliated organization' means an entity formed for the purpose of owning, leasing, providing or operating the facilities used to provide service to the charter member institution and to related entities that support the mission of the charter member institution. For purposes of this subsection, occasional and incidental use of the connection by persons appropriately granted such access to the connection for purposes that are not directly related to the missions of the charter member institutions is not considered as competing with the commercial communications or information offerings of private sector participants.

(E) Nothing in this act is intended nor may be construed to prohibit MUSC or MUSC Authority from using the South Carolina LightRail, in furtherance of a documented research project, to transmit medical imaging between MUSC and the MUSC Authority and other hospital or health care facilities taking part in the project.

(F) The provisions of Sections 58-9-2620, 58-9-2630, 58-9-2650, and 58-9-2660 do not apply to the provision of wireless fidelity (wi-fi) service by a county or a municipality as long as the county or municipality does not impose a charge or fee of any kind for the service.”

Report of the State Regulation of Public Utilities Review Committee

SECTION 10. Article 23, Chapter 9, Title 58 of the 1976 Code is amended by adding:

“Section 58-9-2689. No later than five years from the effective date of this act and every five years following the submission of the first report, the State Regulation of Public Utilities Review Committee must submit to the General Assembly a report examining the effect of this act on residential and business consumers in areas served by communication providers. The reports must assess and determine the

impact of the amendments to current law in this act on the availability of communications services to rural counties of the State and report whether the amendments to current law incorporated in this act have had an adverse impact on the provision of communications services in such rural areas. The reports must include data describing the extent of capital improvement and investment by communications service providers in rural counties since the adoption of the amendments to current law included in this act and present any recommendations it may have regarding the continuation, amendment, or repeal of the amendments to current law included in the act. The reports must not disclose any proprietary or confidential information about individual communications service providers.”

South Carolina LightRail Consortium

SECTION 11. The provisions of this act do not expand, diminish, or otherwise affect the provisions of Chapter 151, Title 59 regarding the South Carolina LightRail Consortium.

Severability

SECTION 12. The provisions of this act are severable. If any section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, items, subitems, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 13. This act takes effect upon approval by the Governor.

Ratified the 28th day of June, 2012.

Approved the 29th day of June, 2012.

No. 285

(R327, H4494)

AN ACT TO AMEND SECTION 23-31-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASE OF RIFLES OR SHOTGUNS IN CONTIGUOUS STATES, SO AS TO REMOVE THE REQUIREMENT THAT THE PURCHASE BE MADE FROM A CONTIGUOUS STATE; AND TO REPEAL ARTICLE 3, CHAPTER 31, TITLE 23 RELATING TO THE REGULATION OF PISTOLS.

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

Firearms, purchase of rifles or shotguns, removal of contiguous state requirement

SECTION 1. Section 23-31-10 of the 1976 Code is amended to read:

“Section 23-31-10. A resident of this State including a corporation or other business entity maintaining a place of business in this State, who may lawfully purchase and receive delivery of a rifle or shotgun in this State, may purchase a rifle or shotgun in another state and transport or receive it in this State; provided, that the sale meets the lawful requirements of each state, meets all lawful requirements of any federal statute, and is made by a licensed importer, licensed manufacturer, licensed dealer, or licensed collector.”

Repeal

SECTION 2. Article 3, Chapter 31, Title 23 of the 1976 Code is repealed.

Time effective

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

Ratified the 28th day of June, 2012.

Approved the 29th day of June, 2012.

No. 286

(R329, S45)

AN ACT TO AMEND SECTION 17-15-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATTERS TO BE CONSIDERED BY THE COURT WHEN DETERMINING RELEASE OF A PERSON ON BOND, SO AS TO DELETE REFERENCES TO SPECIFIC LAW ENFORCEMENT ENTITIES AND INSERT ARRESTING LAW ENFORCEMENT AGENCY AS APPROPRIATE TO PROVIDE THE COURT WITH NECESSARY INFORMATION; BY ADDING SECTION 17-15-55 SO AS TO PROVIDE THAT THE CIRCUIT COURT MAY CONSIDER MOTIONS REGARDING RECONSIDERATION OF BOND FOR GENERAL SESSIONS OFFENSES SET BY A SUMMARY COURT JUDGE, TO PROVIDE THAT FURTHER DEFENSE MOTIONS TO RECONSIDER BOND MAY BE HEARD BY THE CIRCUIT COURT ONLY UPON THE DEFENDANT'S PRIMA FACIE SHOWING OF A MATERIAL CHANGE IN CIRCUMSTANCES, TO PROVIDE THAT MOTIONS BY THE STATE TO REVOKE OR MODIFY A DEFENDANT'S BOND MUST BE MADE IN WRITING, STATE WITH PARTICULARITY THE GROUNDS FOR REVOCATION OR MODIFICATION, AND SET FORTH THE RELIEF OR ORDER SOUGHT, AND TO PROVIDE THAT, IF THE STATE'S MOTION TO REVOKE OR MODIFY BOND INCLUDES A PRIMA FACIE SHOWING OF IMMINENT DANGER TO THE COMMUNITY, OR IMMINENT DANGER TO THE DEFENDANT, OR FLIGHT BY THE DEFENDANT, THE CHIEF JUDGE OR PRESIDING JUDGE SHALL CONDUCT OR ORDER AN EMERGENCY HEARING WITHIN FORTY-EIGHT HOURS; TO AMEND SECTION 17-15-10, RELATING TO RELEASE OF A PERSON CHARGED WITH A NONCAPITAL OFFENSE ON HIS OWN RECOGNIZANCE OR ON BOND, SO AS TO ALLOW A PERSON CHARGED WITH BURGLARY IN THE FIRST DEGREE TO HAVE HIS BOND HEARING IN SUMMARY COURT UNLESS THE SOLICITOR OBJECTS; TO PROVIDE THAT THE PROVISIONS OF ACT 115 OF 2012 WHICH AMENDED SECTION 17-15-20 OF THE 1976 CODE ARE RETROACTIVE; AND TO AMEND SECTION 38-53-50, AS AMENDED, RELATING TO BAIL BONDSMEN OR SURETIES

**RELIEVED OF BOND UNDER CERTAIN CIRCUMSTANCES,
SO AS TO PROVIDE THAT ONCE THE REQUIRED
AFFIDAVIT IS FILED THE SURETY IS RELIEVED OF
LIABILITY ON THE BOND UNLESS OTHERWISE ORDERED
BY THE CIRCUIT COURT WITHIN A CERTAIN PERIOD OF
TIME.**

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

**Bond, arresting law enforcement agency to provide necessary
information**

SECTION 1. Section 17-15-30 of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“Section 17-15-30. (A) In determining conditions of release that will reasonably assure appearance, or if release would constitute an unreasonable danger to the community, a court may, on the basis of available information, consider the nature and circumstances of an offense charged and an accused’s:

- (1) family ties;
- (2) employment;
- (3) financial resources;
- (4) character and mental condition;
- (5) length of residence in the community;
- (6) record of convictions; and
- (7) record of flight to avoid prosecution or failure to appear at other court proceedings.

(B) A court shall consider, if available:

- (1) an accused’s criminal record;
- (2) any charges pending against an accused at the time release is requested;
- (3) all incident reports generated as a result of an offense charged; and
- (4) whether an accused is an alien unlawfully present in the United States, and poses a substantial flight risk due to this status.

(C)(1) Prior to or at the time of a hearing, the arresting law enforcement agency shall provide the court with the following information, if available:

- (a) the accused’s criminal record;
- (b) any charges pending against the accused at the time release is requested;

(c) all incident reports generated as a result of the offense charged; and

(d) any other information that will assist the court in determining conditions of release.

(2) The arresting law enforcement agency shall inform the court if any of the information is not available at the time of the hearing and the reason the information is not available. Failure on the part of the law enforcement agency to provide the court with the information does not constitute grounds for the postponement or delay of the person's hearing.

(D) A court hearing these matters has contempt powers to enforce the provisions of this section.”

Bond, reconsideration by circuit court of bond set by summary court

SECTION 2. Chapter 15, Title 17 of the 1976 Code is amended by adding:

“Section 17-15-55.(A)(1) The circuit courts, at their discretion, may review and reconsider bond for general sessions offenses set by summary court judges. Also, the circuit courts may consider motions regarding reconsideration of bond for general sessions offenses set by summary court judges upon motions filed with the clerks of court. Hearings on these motions must be scheduled. The rules of evidence do not apply to bond hearings.

(2) After a circuit court judge has heard and ruled upon a defendant's motion to reconsider a bond set by a summary court judge, further defense motions to reconsider may be heard by the circuit court only upon the defendant's prima facie showing of a material change in circumstances which relate to the factors provided in Section 17-15-30, and which have arisen since the prior motion to reconsider. In addition, the circuit court may hear further defense motions to reconsider based on the length of time the defendant has been held for trial after six months. The chief judge shall schedule a hearing or if such showing is not set forth in the written motion, deny the motion for failure to make a prima facie showing of a material change in circumstances. Information regarding the defendant's guilt or innocence does not qualify as a change in circumstances for purposes of reconsidering bond absent the solicitor's consent.

(B)(1) Motions by the State to revoke or modify a bond must be made in writing, state with particularity the grounds for revocation or

modification, and set forth the relief or order sought. The motions must be filed with the clerks of court, and a copy must be served on the chief judge, defense counsel of record, and bond surety, if any.

(2) After a circuit court judge has heard and ruled upon the state's motion to reconsider a bond set by a summary court judge, further state motions to reconsider may be heard by the circuit court only upon the state's prima facie showing of a material change in circumstances which have arisen since the prior motion to reconsider. The chief judge shall schedule a hearing or if such showing is not set forth in the written motion, deny the motion for failure to make a prima facie showing of a material change in circumstances.

(3) If the state's motion to revoke or modify bond includes a prima facie showing of imminent danger to the community, imminent danger to the defendant, or flight by the defendant, the chief judge or presiding judge shall conduct or order an emergency bond hearing to be conducted by the circuit court judge within forty-eight hours of receiving service of the state's motion or as soon as practical. The chief judge shall order the solicitor to notify the defense counsel of record and bond surety of the time and date of the hearing, and the solicitor shall provide proof reasonable efforts were made to affect the notice. Upon notice by the State, the defense counsel of record and bond surety shall make reasonable efforts to notify the defendant of the emergency hearing. The court may proceed with the hearing despite the absence of the defendant or bond surety. The court may not proceed with the hearing if the defense counsel of record is not present. If an emergency bond hearing is held without the presence of the defendant and bond is revoked, the judge having heard the matter may conduct the hearing on the defendant's motion to reconsider the revocation. Defense motions to reconsider revocation must be filed with the clerk of court and served on the solicitor and bond surety."

Bond, person charged with burglary in the first degree to have bond set in summary court

SECTION 3. Section 17-15-10 of the 1976 Code is amended to read:

"Section 17-15-10.(A) Any person charged with a noncapital offense triable in either the magistrates, county or circuit court, shall, at his appearance before any of such courts, be ordered released pending trial on his own recognizance without surety in an amount specified by the court, unless the court determines in its discretion that such a release will not reasonably assure the appearance of the person as

required, or unreasonable danger to the community will result. If such a determination is made by the court, it may impose any one or more of the following conditions of release:

(1) require the execution of an appearance bond in a specified amount with good and sufficient surety or sureties approved by the court;

(2) place the person in the custody of a designated person or organization agreeing to supervise him;

(3) place restrictions on the travel, association, or place of abode of the person during the period of release;

(4) impose any other conditions deemed reasonably necessary to assure appearance as required, including a condition that the person return to custody after specified hours.

(B) Any person charged with the offense of burglary in the first degree pursuant to Section 16-11-311 may have his bond hearing for that charge in summary court unless the solicitor objects.”

Bond, retroactive provision of Act 115 of 2012

SECTION 4. The provisions of Section 1 of Act 115 of 2012 which amended Section 17-15-20 of the 1976 Code and allow sureties to be relieved of an appearance bond under certain designated circumstances are retroactive and apply to all existing and future appearance bonds.

Savings clause

SECTION 5. Except as provided in SECTION 4, the repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

Bond, surety relieved of liability, exception for circuit court order

SECTION 6. Section 38-53-50 of the 1976 Code, as last amended by Act 346 of 2008, is further amended to read:

“Section 38-53-50.(A) A surety desiring to be relieved on a bond for good cause shall file with the clerk of court a motion to be relieved on the bond. A copy of the motion must be served upon the defendant, his attorney, and the solicitor’s office. The court then shall schedule a hearing to determine if the surety should be relieved on the bond and notify all parties of the hearing date. At the time of the filing of the motion, a fee of twenty dollars must be paid to the clerk of court to be retained by the clerk for use in the operation of the clerk’s office. The fee will cover the cost of copies of the motion required by the surety.

(B) If the circumstances warrant immediate incarceration of the defendant to prevent imminent violation of one of the specific terms of the bail bond, or if the defendant has violated one of the specific terms of the bond, the surety may take the defendant to the appropriate detention facility for holding until the court orders that the surety be relieved. The surety, within three business days following recommitment, must file with the detention facility and the court an affidavit clocked in with the clerk of court on a form provided by the Division of Court Administration stating the facts to support the surrender of the defendant for good cause. Nonpayment of fees alone is not sufficient cause to warrant immediate incarceration of the defendant. When the defendant and the affidavit are presented at the appropriate detention facility, the facility shall take custody of the defendant. When the affidavit is filed with the court, the surety also shall file a motion to be relieved on the bond pursuant to subsection (A). A surety who surrenders a defendant and files an affidavit which does not show good cause is subject to penalties imposed for perjury as provided for in Article 1, Chapter 9, Title 16.

(C) If the defendant is incarcerated by the surety or a law enforcement agency as a result of a bench warrant, the surety shall file an affidavit with the court stating that the defendant is incarcerated in the appropriate detention facility as a result of the bench warrant as well as the violation of the specific term or terms of the bail bond stated in the bench warrant. Once the affidavit pursuant to the provisions of this subsection has been filed and served on the defendant, the surety is relieved of all liability on the bail bond by the court unless otherwise ordered by the circuit court within fourteen

calendar days of the filing of the affidavit, or, if there is no term of court within the fourteen day period, at the ensuing term of court.

(D) After the surety has been relieved by order of the court, a new undertaking must be filed with the appropriate court in order to secure the subsequent release of the defendant. The undertaking must contain the same conditions included in the original bond unless the conditions have been changed by the court.”

Time effective

SECTION 7. This act takes effect upon approval by the Governor.

Ratified the 29th day of June, 2012.

Approved the 29th day of June, 2012.

No. 287

(R328, H5418)

A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2012-2013 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 12-6-545, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO REDUCE THE TAX RATE FROM FIVE PERCENT TO THREE PERCENT OVER THREE YEARS.

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

Continuing authority to pay government expenses

SECTION 1. (A) If the 2012-2013 state fiscal year begins with no annual general appropriations act in effect for that year, the authority to pay the recurring expenses of state government continues at the level of amounts appropriated in Act 73 of 2011 for the recurring expenses of state government for Fiscal Year 2012-2013 except as provided in subsection (B).

The effective dates of Parts IA and IB of Act 73 of 2011 are extended until the effective date for appropriations made in a general appropriations act for Fiscal Year 2012-2013, after which appropriations made pursuant to this joint resolution are deemed to have been made pursuant to the general appropriations act for Fiscal Year 2012-2013.

(B) Notwithstanding debt service appropriations in Act 73 of 2011 and until the effective date of the appropriations made in a general appropriations act for Fiscal Year 2012-2013, there is appropriated from the general fund of the State whatever amount is necessary for timely debt service on state obligations and other amounts constitutionally required to be appropriated, including the Capital Reserve Fund. The General Reserve Fund is established in the amount required by law.

Reduction of income tax rates for pass-through trade and business income

SECTION 2. Section 12-6-545(B)(2) of the 1976 Code is amended read:

“(2) The rate of the income tax imposed pursuant to this subsection is:

Taxable Year Beginning in	Rate of Tax
2006	6.5 percent
2007	6 percent
2008	5.5 percent
2008 through 2011	5 percent
2012	4.33 percent
2013	3.67 percent
after 2013	3 percent.”

Time effective

SECTION 3. SECTION 1 of this joint resolution takes effect July 1, 2012, and applies as provided in SECTION 1. SECTION 2 takes effect upon approval of the Governor.

Ratified the 28th day of June, 2012.

Approved the 28th day of June, 2012.

No. 288

(R330, H4813)

AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

PART IA
APPROPRIATIONS

SECTION 1
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
I. SUPERINTENDENT OF EDUCATION		
PERSONAL SERVICE		
STATE SUPER OF EDUCATION	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,328,556	1,084,777
	(26.00)	(23.25)
UNCLASSIFIED POSITIONS	184,337	184,337
OTHER PERSONAL SERVICES	88,800	
TOTAL PERSONAL SERVICE	1,693,700	1,361,121
	(27.00)	(24.25)
OTHER OPERATING EXPENSES	987,768	151,025
TOTAL SUPT OF EDUCATION	2,681,468	1,512,146
	(27.00)	(24.25)
II. BOARD OF EDUCATION		
PERSONAL SERVICE		
OTHER PERSONAL SERVICES	4,787	4,787
TOTAL PERSONAL SERVICE	4,787	4,787
OTHER OPERATING EXPENSES	53,247	53,247
TOTAL BOARD OF EDUCATION	58,034	58,034
IV. ACCOUNTABILITY		
A. OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,661,037	2,126,848
	(97.02)	(47.25)
OTHER PERSONAL SERVICES	473,732	15,709
TOTAL PERSONAL SERVICE	7,134,769	2,142,557
	(97.02)	(47.25)
OTHER OPERATING EXPENSES	18,019,972	210,254

OF SOUTH CAROLINA
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
TOTAL ACCOUNTABILITY	25,154,741 (97.02)	2,352,811 (47.25)
B. EDUC ACCOUNTABILITY ACT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	229,658	229,658
TOTAL PERSONAL SERVICE	229,658	229,658
OTHER OPERATING EXPENSES	64,811	64,811
TOTAL EDUCATION ACCOUNTABILITY ACT	294,469	294,469
TOTAL ACCOUNTABILITY	294,469	294,469
VI. CHIEF INFORMATION OFFICE		
PERSONAL SERVICES		
CLASSIFIED POSITIONS	1,607,282 (32.51)	1,577,282 (26.76)
TOTAL PERSONAL SERVICE	1,607,282 (32.51)	1,577,282 (26.76)
OTHER OPERATING EXPENSES	355,000	350,000
TOT CHIEF INFORMATION OFFICE	1,962,282 (32.51)	1,927,282 (26.76)
VIII. SCHOOL EFFECTIVENES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,936,802 (75.49)	3,015,737 (53.05)
OTHER PERSONAL SERVICES	892,155	469,751
TOTAL PERSONAL SERVICE	4,828,957 (75.49)	3,485,488 (53.05)
OTHER OPERATING EXPENSES	8,561,476	851,346
TOT SCHOOL EFFECTIVENESS	13,390,433 (75.49)	4,336,834 (53.05)

STATUTES AT LARGE
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IX. CHIEF FINANCE OFFICE		
A. FINANCE AND OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,762,741	1,197,111
	(49.02)	(42.02)
OTHER PERSONAL SERVICES	44,201	4,201
TOTAL PERSONAL SERVICE	1,806,942	1,201,312
	(49.02)	(42.02)
OTHER OPERATING EXPENSES	802,672	443,605
DISTRIBUTIONS TO SUBDIV		
AID TO OTHER ENTITIES	5,617	5,617
TOTAL DIST SUBDIVISIONS	5,617	5,617
TOTAL FINANCE & OPERATIONS	2,615,231	1,650,534
	(49.02)	(42.02)
B. INSTRUCTIONAL MATERIALS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	161,064	
	(2.00)	
OTHER PERSONAL SERVICES	30,000	
TOTAL PERSONAL SERVICE	191,064	
	(2.00)	
OTHER OPERATING EXPENSES	1,336,838	
TOT INSTRUCT MATERIALS	1,527,902	
	(2.00)	
TOTAL CHIEF FINANCE OFFICE	4,143,133	1,650,534
	(51.02)	(42.02)
X. OPERATIONS AND SUPPORT		
A. SUPPORT OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,753,978	3,344,739
	(105.00)	(54.15)
OTHER PERSONAL SERVICES	1,878,625	634
TOTAL PERSONAL SERVICE	6,632,603	3,345,373
	(105.00)	(54.15)

OF SOUTH CAROLINA
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	7,150,329	1,188,609
DISTRIBUTIONS TO SUBDIV		
AID SCHOOL DISTRICTS	<u>23,698</u>	<u>23,698</u>
TOTAL DIST SUBDIVISIONS	<u>23,698</u>	<u>23,698</u>
TOTAL SUPPORT OPERATIONS	13,806,630	4,557,680
	<u>(105.00)</u>	<u>(54.15)</u>
B. BUS SHOPS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	15,912,205	10,912,205
	(461.62)	(378.02)
OTHER PERSONAL SERVICES	<u>485,624</u>	<u>98,102</u>
TOTAL PERSONAL SERVICE	16,397,829	11,010,307
	(461.62)	(378.02)
OTHER OPERATING EXPENSES	39,991,193	33,316,193
DISTRIBUTIONS TO SUBDIV		
AID SCHL DIST-DRVRS SLRY/F	35,178,181	35,178,181
AID SCHL DIST-CONTRACT DRI	298,390	298,390
BUS DRV AIDE	125,865	125,865
AID OTHER STATE AGENCIES	69,751	69,751
AID SCHL DIST - BUS		
DRIVERS' WORKERS' COMP	<u>2,996,195</u>	<u>2,996,195</u>
TOTAL DIST SUBDIVISIONS	<u>38,668,382</u>	<u>38,668,382</u>
TOTAL BUS SHOPS	95,057,404	82,994,882
	<u>(461.62)</u>	<u>(378.02)</u>
C. BUSES		
SPECIAL ITEMS		
EAA TRANSPORTATION	3,153,136	3,153,136
EEDA TRANSPORTATION	608,657	608,657
BUS PURCHASES	<u>15,506</u>	<u>15,506</u>
TOTAL SPECIAL ITEMS	<u>3,777,299</u>	<u>3,777,299</u>
TOTAL BUSES	<u>3,777,299</u>	<u>3,777,299</u>
TOT OPERATIONS & SUPPORT	112,641,333	91,329,861
	<u>(566.62)</u>	<u>(432.17)</u>

STATUTES AT LARGE
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
XI. S.C. PUBLIC CHARTER		
SCHOOL DISTRICT		
SPECIAL ITEMS:		
PUBLIC CHARTER SCH DIST	30,343,146	30,343,146
TOTAL SPECIAL ITEMS	30,343,146	30,343,146
TOT SC PUBLIC CHARTER		
SCHOOL DISTRICT	30,343,146	30,343,146
XII. EDUC IMPROVEMENT ACT		
A. STANDARDS, TEACHING,		
LEARNING, ACCOUNT.		
1. STUDENT LEARNING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	58,629	
TOTAL PERSONAL SERVICE	58,629	
OTHER OPERATING EXPENSES	136,739	
AID TO SUBDIVISIONS:		
HIGH ACHIEVING STUDENTS	26,628,246	
AID TO DISTRICTS	37,736,600	
STUDENT HEALTH AND		
FITNESS ACT - NURSES	6,000,000	
TECH PREP	3,021,348	
MODERNIZE VOCATIONAL		
EQUIPMENT	6,359,609	
ALLOC EIA-ARTS CURRICULA	1,187,571	
ADULT EDUCATION	13,573,736	
STUDENTS AT RISK OF SCHOOL		
FAILURE	136,163,204	
HIGH SCHOOLS THAT WORK	2,146,499	
TOTAL DIST SUBDIVISIONS	232,816,813	
SPECIAL ITEMS:		
EEDA	7,315,832	
TOTAL SPECIAL ITEMS	7,315,832	
TOTAL STUDENT LEARNING	240,328,013	

OF SOUTH CAROLINA
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
2. STUDENT TESTING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	488,518	
	(8.00)	
TOTAL PERSONAL SERVICE	488,518	
	(8.00)	
OTHER OPERATING EXPENSES	332,948	
SPECIAL ITEMS		
ASSESSMENT / TESTING	24,761,400	
TOTAL SPECIAL ITEMS	24,761,400	
TOTAL STUDENT TESTING	25,582,866	
	(8.00)	
3. CURRIC AND STANDARDS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	126,232	
	(2.00)	
OTHER PERSONAL SERVICES	4,736	
TOTAL PERSONAL SERVICE	130,968	
	(2.00)	
OTHER OPERATING EXPENSES	41,987	
SPECIAL ITEMS:		
READING	6,542,052	
INSTRUCTIONAL MATERIALS	20,922,839	
TOTAL SPECIAL ITEMS	27,464,891	
INSTRUCTIONAL MATERIALS - NONRECURRING	13,727,331	
TOT NON-RECURRING APPRO	13,727,331	
TOT CURRIC & STANDARDS	41,365,177	
	(2.00)	
4. ASSIST, INTERVENTION & REWARD		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,236,436	
	(28.35)	

STATUTES AT LARGE
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	1,236,436	
	(28.35)	
OTHER OPERATING EXPENSES	1,174,752	
SPECIAL ITEMS:		
EAA TECHNICAL ASSISTANCE	5,250,000	
POWER SCH/DATA COLLECTION	5,000,000	
TOTAL SPECIAL ITEMS	10,250,000	
TOTAL ASSISTANCE, INTERVENTION, REWARD	12,661,188	
	(28.35)	
TOT STANDARDS, TEACHING, LEARNING, ACCOUNT	319,937,244	
	(38.35)	
B. EARLY CHILDHOOD		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	376,246	
	(6.50)	
TOTAL PERSONAL SERVICE	376,246	
	(6.50)	
OTHER OPERATING EXPENSES	556,592	
AID TO SUBDIVISIONS		
CDDEP - SCDE	17,300,000	
ALLOC EIA-4 YR EARLY CHILD	15,513,846	
TOTAL DIST SUBDIVISIONS	32,813,846	
TOT EARLY CHILDHOOD EDUC	33,746,684	
	(6.50)	
C. TEACHER QUALITY		
1. CERTIFICATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,068,102	
	(25.25)	
OTHER PERSONAL SERVICES	1,579	
TOTAL PERSONAL SERVICE	1,069,681	
	(25.25)	

OF SOUTH CAROLINA
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	638,999	
TOTAL CERTIFICATION	1,708,680	
	(25.25)	
=====		
2. RETENTION AND REWARD		
SPECIAL ITEMS		
TEACHER OF THE YEAR	155,000	
TEACHER QUALITY COMM	372,724	
TOTAL SPECIAL ITEMS	527,724	
DIST SUBDIVISIONS		
ALLOC EIA-TEACHER SLRS	77,061,350	
ALLOC EIA-EMPLYR CONTRIB	15,766,752	
TEACHER SALARY SUPPORT		
STATE SHARE - RECU	38,625,010	
** TEACHER SALARY SUPPORT		
STATE SHARE - NON-	10,070,600	
NATIONAL BOARD CERTIF	64,000,000	
TEACHER SUPPLIES	13,199,520	
TOTAL DIST SUBDIVISIONS	218,723,232	
TOTAL RETENTION & REWARD	219,250,956	
=====		
3. PROFESSIONAL DEVELOP		
SPECIAL ITEMS:		
PROFESSIONAL DEVELOP	5,515,911	
ADEPT	873,909	
TOTAL SPECIAL ITEMS	6,389,820	
TOT PROFESSIONAL DEVELOP	6,389,820	
=====		
TOTAL TEACHER QUALITY	227,349,456	
	(25.25)	
=====		

** See note at end of Act.

STATUTES AT LARGE
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
E. LEADERSHIP		
2. STATE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	82,049	
	(10.77)	
OTHER PERSONAL SERVICES	83,121	
TOTAL PERSONAL SERVICE	165,170	
	(10.77)	
OTHER OPERATING EXPENSES	300,032	
DIST SUBDIVISIONS		
TECHNOLOGY	10,171,826	
TOTAL DIST SUBDIVISIONS	10,171,826	
EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	1,064,221	
TOTAL FRINGE BENEFITS	1,064,221	
TOTAL STATE	11,701,249	
	(10.77)	
	=====	
TOTAL LEADERSHIP	11,701,249	
	(10.77)	
	=====	
F. PARTNERSHIPS		
2. OTHER AGENCIES AND ENTITIES		
DIST SUBDIVISIONS		
TEACHER PAY (F30)	209,381	
** WRITING IMPROVEMENT		
NETWORK (H27)	182,761	
EDUCATION OVERSIGHT		
COMMITTEE (A85)	1,193,242	
** S.C. GEOGRAPHIC ALLIANCE -		
USC (H27)	155,869	
SCIENCE PLUS (A85)	150,000	
GOVERNOR'S SCHOOL FOR ARTS		
AND HUMANITIES (H64)	828,185	
WIL LOU GRAY OPPORTUNITY		
SCHOOL (H71)	605,294	

** See note at end of Act.

OF SOUTH CAROLINA
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
SCH DEAF & BLIND (H75)	7,176,110	
DISB & SPECIAL NEEDS (J16)	613,653	
JH DE LA HOWE SC(L12)	417,734	
SCHOOL IMPROVMT COUNCIL PROJECT (H27)	127,303	
CLEMSON AGRICULTURE EDUCATION TEACHERS (P20)	758,627	
CENTERS OF EXCELLENCE (H03)	887,526	
TCHR RECRUIT PROG (H03)	4,243,527	
CENTER FOR EDUC RECRUIT, RETEN, & ADV (CE (H47)	31,680	
TCHR LOAN PROG(E16)	4,000,722	
GOV SCHOOL FOR MATH AND SCIENCE (H63)	416,784	
SCIENCE SOUTH (A85)	500,000	
STEM CENTERS SC (H12)	1,750,000	
TEACH FOR AMERICA SC (A85)	2,000,000	
ETV - K-12 PUBLIC EDUCATION (H67)	2,829,281	
ETV - INFRASTRUCTURE (H67)	2,000,000	
SC YOUTH CHALLENGE ACADEMY (E24)	1,000,000	
TOTAL DIST SUBDIVISIONS	32,077,679	
TOTAL OTHER AGENCIES & ENTITIES	32,077,679	
TOTAL PARTNERSHIPS	32,077,679	
G. TRANSPORTATION OTHER OPERATING EXPENSES	17,462,672	
NON-RECURRING TRANS OTHER OPERATIN	2,242,483	
TOT NON-RECURRING APPRO DIST SUBDIVISIONS	2,242,483	
TOTAL TRANSPORTATION	19,705,155	

STATUTES AT LARGE
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT EDUC IMPROVMNT ACT	644,517,467	
	(80.87)	
<hr/>		
XIII. GOVERNOR'S SCHOOL SCIENCE & MATH PERSONAL SERVICE		
**CLASSIFIED POSITIONS	1,173,826	1,173,826
	(9.30)	(9.30)
UNCLASSIFIED POSITIONS	3,211,794	3,101,794
	(20.79)	(20.02)
OTHER PERSONAL SERVICES	171,100	68,600
TOTAL PERSONAL SERVICE	4,556,720	4,344,220
	(30.09)	(29.32)
OTHER OPERATING EXPENSES	3,357,985	2,878,985
DISTRIBUTION TO SUBDIV ALLOC OTHER ENTITIES	13,200	
TOTAL DIST SUBDIVISIONS	13,200	
EMPLOYER CONTRIBUTIONS EMPLOYER CONTRIBUTIONS	1,217,372	1,175,572
TOTAL FRINGE BENEFITS	1,217,372	1,175,572
<hr/>		
TOT GOVERNOR'S SCH SCIENCE & MATHEMATICS	9,145,277	8,398,777
	(30.09)	(29.32)
<hr/>		
XIV. AID TO SCHOOL DISTRICTS		
A. AID TO SCHOOL DISTRICTS SPECIAL ITEMS		
ALLOC SCHOOL DIST	808,180,265	
ALLOC OTHER ST AGENCIES	14,597,340	
ALLOC OTHER ENTITIES	13,560,038	
EMPLOYER CONTRIB - EFA	521,685,723	521,685,723
EDUCATION FINANCE ACT	1,262,135,590	1,262,135,590
LUNCH PROGRAM	25,800	25,800
STUDENT HLTH AND FITNESS	20,297,502	20,297,502
AID SCHOOL DISTRICTS	89,839	89,839
AID SCHL DIST-RETIREE INS	116,118,038	116,118,038

** See note at end of Act.

OF SOUTH CAROLINA
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
GUIDANCE/CAREER SPEC	21,362,113	21,362,113
MODERNIZE VOCATIONAL		
EQUIPMENT	322,797	322,797
TOTAL DIST SUBDIVISIONS	2,778,375,045	1,942,037,402
TOTAL DISTRIBUTION TO		
SUBDIVISIONS	2,778,375,045	1,942,037,402
B. SPECIAL ALLOCATIONS		
DISTRIBUTION TO SUBDIV		
SC COUNCIL ON HOLOCAUST	54,264	54,264
ARCHIBALD RUTLEDGE		
SCHOLARSHIPS	10,478	10,478
HANDICAPPED - PROFOUNDLY		
MENTALLY	85,286	85,286
SC STATE - FELTON LAB	108,736	108,736
STUDENT LOAN CORP-CAREER		
CHANGERS	1,065,125	1,065,125
VOCATIONAL EQUIPMENT (H71)	39,978	39,978
ARCHIVES AND HISTORY (H79)	22,377	22,377
STATUS OFFENDER (L12)	346,473	346,473
TOTAL DIST SUBDIVISIONS	1,732,717	1,732,717
TOTAL SPECIAL ALLOCATIONS	1,732,717	1,732,717
TOTAL DIRECT AID TO		
SCHOOL DISTRICTS	2,780,107,762	1,943,770,119
XV. GOV SCHL FOR ARTS &		
HUMANITIES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,766,103	1,701,103
	(40.85)	(40.35)
UNCLASSIFIED POSITIONS	2,447,600	2,378,600
	(32.33)	(31.58)
OTHER PERSONAL SERVICES	845,106	526,835
TOTAL PERSONAL SERVICE	5,058,809	4,606,538
	(73.18)	(71.93)
OTHER OPERATING EXPENSES	1,331,826	881,826

STATUTES AT LARGE
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
FRINGE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,505,947	1,403,447
TOTAL FRINGE BENEFITS	<u>1,505,947</u>	<u>1,403,447</u>
TOT GOVERNOR'S SCHOOL FOR THE ARTS AND HUMANITIES	7,896,582 (73.18)	6,891,811 (71.93)
XVII. FIRST STEPS TO SCHOOL READINESS		
A. FIRST STEPS TO SCHOOL READINESS		
PERSONAL SERVICES		
CLASSIFIED POSITIONS	606,320 (20.00)	606,320
UNCLASSIFIED POSITIONS	118,000 (1.00)	118,000
OTHER PERSONAL SERVICES	<u>50,000</u>	<u>50,000</u>
TOTAL PERSONAL SERVICE	774,320 (21.00)	774,320
OTHER OPERATING EXPENSES	1,426,257	1,426,257
SPECIAL ITEMS		
CDEPP - PRIVATE TO COUNTY PARTNERSHIPS	<u>11,889,909</u>	<u>11,262,214</u>
TOTAL SPECIAL ITEMS	<u>11,889,909</u>	<u>11,262,214</u>
TOTAL FIRST STEPS TO SCHOOL READINESS	14,090,486 (21.00)	13,462,791
B. EARLY CHILDHOOD INITIAT PERSONAL SERVICES		
CLASSIFIED POSITIONS	1,231,514 (36.50)	881,514 (31.50)
OTHER PERSONAL SERVICES	<u>100,000</u>	<u>100,000</u>
TOTAL PERSONAL SERVICE	1,331,514 (36.50)	981,514 (31.50)
OTHER OPERATING EXPENSES	<u>6,069,112</u>	<u>467,112</u>

OF SOUTH CAROLINA
General and Permanent Laws--2012
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
TOTAL FIRST STEPS EARLY CHILDHOOD INITIATIVE	7,400,626 (36.50)	1,448,626 (31.50)
C. CHILD DEVELOPMENT EDUCATION PILOT PROGRAM PERSONAL SERVICES CLASSIFIED POSITIONS	(3.00)	
TOTAL PERSONAL SERVICE	(3.00)	
OTHER OPERATING EXPENSES	2,484,628	2,484,628
TOTAL CHILD DEVELOPMENT EDUCATION PILOT PROG	2,484,628 (3.00)	2,484,628
D. EMPLOYEE BENEFITS STATE EMPLOYER CONTRIBUTIONS EMPLOYER CONTRIBUTIONS	654,456	556,456
TOTAL FRINGE BENEFITS	654,456	556,456
TOTAL EMPLOYEE BENEFITS	654,456	556,456
TOTAL FIRST STEPS TO SCHOOL READINESS	24,630,196 (60.50)	17,952,501 (31.50)
XVIII. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIB EMPLOYER CONTRIBUTIONS	13,476,037	8,263,220
TOTAL FRINGE BENEFITS	13,476,037	8,263,220
TOTAL EMPLOYEE BENEFITS	13,476,037	8,263,220
DEPARTMENT OF EDUCATION		
TOTAL FUNDS AVAILABLE	3,670,442,360	2,119,081,545
TOTAL AUTH FTE POSITIONS	(1,094.30)	(758.25)

SECTION 2
H66-LOTTERY EXPENDITURE ACCOUNT

	TOTAL FUNDS	GENERAL FUNDS
I. LOTTERY EXPENDITURE ACCT		
SPECIAL ITEMS		
LOTTERY EXPENDITURES	272,335,117	
UNCLAIMED PRIZES	12,400,000	
	284,735,117	
TOTAL SPECIAL ITEMS	284,735,117	
TOTAL LOTTERY EXPENDITURE ACCOUNT		
	284,735,117	
LOTTERY EXPENDITURE ACCT		
TOTAL FUNDS AVAILABLE	284,735,117	

SECTION 3
H71-WIL LOU GRAY OPPORTUNITY SCHOOL

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
SUPERINTENDENT	73,897	73,897
	(1.00)	(1.00)
CLASSIFIED POSITIONS	179,263	179,263
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	4,085	4,085
	257,245	257,245
TOTAL PERSONAL SERVICE	257,245	257,245
	(5.00)	(5.00)
OTHER OPERATING EXPENSES	24,419	24,419
	281,664	281,664
TOTAL ADMINISTRATION	281,664	281,664
	(5.00)	(5.00)
II. EDUCATIONAL PROGRAM		
A. ACADEMIC PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	395,443	395,443
	(12.62)	(12.36)

H71-WIL LOU GRAY OPPORTUNITY SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	586,426	491,426
	(12.38)	(6.92)
OTHER PERSONAL SERVICES	<u>13,770</u>	<u>13,770</u>
TOTAL PERSONAL SERVICE	995,639	900,639
	(25.00)	(19.28)
OTHER OPERATING EXPENSES	<u>193,589</u>	<u>33,589</u>
TOTAL ACADEMIC PROGRAM	1,189,228	934,228
	<u>(25.00)</u>	<u>(19.28)</u>
B. VOCATIONAL EDUCATION		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	161,854	161,854
	(4.43)	(3.50)
TOTAL PERSONAL SERVICE	161,854	161,854
	(4.43)	(3.50)
OTHER OPERATING EXPENSES	<u>27,040</u>	<u>2,040</u>
TOT VOCATIONAL EDUCATION	188,894	163,894
	<u>(4.43)</u>	<u>(3.50)</u>
C. LIBRARY		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	28,436	28,436
	(.81)	(.61)
TOTAL PERSONAL SERVICE	28,436	28,436
	(.81)	(.61)
OTHER OPERATING EXPENSES	<u>2,837</u>	<u>2,837</u>
TOTAL LIBRARY	31,273	31,273
	<u>(.81)</u>	<u>(.61)</u>
TOT EDUCATIONAL PROGRAM	1,409,395	1,129,395
	<u>(30.24)</u>	<u>(23.39)</u>
III. STUDENT SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	936,412	936,412
	(36.39)	(36.39)

H71-WIL LOU GRAY OPPORTUNITY SCHOOL

	TOTAL FUNDS	GENERAL FUNDS
NEW POSITIONS		
<i>HUMAN SERVICE SPECIALIST II</i>		
	(7.00)	(7.00)
OTHER PERSONAL SERVICES	15,000	15,000
TOTAL PERSONAL SERVICE	951,412	951,412
	(43.39)	(43.39)
OTHER OPERATING EXPENSES	58,000	25,000
TOTAL STUDENT SERVICES	1,009,412	976,412
	(43.39)	(43.39)
IV. SUPPORT SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS		
	606,982	510,982
	(16.61)	(13.84)
OTHER PERSONAL SERVICES	30,000	
TOTAL PERSONAL SERVICE	636,982	510,982
	(16.61)	(13.84)
OTHER OPERATING EXPENSES	1,606,233	909,912
TOTAL SUPPORT SERVICES	2,243,215	1,420,894
	(16.61)	(13.84)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS		
	1,159,675	1,104,675
TOTAL FRINGE BENEFITS	1,159,675	1,104,675
TOTAL EMPLOYEE BENEFITS	1,159,675	1,104,675
WIL LOU GRAY		
OPPORTUNITY SCHOOL		
TOTAL FUNDS AVAILABLE	6,103,361	4,913,040
TOTAL AUTH FTE POSITIONS	(95.24)	(85.62)

SECTION 4
H75-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
PRESIDENT	103,008	103,008
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,214,153	1,127,891
	(23.50)	(22.00)
UNCLASSIFIED POSITIONS	88,900	
	(1.00)	
OTHER PERSONAL SERVICES	176,779	162,668
TOTAL PERSONAL SERVICE	1,582,840	1,393,567
	(25.50)	(23.00)
OTHER OPERATING EXPENSES	3,576,775	3,497,586
SPECIAL ITEM		
SC ASSOCIATION FOR THE DEAF	138,256	138,256
TOTAL SPECIAL ITEMS	138,256	138,256
DEBT SERVICE		
PRINCIPAL	110,000	110,000
INTEREST	10,855	10,855
TOTAL DEBT SERVICE	120,855	120,855
TOTAL ADMINISTRATION	5,418,726	5,150,264
	(25.50)	(23.00)
II. EDUCATION		
A. DEAF EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	112,702	112,702
	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	218,900	218,900
	(14.00)	(4.20)
OTHER PERSONAL SERVICES	86,674	86,674
TOTAL PERSONAL SERVICE	418,276	418,276
	(19.00)	(9.20)
OTHER OPERATING EXPENSES	6,471	656

H75-SCHOOL FOR THE DEAF AND THE BLIND

	TOTAL FUNDS	GENERAL FUNDS
TOTAL DEAF EDUCATION	424,747	418,932
	(19.00)	(9.20)
<hr/>		
B. BLIND EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	100,741	100,741
	(4.00)	(4.00)
UNCLASSIFIED POSITIONS	199,292	199,292
	(13.00)	(3.90)
OTHER PERSONAL SERVICES	87,649	87,649
TOTAL PERSONAL SERVICE	387,682	387,682
	(17.00)	(7.90)
OTHER OPERATING EXPENSES		
DISTRIBUTION TO SUBDIVISIONS		
AID OTHER STATE AGENCIES	50,000	50,000
TOTAL DIST SUBDIVISIONS	50,000	50,000
TOTAL BLIND EDUCATION	501,077	496,772
	(17.00)	(7.90)
<hr/>		
C. MULTIHANDICAPPED EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	278,586	278,586
	(13.00)	(13.00)
UNCLASSIFIED POSITIONS	210,757	210,757
	(14.00)	(4.20)
OTHER PERSONAL SERVICES	39,810	39,810
TOTAL PERSONAL SERVICE	529,153	529,153
	(27.00)	(17.20)
OTHER OPERATING EXPENSES	4,967	88
TOTAL MULTIHANDICAPPED EDUCATION	534,120	529,241
	(27.00)	(17.20)
<hr/>		
TOTAL EDUCATION	1,459,944	1,444,945
	(63.00)	(34.30)
<hr/>		

H75-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. STUDENT SUPPORT SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	780,431	350,447
	(16.02)	(8.69)
UNCLASSIFIED POSITIONS	449,379	398,207
	(21.31)	(5.30)
OTHER PERSONAL SERVICES	799,721	115,633
TOTAL PERSONAL SERVICE	2,029,531	864,287
	(37.33)	(13.99)
OTHER OPERATING EXPENSES	3,436,152	1,440,462
TOT STUDENT SUPPORT SRVCS	5,465,683	2,304,749
	(37.33)	(13.99)
IV. RESIDENTIAL LIFE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	632,415	632,415
	(22.00)	(22.00)
UNCLASSIFIED POSITIONS	102,906	102,906
	(6.30)	(2.10)
OTHER PERSONAL SERVICES	1,055,409	1,055,409
TOTAL PERSONAL SERVICE	1,790,730	1,790,730
	(28.30)	(24.10)
OTHER OPERATING EXPENSES	63,897	16,245
TOTAL RESIDENTIAL LIFE	1,854,627	1,806,975
	(28.30)	(24.10)
V. OUTREACH SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	974,175	
	(24.00)	
UNCLASSIFIED POSITIONS	1,079,157	
	(47.90)	
OTHER PERSONAL SERVICES	268,135	
TOTAL PERSONAL SERVICE	2,321,467	
	(71.90)	
OTHER OPERATING EXPENSES	1,428,305	

H75-SCHOOL FOR THE DEAF AND THE BLIND

	TOTAL FUNDS	GENERAL FUNDS
TOTAL OUTREACH SERVICES	3,749,772	
	(71.90)	
<hr style="border-top: 3px double #000;"/>		
VI. PHYSICAL SUPPORT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	262,700	262,700
	(8.00)	(8.00)
OTHER PERSONAL SERVICES	226,780	226,780
TOTAL PERSONAL SERVICE	489,480	489,480
	(8.00)	(8.00)
OTHER OPERATING EXPENSES	937,096	703,176
TOTAL PHYSICAL SUPPORT	1,426,576	1,192,656
	(8.00)	(8.00)
<hr style="border-top: 3px double #000;"/>		
VII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,368,315	2,118,480
TOTAL FRINGE BENEFITS	3,368,315	2,118,480
TOTAL EMPLOYEE BENEFITS	3,368,315	2,118,480
<hr style="border-top: 3px double #000;"/>		
VIII. NON-RECURRING		
APPROPRIATIONS		
EARLY CHILDHOOD CENTER	2,135,000	2,135,000
DEFERRED MAINTENANCE	865,000	865,000
TOT NON-RECURRING APPRO	3,000,000	3,000,000
<hr style="border-top: 3px double #000;"/>		
SCHOOL FOR THE DEAF AND THE BLIND		
TOTAL RECURRING BASE	22,743,643	14,018,069
TOTAL FUNDS AVAILABLE	25,743,643	17,018,069
TOTAL AUTH FTE POSITIONS	(234.03)	(103.39)
<hr style="border-top: 3px double #000;"/>		

SECTION 5
L12-JOHN DE LA HOWE SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
SUPERINTENDENT	73,897	73,897
	(1.00)	(1.00)
CLASSIFIED POSITIONS	188,954	188,954
	(6.00)	(6.00)
OTHER PERSONAL SERVICES	20,761	1,952
TOTAL PERSONAL SERVICE	283,612	264,803
	(7.00)	(7.00)
OTHER OPERATING EXPENSES	39,600	14,600
TOTAL ADMINISTRATION	323,212	279,403
	(7.00)	(7.00)
II. EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	74,786	40,449
	(3.35)	(1.90)
UNCLASSIFIED POSITIONS	377,019	351,800
	(18.25)	(7.74)
OTHER PERSONAL SERVICES	83,000	53,000
TOTAL PERSONAL SERVICE	534,805	445,249
	(21.60)	(9.64)
OTHER OPERATING EXPENSES	79,758	10,076
TOTAL EDUCATION	614,563	455,325
	(21.60)	(9.64)
III. CHILDREN'S SERVICES		
A. RESIDENTIAL SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	859,530	859,530
	(30.34)	(30.34)
OTHER PERSONAL SERVICES	1,064	1,064
TOTAL PERSONAL SERVICE	860,594	860,594
	(30.34)	(30.34)
OTHER OPERATING EXPENSES	295,731	106,094

STATUTES AT LARGE
General and Permanent Laws--2012
L12-JOHN DE LA HOWE SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SERVICES		
CASE SERVICES	2,000	
TOTAL CASE SRVC/PUB ASST	2,000	
TOTAL RESIDENTIAL SERVICES	1,158,325	966,688
	(30.34)	(30.34)
<hr/>		
B. BEHAVIORAL HEALTH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	257,008	257,008
	(9.97)	(9.72)
TOTAL PERSONAL SERVICE	257,008	257,008
	(9.97)	(9.72)
OTHER OPERATING EXPENSES	102,516	44,641
TOTAL BEHAVIORAL HEALTH	359,524	301,649
	(9.97)	(9.72)
<hr/>		
C. EXPERIMENTAL LEARNING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	168,638	168,638
	(7.00)	(7.00)
TOTAL PERSONAL SERVICE	168,638	168,638
	(7.00)	(7.00)
OTHER OPERATING EXPENSES	50,000	5,000
TOT EXPERIMENT LEARNING	218,638	173,638
	(7.00)	(7.00)
<hr/>		
D. WILDERNESS CAMP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	351,456	351,456
	(12.50)	(12.50)
TOTAL PERSONAL SERVICE	351,456	351,456
	(12.50)	(12.50)
OTHER OPERATING EXPENSES	213,700	138,700
TOTAL WILDERNESS CAMP	565,156	490,156
	(12.50)	(12.50)
<hr/>		

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL CHILDREN'S SERVICES	2,301,643	1,932,131
	(59.81)	(59.56)
IV. SUPPORT SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	386,354	386,354
	(19.00)	(18.75)
TOTAL PERSONAL SERVICE	386,354	386,354
	(19.00)	(18.75)
OTHER OPERATING EXPENSES	339,842	133,865
TOTAL SUPPORT SERVICES	726,196	520,219
	(19.00)	(18.75)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,120,367	1,064,164
TOTAL FRINGE BENEFITS	1,120,367	1,064,164
TOTAL EMPLOYEE BENEFITS	1,120,367	1,064,164
JOHN DE LA HOWE SCHOOL		
TOTAL FUNDS AVAILABLE	5,085,981	4,251,242
TOTAL AUTH FTE POSITIONS	(107.41)	(94.95)

SECTION 6

H03-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	154,840	154,840
	(1.00)	(1.00)
CLASSIFIED POSITIONS	973,830	973,830
	(35.00)	(23.95)
UNCLASSIFIED POSITIONS	54,646	
	(1.70)	(1.15)

H03-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	60,765	60,765
TOTAL PERSONAL SERVICE	1,244,081	1,189,435
	(37.70)	(26.10)
OTHER OPERATING EXPENSES	264,083	264,083
SPECIAL ITEMS		
TOTAL ADMINISTRATION	1,508,164	1,453,518
	(37.70)	(26.10)
III. OTH AGENCIES & ENTITIES		
SPECIAL ITEMS		
GREENVILLE TC - UNIV CNT	594,390	594,390
UNIV CNTR OF GRNVILLE -		
OPERATIONS	1,084,899	1,084,899
LOWCOUNTRY GRAD CENTER	785,099	785,099
ACADEMIC ENDOWMENT	160,592	160,592
** EPSCOR	161,314	161,314
AFRICAN AMERICAN LOAN PROG	119,300	119,300
PERFORMANCE FUNDING	1,397,520	1,397,520
CHARLESTON TRANSITION		
CONNECTION	179,178	179,178
STATE ELECTRONIC LIBRARY	2,350,866	164,289
TOTAL SPECIAL ITEMS	6,833,158	4,646,581
TOTAL OTHER AGENCIES		
AND ENTITIES	6,833,158	4,646,581
V. LICENSING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	177,642	45,962
	(3.00)	(.60)
TOTAL PERSONAL SERVICE	177,642	45,962
	(3.00)	(.60)
OTHER OPERATING EXPENSES	52,776	
TOTAL LICENSING	230,418	45,962
	(3.00)	(.60)

** See note at end of Act.

H03-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
VI. STATE APPROVING SECT		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	32,788	
	(.30)	
OTHER PERSONAL SERVICES	162,129	
TOTAL PERSONAL SERVICE	194,917	
	(.30)	
OTHER OPERATING EXPENSES	66,723	
TOT STATE APPROVING SECT	261,640	
	(.30)	
VIII. CHE GRANT & OTH HIGHER EDUC COLLABORA		
SPECIAL ITEMS		
EEDA	1,196,077	1,180,576
IMPROVING TEACHER QUALITY (ITQ)	876,879	
GEAR UP	3,588,013	177,201
COLL ACCESS CHALL GRANT	1,920,258	
COLLEGE GOAL SUNDAY	35,000	
STATEWIDE LONGITUDINAL DATA SYSTEMS	1,404,133	
SMARTSTATE PROGRAM ADMINISTRATION	849,284	
TOTAL SPECIAL ITEMS	9,869,644	1,357,777
TOTAL CHE GRANT & OTHER HIGHER EDUC COLLABORA	9,869,644	1,357,777
IX. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	554,915	370,331
TOTAL FRINGE BENEFITS	554,915	370,331
TOTAL EMPLOYEE BENEFITS	554,915	370,331
X. SCHOLARSHIPS AND ASSIST		
SPECIAL ITEMS		
NATIONAL GUARD CAP	89,968	89,968

H03-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
LIFE SCHOLARSHIPS	65,154,048	65,154,048
PALMETTO FELLOWS	7,109,427	7,109,427
HOPE SCHOLARSHIP	231,727	231,727
SREB CONTRACT PROGRAM & ASSESSMENTS	3,430,040	3,430,040
SREB ARTS PROGRAM	7,177	7,177
EDUCATIONAL ENDOWMENT	24,000,000	24,000,000
TOTAL SPECIAL ITEMS	<u>100,022,387</u>	<u>100,022,387</u>
TOTAL SCHOLARSHIPS AND ASSISTANCE	<u>100,022,387</u>	<u>100,022,387</u>
COMMISSION ON HIGHER EDUCATION		
TOTAL FUNDS AVAILABLE	119,280,326	107,896,556
TOTAL AUTH FTE POSITIONS	<u>(41.00)</u>	<u>(26.70)</u>

SECTION 7

H06-HIGHER EDUCATION TUITION GRANTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	65,881	65,881
	(1.00)	(1.00)
CLASSIFIED POSITIONS	116,005	116,005
	<u>(4.00)</u>	<u>(4.00)</u>
TOTAL PERSONAL SERVICE	181,886	181,886
	(5.00)	(5.00)
OTHER OPERATING EXPENSES	<u>10,608</u>	<u>10,608</u>
TOTAL ADMINISTRATION	192,494	192,494
	<u>(5.00)</u>	<u>(5.00)</u>
II. TUITION GRANTS		
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	<u>25,684,563</u>	<u>21,736,438</u>

H06-HIGHER EDUCATION TUITION GRANTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL TUITION GRANTS	25,684,563	21,736,438
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	66,894	66,894
TOTAL FRINGE BENEFITS	66,894	66,894
TOTAL EMPLOYEE BENEFITS	66,894	66,894
HIGHER EDUCATION TUITION GRANTS COMMISSION		
TOTAL FUNDS AVAILABLE	25,943,951	21,995,826
TOTAL AUTH FTE POSITIONS	(5.00)	(5.00)

SECTION 8
H09-THE CITADEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	140,000	140,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	13,684,995	3,456,144
	(362.05)	(170.71)
UNCLASSIFIED POSITIONS	14,797,098	3,356,755
	(145.25)	(95.93)
NEW POSITIONS		
<i>PROFESSOR</i>	(3.00)	
OTHER PERSONAL SERVICES	4,811,852	
TOTAL PERSONAL SERVICE	33,433,945	6,952,899
	(511.30)	(267.64)
OTHER OPERATING EXPENSES	15,445,345	
TOTAL UNRESTRICTED	48,879,290	6,952,899
	(511.30)	(267.64)

STATUTES AT LARGE
General and Permanent Laws--2012
H09-THE CITADEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. RESTRICTED		
PERSONAL SERVICE		
OTHER PERSONAL SERVICES	2,158,555	
TOTAL PERSONAL SERVICE	2,158,555	
OTHER OPERATING EXPENSES	43,056,925	
TOTAL RESTRICTED	<u>45,215,480</u>	
TOT EDUC AND GENERAL	94,094,770	6,952,899
	(511.30)	(267.64)
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,998,288	
	(94.20)	
UNCLASSIFIED POSITIONS	2,848,842	
	(27.00)	
OTHER PERSONAL SERVICES	1,263,159	
TOTAL PERSONAL SERVICE	6,110,289	
	(121.20)	
OTHER OPERATING EXPENSES	21,963,768	
TOT AUXILIARY ENTERPRISES	28,074,057	
	(121.20)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	12,221,858	1,541,989
TOTAL FRINGE BENEFITS	<u>12,221,858</u>	<u>1,541,989</u>
TOTAL EMPLOYEE BENEFITS	<u>12,221,858</u>	<u>1,541,989</u>
THE CITADEL		
TOTAL FUNDS AVAILABLE	134,390,685	8,494,888
TOTAL AUTH FTE POSITIONS	<u>(632.50)</u>	<u>(267.64)</u>

SECTION 9

H12-CLEMSON UNIVERSITY (EDUCATIONAL & GENERAL)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	227,656	227,656
	(1.00)	(1.00)
CLASSIFIED POSITIONS	66,809,371	
	(1,543.82)	(1,000.89)
UNCLASSIFIED POSITIONS	124,892,763	46,396,548
	(874.65)	(271.76)
OTHER PERSONAL SERVICES	22,535,998	
TOTAL PERSONAL SERVICE	214,465,788	46,624,204
	(2,419.47)	(1,273.65)
OTHER OPERATING EXPENSES	115,302,684	
SPECIAL ITEMS		
SCHOLARSHIPS	24,502,457	
TOTAL SPECIAL ITEMS	24,502,457	
TOTAL UNRESTRICTED	354,270,929	46,624,204
	(2,419.47)	(1,273.65)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,600,405	
	(65.46)	
UNCLASSIFIED POSITIONS	15,426,248	
	(109.68)	
OTHER PERSONAL SERVICES	22,331,763	
TOTAL PERSONAL SERVICE	40,358,416	
	(175.14)	
OTHER OPERATING EXPENSES	65,931,129	
SPECIAL ITEMS:		
SCHOLARSHIPS	91,759,993	
TOTAL SPECIAL ITEMS	91,759,993	
TOTAL RESTRICTED	198,049,538	
	(175.14)	

H12-CLEMSON UNIVERSITY (EDUCATIONAL & GENERAL)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT EDUCATION & GENERAL	552,320,467 (2,594.61)	46,624,204 (1,273.65)
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	16,042,156 (324.59)	
UNCLASSIFIED POSITIONS	16,655,786 (137.38)	
OTHER PERSONAL SERVICES	4,133,530	
TOTAL PERSONAL SERVICE	36,831,472 (461.97)	
OTHER OPERATING EXPENSES	78,697,951	
DEBT SERVICE:		
PRINCIPAL	3,008,581	
INTEREST	3,514,489	
TOTAL DEBT SERVICE	6,523,070	
SPECIAL ITEMS:		
SCHOLARSHIPS	8,921,659	
TOTAL SPECIAL ITEMS	8,921,659	
TOT AUXILIARY ENTERPRISES	130,974,152 (461.97)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	90,047,159	13,122,712
TOTAL FRINGE BENEFITS	90,047,159	13,122,712
TOTAL EMPLOYEE BENEFITS	90,047,159	13,122,712
CLEMSON UNIVERSITY (EDUCATIONAL & GENERAL)		
TOTAL FUNDS AVAILABLE	773,341,778	59,746,916
TOTAL AUTH FTE POSITIONS	(3,056.58)	(1,273.65)

SECTION 10
H15-UNIVERSITY OF CHARLESTON

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
PERSONAL SERVICE		
PRESIDENT	166,202	166,202
	(1.00)	(1.00)
CLASSIFIED POSITIONS	25,376,155	4,682,669
	(692.94)	(248.47)
UNCLASSIFIED POSITIONS	43,093,268	9,814,922
	(532.49)	(238.91)
OTHER PERSONAL SERVICES	17,198,523	
TOTAL PERSONAL SERVICE	85,834,148	14,663,793
	(1,226.43)	(488.38)
OTHER OPERATING EXPENSES	70,911,638	
TOT EDUC AND GENERAL	156,745,786	14,663,793
	(1,226.43)	(488.38)
II. AUXILIARY SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,797,790	
	(77.50)	
UNCLASSIFIED POSITIONS	2,056,206	
	(26.25)	
OTHER PERSONAL SERVICES	2,500,264	
TOTAL PERSONAL SERVICE	7,354,260	
	(103.75)	
OTHER OPERATING EXPENSES	33,257,925	
TOTAL AUXILIARY SERVICES	40,612,185	
	(103.75)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	25,237,805	3,448,111
TOTAL FRINGE BENEFITS	25,237,805	3,448,111
TOTAL EMPLOYEE BENEFITS	25,237,805	3,448,111

STATUTES AT LARGE
General and Permanent Laws--2012
H15-UNIVERSITY OF CHARLESTON

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNIVERSITY OF CHARLESTON		
TOTAL FUNDS AVAILABLE	222,595,776	18,111,904
TOTAL AUTH FTE POSITIONS	<u>(1,330.18)</u>	<u>(488.38)</u>

SECTION 11
H17-COASTAL CAROLINA UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	155,000	155,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	22,119,902	1,339,110
	(560.90)	(55.83)
NEW POSITIONS		
<i>LAW ENFORCEMENT OFFICER</i>	(1.00)	
<i>STUDENT SERVICES PROGRAM COORDINATOR</i>	(4.00)	
<i>BUILDING GROUNDS SPECIALIST II</i>	(3.00)	
<i>ADMINISTRATIVE SPECIALIST II</i>	(3.00)	
<i>TRADE SPECIALIST IV</i>	(3.00)	
<i>STUDENT SERVICES COORDINATOR II</i>	(3.00)	
<i>ADMINISTRATIVE ASSISTANT</i>	(2.00)	
<i>PROGRAM COORDINATOR I</i>	(5.00)	

OF SOUTH CAROLINA
General and Permanent Laws--2012
H17-COASTAL CAROLINA UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
<i>ACCOUNTANT/FISCAL ANALYST I</i>		
	(1.00)	
<i>APPLICATIONS ANALYST II</i>		
	(1.00)	
UNCLASSIFIED POSITIONS	33,726,056	5,367,484
	(469.56)	(130.91)
NEW POSITIONS		
<i>PROFESSOR</i>		
	(.75)	
<i>ASSOCIATE PROFESSOR</i>		
	(3.75)	
<i>ASSISTANT PROFESSOR</i>		
	(16.50)	
OTHER PERSONAL SERVICES	12,000,000	
TOTAL PERSONAL SERVICE	68,000,958	6,861,594
	(1,078.46)	(187.74)
OTHER OPERATING EXPENSES	40,000,000	
SPECIAL ITEMS		
SCHOLARSHIPS	10,000,000	
TOTAL SPECIAL ITEMS	10,000,000	
TOTAL UNRESTRICTED	118,000,958	6,861,594
	(1,078.46)	(187.74)
 B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	248,500	
	(3.50)	
UNCLASSIFIED POSITIONS	80,585	
	(7.12)	
OTHER PERSONAL SERVICES	1,242,869	
TOTAL PERSONAL SERVICE	1,571,954	
	(10.62)	
OTHER OPERATING EXPENSES	6,508,519	
SPECIAL ITEMS		
SCHOLARSHIPS	26,240,000	
TOTAL SPECIAL ITEMS	26,240,000	

STATUTES AT LARGE
General and Permanent Laws--2012
H17-COASTAL CAROLINA UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL RESTRICTED	34,320,473 (10.62)	
TOT EDUCATION & GENERAL	152,321,431 (1,089.08)	6,861,594 (187.74)
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	630,653 (22.00)	
OTHER PERSONAL SERVICES	730,000	
TOTAL PERSONAL SERVICE	1,360,653 (22.00)	
OTHER OPERATING EXPENSES	8,489,347	
TOT AUXILIARY ENTERPRISES	9,850,000 (22.00)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	18,631,211	1,730,005
TOTAL FRINGE BENEFITS	18,631,211	1,730,005
TOTAL EMPLOYEE BENEFITS	18,631,211	1,730,005
COASTAL CAROLINA UNIV		
TOTAL FUNDS AVAILABLE	180,802,642	8,591,599
TOTAL AUTH FTE POSITIONS	(1,111.08)	(187.74)

SECTION 12
H18-FRANCIS MARION UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	165,133 (1.00)	165,133 (1.00)

OF SOUTH CAROLINA
General and Permanent Laws--2012
H18-FRANCIS MARION UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
CLASSIFIED POSITIONS	8,342,169	3,277,311
	(236.07)	(163.19)
UNCLASSIFIED POSITIONS	18,073,993	5,420,070
	(215.04)	(130.99)
OTHER PERSONAL SERVICES	622,191	
TOTAL PERSONAL SERVICE	27,203,486	8,862,514
	(452.11)	(295.18)
OTHER OPERATING EXPENSES	2,349,434	
TOTAL E & G - UNRESTRICTED	29,552,920	8,862,514
	(452.11)	(295.18)
 B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS		
	(1.25)	
UNCLASSIFIED POSITIONS	52,477	
	(5.00)	
OTHER PERSONAL SERVICES	715,103	
TOTAL PERSONAL SERVICE	767,580	
	(6.25)	
OTHER OPERATING EXPENSES	16,086,760	
TOTAL E & G - RESTRICTED	16,854,340	
	(6.25)	
 TOT EDUC AND GENERAL		
	46,407,260	8,862,514
	(458.36)	(295.18)
 II. AUXILIARY SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS		
	161,086	
	(7.00)	
OTHER PERSONAL SERVICES	4,655	
TOTAL PERSONAL SERVICE	165,741	
	(7.00)	
OTHER OPERATING EXPENSES	22,895	

STATUTES AT LARGE
General and Permanent Laws--2012
H18-FRANCIS MARION UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL AUXILIARY SERVICES	188,636 (7.00)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	7,981,593	1,974,849
TOTAL FRINGE BENEFITS	7,981,593	1,974,849
TOTAL EMPLOYEE BENEFITS	7,981,593	1,974,849
FRANCIS MARION UNIVERSITY		
TOTAL FUNDS AVAILABLE	54,577,489	10,837,363
TOTAL AUTH FTE POSITIONS	(465.36)	(295.18)

SECTION 13
H21-LANDER UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
PERSONAL SERVICE		
PRESIDENT	145,166 (1.00)	145,166 (1.00)
CLASSIFIED POSITIONS	7,930,015 (85.85)	
UNCLASSIFIED POSITIONS	9,394,667 (248.06)	4,415,406 (171.70)
NEW POSITIONS ADDED BY THE		
BUDGET AND CONTROL BOARD		
<i>ASSOCIATE PROFESSOR</i>	(6.00)	
<i>ASSISTANT PROFESSOR</i>	(3.00)	
<i>INTERNATIONAL STUDENT</i>	(1.00)	
<i>SCHOLAR SERVICES DIR</i>		
OTHER PERSONAL SERVICES	1,859,340	

OF SOUTH CAROLINA
General and Permanent Laws--2012
H21-LANDER UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	19,329,188	4,560,572
	(344.91)	(172.70)
OTHER OPERATING EXPENSES	7,094,196	
TOT EDUC AND GENERAL	26,423,384	4,560,572
	(344.91)	(172.70)
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	534,483	
	(11.00)	
OTHER PERSONAL SERVICES	397,500	
TOTAL PERSONAL SERVICE	931,983	
	(11.00)	
OTHER OPERATING EXPENSES	7,282,527	
TOT AUXILIARY ENTERPRISES	8,214,510	
	(11.00)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	5,819,750	1,295,556
TOTAL FRINGE BENEFITS	5,819,750	1,295,556
TOTAL EMPLOYEE BENEFITS	5,819,750	1,295,556
LANDER UNIVERSITY		
TOTAL FUNDS AVAILABLE	40,457,644	5,856,128
TOTAL AUTH FTE POSITIONS	(355.91)	(172.70)

SECTION 14
H24-SOUTH CAROLINA STATE UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	144,911	144,911
	(1.00)	(1.00)

H24-SOUTH CAROLINA STATE UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	8,991,657	2,282,096
	(176.10)	(120.30)
UNCLASSIFIED POSITIONS	15,111,737	6,259,429
	(307.12)	(203.12)
OTHER PERSONAL SERVICES	7,049,280	
TOTAL PERSONAL SERVICE	31,297,585	8,686,436
	(484.22)	(324.42)
OTHER OPERATING EXPENSES	24,865,552	25,942
SPECIAL ITEMS		
TRANSPORTATION CENTER	1,334,489	
TEACHER TRAINING & DEVELOPMENT	51,506	
TOTAL SPECIAL ITEMS	1,385,995	
TOTAL UNRESTRICTED	57,549,132	8,712,378
	(484.22)	(324.42)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	549,426	
	(2.07)	
UNCLASSIFIED POSITIONS	7,048,782	
	(2.20)	
OTHER PERSONAL SERVICES	4,676,603	
TOTAL PERSONAL SERVICE	12,274,811	
	(4.27)	
OTHER OPERATING EXPENSES	46,511,798	
SPECIAL ITEMS		
EIA-TEACHER RECRUITMENT	467,000	
TOTAL SPECIAL ITEMS	467,000	
TOTAL RESTRICTED	59,253,609	
	(4.27)	
TOT EDUCATION & GENERAL	116,802,741	8,712,378
	(488.49)	(324.42)

H24-SOUTH CAROLINA STATE UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	842,970	
	(81.39)	
OTHER PERSONAL SERVICES	1,094,336	
TOTAL PERSONAL SERVICE	1,937,306	
	(81.39)	
OTHER OPERATING EXPENSES	13,322,914	
TOT AUXILIARY ENTERPRISES	15,260,220	
	(81.39)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	13,072,714	2,665,995
TOTAL FRINGE BENEFITS	13,072,714	2,665,995
TOTAL EMPLOYEE BENEFITS	13,072,714	2,665,995
SOUTH CAROLINA STATE UNIV		
TOTAL FUNDS AVAILABLE	145,135,675	11,378,373
TOTAL AUTH FTE POSITIONS	(569.88)	(324.42)

SECTION 15A

H27-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. UNIVERSITY OF SOUTH CAROLINA		
A. USC - NON-MEDICINE:		
UNRESTRICTED E & G		
PERSONAL SERVICE		
PRESIDENT	265,000	265,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	88,798,903	19,611,000
	(2,195.22)	(1,540.57)
UNCLASSIFIED POSITIONS	156,682,155	49,460,000
	(1,227.64)	(908.81)

STATUTES AT LARGE
General and Permanent Laws--2012
H27-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	35,520,863	
TOTAL PERSONAL SERVICE	281,266,921	69,336,000
	(3,423.86)	(2,450.38)
OTHER OPERATING EXPENSES	196,373,212	
SPECIAL ITEMS		
LAW LIBRARY	344,074	344,074
PALMETTO POISON CENTER	176,763	176,763
SMALL BUSINESS		
DEVELOPMENT CENTER	491,734	491,734
TOTAL SPECIAL ITEMS	1,012,571	1,012,571
TOTAL USC - NON-MED: UNRESTRICTED	478,652,704	70,348,571
	(3,423.86)	(2,450.38)
B. USC - NON-MEDICINE: RESTRICTED E & G PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,787,736	
	(118.84)	
UNCLASSIFIED POSITIONS	34,679,715	
	(226.57)	
OTHER PERSONAL SERVICES	20,063,945	
TOTAL PERSONAL SERVICE	58,531,396	
	(345.41)	
OTHER OPERATING EXPENSES	122,234,071	
SPECIAL ITEMS		
TOTAL USC - NON-MED: RESTRICTED	180,765,467	
	(345.41)	
C. USC - NON-MEDICINE: AUXILIARY PERSONAL SERVICE		
CLASSIFIED POSITIONS	12,833,515	
	(213.08)	
UNCLASSIFIED POSITIONS	13,137,961	
	(106.00)	
OTHER PERSONAL SERVICES	10,692,182	

H27-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	36,663,658	
	(319.08)	
OTHER OPERATING EXPENSES	67,989,879	
TOT USC - NON-MED: AUX	104,653,537	
	(319.08)	
TOTAL USC - NON-MEDICINE	764,071,708	70,348,571
	(4,088.35)	(2,450.38)
II. USC - MEDICINE		
A. USC - MED: UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	5,827,347	1,200,000
	(220.55)	(86.70)
UNCLASSIFIED POSITIONS	12,126,754	9,000,000
	(182.13)	(127.30)
OTHER PERSONAL SERVICES	1,015,541	
TOTAL PERSONAL SERVICE	18,969,642	10,200,000
	(402.68)	(214.00)
OTHER OPERATING EXPENSES	12,880,936	
TOTAL USC - MEDICINE: UNRESTRICTED	31,850,578	10,200,000
	(402.68)	(214.00)
B. USC - MEDICINE: RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,500,309	
	(201.58)	
UNCLASSIFIED POSITIONS	15,533,027	
	(139.84)	
OTHER PERSONAL SERVICES	1,555,001	
TOTAL PERSONAL SERVICE	19,588,337	
	(341.42)	
OTHER OPERATING EXPENSES	7,019,848	
TOT USC - MED:RESTRICTED	26,608,185	
	(341.42)	

STATUTES AT LARGE
General and Permanent Laws--2012
H27-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. USC - MEDICINE: EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	10,142,695	2,510,726
TOTAL FRINGE BENEFITS	<u>10,142,695</u>	<u>2,510,726</u>
TOTAL EMPLOYEE BENEFITS	<u>10,142,695</u>	<u>2,510,726</u>
TOTAL USC - MEDICINE	68,601,458	12,710,726
	<u>(744.10)</u>	<u>(214.00)</u>
III. USC GREENVILLE SCHOOL OF MEDICINE		
A. UNRESTRICTED PERSONAL SERVICE		
CLASSIFIED POSITIONS	375,000	
	(7.00)	
UNCLASSIFIED POSITIONS	1,200,000	
	<u>(11.00)</u>	
TOTAL PERSONAL SERVICE	1,575,000	
	(18.00)	
OTHER OPERATING EXPENSES	<u>15,299,506</u>	
TOTAL UNRESTRICTED	16,874,506	
	<u>(18.00)</u>	
C. GREENVILLE - MEDICINE: EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	<u>400,000</u>	
TOTAL FRINGE BENEFITS	<u>400,000</u>	
TOTAL EMPLOYEE BENEFITS	<u>400,000</u>	
TOTAL USC GREENVILLE SCHOOL OF MEDICINE	17,274,506	
	<u>(18.00)</u>	
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	<u>94,088,362</u>	<u>16,265,253</u>

H27-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FRINGE BENEFITS	94,088,362	16,265,253
TOTAL EMPLOYEE BENEFITS	94,088,362	16,265,253
UNIV OF SOUTH CAROLINA		
TOTAL FUNDS AVAILABLE	944,036,034	99,324,550
TOTAL AUTH FTE POSITIONS	(4,850.45)	(2,664.38)

SECTION 15B
H29-U S C - AIKEN CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	5,600,000	595,000
	(187.80)	(49.06)
UNCLASSIFIED POSITIONS	12,500,000	4,225,000
	(164.42)	(106.82)
OTHER PERSONAL SERVICES	1,300,000	
TOTAL PERSONAL SERVICE	19,400,000	4,820,000
	(352.22)	(155.88)
OTHER OPERATING EXPENSES	9,178,739	
TOTAL UNRESTRICTED	28,578,739	4,820,000
	(352.22)	(155.88)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	65,971	
	(5.44)	
UNCLASSIFIED POSITIONS	496,307	
	(8.85)	
OTHER PERSONAL SERVICES	213,409	
TOTAL PERSONAL SERVICE	775,687	
	(14.29)	
OTHER OPERATING EXPENSES	12,579,041	

STATUTES AT LARGE
General and Permanent Laws--2012
H29-U S C - AIKEN CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL RESTRICTED	13,354,728 (14.29)	
TOTAL EDUCATION & GENERAL	41,933,467 (366.51)	4,820,000 (155.88)
II. AUXILIARY SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	524,713 (13.75)	
OTHER PERSONAL SERVICES	200,000	
TOTAL PERSONAL SERVICE	724,713 (13.75)	
OTHER OPERATING EXPENSES	4,002,789	
TOTAL AUXILIARY	4,727,502 (13.75)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	5,667,957	1,104,243
TOTAL FRINGE BENEFITS	5,667,957	1,104,243
TOTAL EMPLOYEE BENEFITS	5,667,957	1,104,243
U S C - AIKEN CAMPUS		
TOTAL FUNDS AVAILABLE	52,328,926	5,924,243
TOTAL AUTH FTE POSITIONS	(380.26)	(155.88)

SECTION 15C
H40-U S C - UPSTATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		

	TOTAL FUNDS	GENERAL FUNDS
CLASSIFIED POSITIONS	9,248,508	1,100,000
	(252.72)	(53.81)
UNCLASSIFIED POSITIONS	20,762,729	5,250,000
	(237.21)	(131.01)
OTHER PERSONAL SERVICES	2,528,044	
TOTAL PERSONAL SERVICE	32,539,281	6,350,000
	(489.93)	(184.82)
OTHER OPERATING EXPENSES	18,904,394	
TOTAL UNRESTRICTED	51,443,675	6,350,000
	(489.93)	(184.82)
 B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	100,956	
	(2.54)	
UNCLASSIFIED POSITIONS	644,196	
	(1.53)	
OTHER PERSONAL SERVICES	478,239	
TOTAL PERSONAL SERVICE	1,223,391	
	(4.07)	
OTHER OPERATING EXPENSES	21,595,434	
TOTAL RESTRICTED	22,818,825	
	(4.07)	
TOTAL EDUCATION & GENERAL	74,262,500	6,350,000
	(494.00)	(184.82)
 II. AUXILIARY SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	468,257	
	(12.00)	
OTHER PERSONAL SERVICES	354,480	
TOTAL PERSONAL SERVICE	822,737	
	(12.00)	
OTHER OPERATING EXPENSES	3,430,750	

STATUTES AT LARGE
General and Permanent Laws--2012
H40-U S C - UPSTATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL AUXILIARY SERVICES	4,253,487 (12.00)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	9,314,350	1,449,843
TOTAL FRINGE BENEFITS	9,314,350	1,449,843
TOTAL EMPLOYEE BENEFITS	9,314,350	1,449,843
U S C - UPSTATE		
TOTAL FUNDS AVAILABLE	87,830,337	7,799,843
TOTAL AUTH FTE POSITIONS	(506.00)	(184.82)

SECTION 15D
H36-U S C - BEAUFORT CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,988,129 (73.49)	205,000 (3.74)
UNCLASSIFIED POSITIONS	5,617,029 (63.35)	900,000 (17.75)
OTHER PERSONAL SERVICES	1,415,027	
TOTAL PERSONAL SERVICE	10,020,185 (136.84)	1,105,000 (21.49)
OTHER OPERATING EXPENSES	5,939,185	
TOTAL UNRESTRICTED	15,959,370 (136.84)	1,105,000 (21.49)
B. RESTRICTED PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,570	

OF SOUTH CAROLINA
General and Permanent Laws--2012
H36-U S C - BEAUFORT CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	1,023,603	
	(1.50)	
OTHER PERSONAL SERVICES	72,038	
TOTAL PERSONAL SERVICE	1,098,211	
	(1.50)	
OTHER OPERATING EXPENSES	4,491,557	
TOTAL RESTRICTED	5,589,768	
	(1.50)	
TOT EDUCATION & GENERAL	21,549,138	1,105,000
	(138.34)	(21.49)
II. AUXILIARY SERVICES		
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	30,000	
TOTAL AUXILIARY SERVICES	30,000	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	2,911,459	255,802
TOTAL FRINGE BENEFITS	2,911,459	255,802
TOTAL EMPLOYEE BENEFITS	2,911,459	255,802
U S C - BEAUFORT CAMPUS		
TOTAL FUNDS AVAILABLE	24,490,597	1,360,802
TOTAL AUTH FTE POSITIONS	(138.34)	(21.49)

SECTION 15E
H37-U S C - LANCASTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,801,918	70,000
	(50.28)	(5.41)

STATUTES AT LARGE
General and Permanent Laws--2012
H37-U S C - LANCASTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	4,211,798	1,130,000
	(44.25)	(21.25)
OTHER PERSONAL SERVICES	1,000,981	
TOTAL PERSONAL SERVICE	7,014,697	1,200,000
	(94.53)	(26.66)
OTHER OPERATING EXPENSES	3,327,932	
TOTAL UNRESTRICTED	10,342,629	1,200,000
	(94.53)	(26.66)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,346	
UNCLASSIFIED POSITIONS	359,399	
	(2.50)	
OTHER PERSONAL SERVICES	237,917	
TOTAL PERSONAL SERVICE	608,662	
	(2.50)	
OTHER OPERATING EXPENSES	5,336,665	
TOTAL RESTRICTED	5,945,327	
	(2.50)	
TOT EDUCATION & GENERAL	16,287,956	1,200,000
	(97.03)	(26.66)
II. AUXILLARY SERVICES		
OTHER OPERATING EXPENSES	10,000	
TOTAL AUXILIARY	10,000	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	2,080,254	268,791
TOTAL FRINGE BENEFITS	2,080,254	268,791
TOTAL EMPLOYEE BENEFITS	2,080,254	268,791

OF SOUTH CAROLINA
General and Permanent Laws--2012
H37-U S C - LANCASTER CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
U S C - LANCASTER CAMPUS		
TOTAL FUNDS AVAILABLE	18,378,210	1,468,791
TOTAL AUTH FTE POSITIONS	(97.03)	(26.66)

SECTION 15F
H38-U S C - SALKEHATCHIE CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,120,870	100,000
	(31.40)	(3.00)
UNCLASSIFIED POSITIONS	2,053,591	840,000
	(24.37)	(21.24)
OTHER PERSONAL SERVICES	564,992	
TOTAL PERSONAL SERVICE	3,739,453	940,000
	(55.77)	(24.24)
OTHER OPERATING EXPENSES	2,450,457	
SPECIAL ITEMS		
SALKEHATCHIE LEADERSHIP CENTER		
	100,460	100,460
TOTAL SPECIAL ITEMS	100,460	100,460
TOTAL UNRESTRICTED	6,290,370	1,040,460
	(55.77)	(24.24)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	36,977	
	(1.00)	
UNCLASSIFIED POSITIONS	24,616	
	(.40)	
OTHER PERSONAL SERVICES	500,480	
TOTAL PERSONAL SERVICE	562,073	
	(1.40)	

STATUTES AT LARGE
General and Permanent Laws--2012
H38-U S C - SALKEHATCHIE CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	4,691,967	
TOTAL RESTRICTED	5,254,040	
	(1.40)	
TOT EDUCATION & GENERAL	11,544,410	1,040,460
	(57.17)	(24.24)
II. AUXILLIARY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,970	
	(.10)	
OTHER PERSONAL SERVICES	20,000	
TOTAL PERSONAL SERVICE	23,970	
	(.10)	
OTHER OPERATING EXPENSES	429,223	
TOTAL AUXILIARY	453,193	
	(.10)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	1,166,668	210,927
TOTAL FRINGE BENEFITS	1,166,668	210,927
TOTAL EMPLOYEE BENEFITS	1,166,668	210,927
U S C - SALKEHATCHIE CAMPUS		
TOTAL FUNDS AVAILABLE	13,164,271	1,251,387
TOTAL AUTH FTE POSITIONS	(57.27)	(24.24)

SECTION 15G
H39-U S C - SUMTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		

	TOTAL FUNDS	GENERAL FUNDS
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,759,483	385,000
	(66.00)	(27.29)
UNCLASSIFIED POSITIONS	3,245,862	1,500,000
	(45.60)	(29.11)
OTHER PERSONAL SERVICES	417,816	
TOTAL PERSONAL SERVICE	5,423,161	1,885,000
	(111.60)	(56.40)
OTHER OPERATING EXPENSES	2,164,895	
TOTAL UNRESTRICTED	7,588,056	1,885,000
	(111.60)	(56.40)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	32,881	
	(1.46)	
UNCLASSIFIED POSITIONS	579,988	
	(1.00)	
OTHER PERSONAL SERVICES	272,731	
TOTAL PERSONAL SERVICE	885,600	
	(2.46)	
OTHER OPERATING EXPENSES	3,770,653	
TOTAL RESTRICTED	4,656,253	
	(2.46)	
TOT EDUCATION & GENERAL	12,244,309	1,885,000
	(114.06)	(56.40)
II. AUXILIARY SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	67,342	
	(3.00)	
OTHER PERSONAL SERVICES	25,419	
TOTAL PERSONAL SERVICE	92,761	
	(3.00)	
OTHER OPERATING EXPENSES	602,089	

STATUTES AT LARGE
General and Permanent Laws--2012
H39-U S C - SUMTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL AUXILIARY SERVICES	694,850 (3.00)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	1,867,599	445,655
TOTAL FRINGE BENEFITS	1,867,599	445,655
TOTAL EMPLOYEE BENEFITS	1,867,599	445,655
U S C - SUMTER CAMPUS		
TOTAL FUNDS AVAILABLE	14,806,758	2,330,655
TOTAL AUTH FTE POSITIONS	(117.06)	(56.40)

SECTION 15H
H40-U S C - UNION CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED PERSONAL SERVICE		
CLASSIFIED POSITIONS	584,767 (17.75)	80,000 (6.54)
UNCLASSIFIED POSITIONS	1,025,757 (17.07)	390,000 (11.06)
OTHER PERSONAL SERVICES	164,905	
TOTAL PERSONAL SERVICE	1,775,429 (34.82)	470,000 (17.60)
OTHER OPERATING EXPENSES	1,026,305	
TOTAL UNRESTRICTED	2,801,734 (34.82)	470,000 (17.60)
B. RESTRICTED PERSONAL SERVICE		
CLASSIFIED POSITIONS	10,643	

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	131,802	
OTHER PERSONAL SERVICES	34,042	
	176,487	
TOTAL PERSONAL SERVICE	176,487	
OTHER OPERATING EXPENSES	2,818,468	
	2,994,955	
TOTAL RESTRICTED	2,994,955	
TOT EDUCATION & GENERAL	5,796,689	470,000
	(34.82)	(17.60)
II. AUXILIARY SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	23,927	
OTHER PERSONAL SERVICES	13,149	
	37,076	
TOTAL PERSONAL SERVICE	37,076	
OTHER OPERATING EXPENSES	217,989	
	255,065	
TOTAL AUXILIARY SERVICES	255,065	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	597,671	100,069
	597,671	100,069
TOTAL FRINGE BENEFITS	597,671	100,069
	597,671	100,069
TOTAL EMPLOYEE BENEFITS	597,671	100,069
U S C - UNION CAMPUS		
TOTAL FUNDS AVAILABLE	6,649,425	570,069
TOTAL AUTH FTE POSITIONS	(34.82)	(17.60)
TOT UNIV OF SOUTH CAROLINA	1,161,684,558	120,030,340
TOTAL AUTH FTE POSITIONS	(6,181.23)	(3,151.47)

SECTION 16
H47-WINTHROP UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
PERSONAL SERVICE		
PRESIDENT	157,380	157,380
	(1.00)	(1.00)
CLASSIFIED POSITIONS	15,174,150	3,699,150
	(347.67)	(214.73)
UNCLASSIFIED POSITIONS	25,696,702	6,189,202
	(385.25)	(220.23)
OTHER PERSONAL SERVICES	<u>7,267,500</u>	
TOTAL PERSONAL SERVICE	48,295,732	10,045,732
	(733.92)	(435.96)
OTHER OPERATING EXPENSES	67,997,361	
SPECIAL ITEMS		
ALLOC EIA - TCHR RECRUIT	<u>3,968,320</u>	
TOTAL SPECIAL ITEMS	<u>3,968,320</u>	
TOT EDUCATION & GENERAL	120,261,413	10,045,732
	<u>(733.92)</u>	<u>(435.96)</u>
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,074,000	
	(59.11)	
UNCLASSIFIED POSITIONS	335,500	
	(3.00)	
OTHER PERSONAL SERVICES	<u>640,500</u>	
TOTAL PERSONAL SERVICE	3,050,000	
	(62.11)	
OTHER OPERATING EXPENSES	<u>8,145,000</u>	
TOTAL AUXILIARY	<u>11,195,000</u>	
	<u>(62.11)</u>	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>14,015,414</u>	<u>2,410,414</u>

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General and Permanent Laws--2012
H47-WINTHROP UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FRINGE BENEFITS	14,015,414	2,410,414
TOTAL EMPLOYEE BENEFITS	14,015,414	2,410,414
WINTHROP UNIVERSITY		
TOTAL FUNDS AVAILABLE	145,471,827	12,456,146
TOTAL AUTH FTE POSITIONS	(796.03)	(435.96)

SECTION 17A

H51-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATIONAL & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	232,064	232,064
	(1.00)	(1.00)
CLASSIFIED POSITIONS	53,945,865	16,593,181
	(1,545.85)	(789.76)
UNCLASSIFIED POSITIONS	88,990,370	23,051,901
	(994.82)	(328.93)
OTHER PERSONAL SERVICES	11,048,639	
TOTAL PERSONAL SERVICE	154,216,938	39,877,146
	(2,541.67)	(1,119.69)
OTHER OPERATING EXPENSES	256,425,896	
SPECIAL ITEMS		
DIABETES CENTER	123,470	123,470
RURAL DENTISTS INCENTIVE	176,101	176,101
HYPERTENSION INITIATIVE	240,433	240,433
SCHOLARSHIPS & FELLOW	1,356,224	
TOTAL SPECIAL ITEMS	1,896,228	540,004
TOTAL UNRESTRICTED	412,539,062	40,417,150
	(2,541.67)	(1,119.69)

H51-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	20,863,316	
	(117.59)	
UNCLASSIFIED POSITIONS	56,989,184	
	(312.16)	
OTHER PERSONAL SERVICES	24,547,232	
TOTAL PERSONAL SERVICE	102,399,732	
	(429.75)	
OTHER OPERATING EXPENSES	81,074,659	
SPECIAL ITEMS		
SCHOLARSHIPS & FELLOW	1,353,905	
TOTAL SPECIAL ITEMS	1,353,905	
TOTAL RESTRICTED	184,828,296	
	(429.75)	
TOT EDUCATION & GENERAL	597,367,358	40,417,150
	(2,971.42)	(1,119.69)
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,506,874	
	(64.75)	
UNCLASSIFIED POSITIONS	146,158	
	(1.00)	
OTHER PERSONAL SERVICES	594,560	
TOTAL PERSONAL SERVICE	2,247,592	
	(65.75)	
OTHER OPERATING EXPENSES	8,061,348	
TOT AUXILIARY ENTERPRISES	10,308,940	
	(65.75)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	43,763,058	11,227,330
TOTAL FRINGE BENEFITS	43,763,058	11,227,330

H51-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL EMPLOYEE BENEFITS	43,763,058	11,227,330
MEDICAL UNIVERSITY OF SOUTH CAROLINA		
TOTAL FUNDS AVAILABLE	651,439,356	51,644,480
TOTAL AUTH FTE POSITIONS	(3,037.17)	(1,119.69)

SECTION 17B

H53-AREA HEALTH EDUCATION CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. CONSORTIUM		
A. GENERAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	759,385	623,404
	(7.67)	(7.39)
UNCLASSIFIED POSITIONS	1,301,339	1,073,028
	(5.87)	(5.35)
OTHER PERSONAL SERVICES	176,069	165,553
TOTAL PERSONAL SERVICE	2,236,793	1,861,985
	(13.54)	(12.74)
OTHER OPERATING EXPENSES	3,135,409	1,700,275
SPECIAL ITEMS		
RURAL PHYSICIANS PROGRAM	500,000	500,000
NURSING RECRUITMENT	20,000	20,000
TOTAL SPECIAL ITEMS	520,000	520,000
TOT CONSORTIUM-GENERAL	5,892,202	4,082,260
	(13.54)	(12.74)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	33,000	
	(.40)	
UNCLASSIFIED POSITIONS	89,800	
	(1.35)	

H53-AREA HEALTH EDUCATION CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	122,800	
	(1.75)	
OTHER OPERATING EXPENSES	694,416	
TOT CONSORTIUM-RESTRICT	817,216	
	(1.75)	
TOTAL CONSORTIUM	6,709,418	4,082,260
	(15.29)	(12.74)
II. FAMILY PRACTICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	251,863	251,863
	(2.77)	(2.77)
UNCLASSIFIED POSITIONS	1,675,399	1,675,399
	(8.26)	(8.26)
TOTAL PERSONAL SERVICE	1,927,262	1,927,262
	(11.03)	(11.03)
OTHER OPERATING EXPENSES	2,193,756	1,992,085
TOTAL FAMILY PRACTICE	4,121,018	3,919,347
	(11.03)	(11.03)
III. GRADUATE DOCTOR		
OTHER OPERATING EXPENSES	82,055	
TOT GRADUATE DOCTOR EDUC	82,055	
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,004,561	976,761
TOTAL FRINGE BENEFITS	1,004,561	976,761
TOTAL EMPLOYEE BENEFITS	1,004,561	976,761
AREA HEALTH EDUC CONSORT		
TOTAL FUNDS AVAILABLE	11,917,052	8,978,368
TOTAL AUTH FTE POSITIONS	(26.32)	(23.77)

H53-AREA HEALTH EDUCATION CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL MEDICAL UNIV OF SC	663,356,408	60,622,848
TOTAL AUTH FTE POSITIONS	(3,063.49)	(1,143.46)

SECTION 18**H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. PRESIDENT'S OFFICE		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	162,760	162,760
	(1.00)	(1.00)
CLASSIFIED POSITIONS	687,147	687,147
	(11.00)	(11.00)
OTHER PERSONAL SERVICES	83,750	83,750
TOTAL PERSONAL SERVICE	933,657	933,657
	(12.00)	(12.00)
OTHER OPERATING EXPENSES	89,507	89,507
TOTAL PRESIDENT'S OFFICE	1,023,164	1,023,164
	(12.00)	(12.00)
B. FIN AND HUMAN RESOURCES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	683,239	683,239
	(18.00)	(18.00)
UNCLASSIFIED POSITIONS	235,882	235,882
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	35,100	35,100
TOTAL PERSONAL SERVICE	954,221	954,221
	(20.00)	(20.00)
OTHER OPERATING EXPENSES	1,001,841	526,841
TOT FIN & HUMAN RESOURCES	1,956,062	1,481,062
	(20.00)	(20.00)

H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD

	TOTAL FUNDS	GENERAL FUNDS
C. INFORMATION TECHNOLOGY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	591,678	541,678
	(16.00)	(15.00)
UNCLASSIFIED POSITIONS	134,993	134,993
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	25,000	25,000
TOTAL PERSONAL SERVICE	751,671	701,671
	(17.00)	(16.00)
OTHER OPERATING EXPENSES	1,721,500	285,500
TOT INFO TECHNOLOGY	2,473,171	987,171
	(17.00)	(16.00)
 TOTAL ADMINISTRATION	 5,452,397	 3,491,397
	(49.00)	(48.00)
 II. INSTRUCTIONAL PROGRAMS		
A. TECHNICAL COLLEGES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	129,300,863	25,128,917
	(2,490.91)	(1,730.17)
UNCLASSIFIED POSITIONS	163,327,406	31,741,790
	(1,854.48)	(1,395.69)
OTHER PERSONAL SERVICES	47,637,160	9,258,022
TOTAL PERSONAL SERVICE	340,265,429	66,128,729
	(4,345.39)	(3,125.86)
OTHER OPERATING EXPENSES	193,860,710	175,000
SPECIAL ITEMS		
CRITICAL NEEDS NURSING	322,512	322,512
SPARTANBURG - CHEROKEE		
EXPANSION	906,816	906,816
MIDLANDS TECH NURSING PROG	370,943	370,943
FLORENCE DARLINGTON-OPER	302,271	302,271
FLORENCE DARLINGTON SIMT	906,817	906,817
TRIDENT TECH-CULINARY ARTS	468,522	468,522
TOTAL SPECIAL ITEMS	3,277,881	3,277,881

H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL TECHNICAL COLLEGES	537,404,020 (4,345.39)	69,581,610 (3,125.86)
B. SYSTEM WIDE PROGRAMS AND INITIATIVES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	344,550 (20.00)	299,550 (19.00)
UNCLASSIFIED POSITIONS	115,805 (1.00)	115,805 (1.00)
OTHER PERSONAL SERVICES	91,691	
TOTAL PERSONAL SERVICE	552,046 (21.00)	415,355 (20.00)
OTHER OPERATING EXPENSES	511,180	31,975
SPECIAL ITEMS		
PATHWAYS TO PROSPERITY	604,545	604,545
TOTAL SPECIAL ITEMS	604,545	604,545
TOTAL SYSTEM WIDE PROGRAM INITIATIVES	1,667,771 (21.00)	1,051,875 (20.00)
C. EMPLOYEE BENEFITS (INSTRUCTIONAL)		
EMPLOYER CONTRIBUTIONS	103,114,051	28,732,224
TOTAL FRINGE BENEFITS	103,114,051	28,732,224
TOTAL EMPLOYEE BENEFITS FORMULA FUNDING	103,114,051	28,732,224
TOT INSTRUCTIONAL PROG	642,185,842 (4,366.39)	99,365,709 (3,145.86)
III. ECONOMIC DEVELOPMENT		
A. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,126,028 (41.00)	1,126,028 (41.00)
UNCLASSIFIED POSITIONS	113,695 (1.00)	113,695 (1.00)

H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD

	TOTAL FUNDS	GENERAL FUNDS
OTHER PERSONAL SERVICES	25,000	25,000
TOTAL PERSONAL SERVICE	1,264,723	1,264,723
	(42.00)	(42.00)
OTHER OPERATING EXPENSES	378,235	378,235
TOTAL ADMINISTRATION	1,642,958	1,642,958
	(42.00)	(42.00)
B. SPECIAL SCHOOLS TRAINING		
PERSONAL SERVICE		
OTHER PERSONAL SERVICES	1,491,781	1,491,781
TOTAL PERSONAL SERVICE	1,491,781	1,491,781
SPECIAL ITEMS		
OTHER DIRECT TRAINING COSTS	6,511,879	6,511,879
TOTAL SPECIAL ITEMS	6,511,879	6,511,879
TOT SPECIAL SCHOOL TRAINING	8,003,660	8,003,660
TOT ECONOMIC DEVELOP	9,646,618	9,646,618
	(42.00)	(42.00)
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,488,674	1,445,570
TOTAL FRINGE BENEFITS	1,488,674	1,445,570
TOTAL EMPLOYEE BENEFITS	1,488,674	1,445,570
V. NON-RECURRING APPRO		
CENTRAL CAROLINA TECH COLLEGE TRAINING	2,250,000	2,250,000
AIKEN TECH COLLEGE CTR FOR ENERGY & ADV	2,445,000	2,445,000
TOT NON-RECURRING APPRO	4,695,000	4,695,000
TOTAL NON-RECURRING	4,695,000	4,695,000

H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TECHNICAL & COMPREHENSIVE EDUCATION BOARD		
TOTAL RECURRING BASE	658,773,531	113,949,294
TOTAL FUNDS AVAILABLE	663,468,531	118,644,294
TOTAL AUTH FTE POSITIONS	<u>(4,457.39)</u>	<u>(3,235.86)</u>

SECTION 19**H67-EDUCATIONAL TELEVISION COMMISSION**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. INTERNAL ADMINISTRATION		
PERSONAL SERVICE		
PRESIDENT & GENERAL MGR	117,000	
	(1.00)	
CLASSIFIED POSITIONS	875,000	
	(23.00)	
OTHER PERSONAL SERVICES	216,500	
TOTAL PERSONAL SERVICE	1,208,500	
	(24.00)	
OTHER OPERATING EXPENSES	<u>700,000</u>	
TOTAL INTERNAL ADMIN	1,908,500	
	<u>(24.00)</u>	
II. PROGRAM AND SERVICES		
A. PUBLIC EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,200,000	
	(50.00)	
TOTAL PERSONAL SERVICE	2,200,000	
	(50.00)	
OTHER OPERATING EXPENSES	<u>3,030,745</u>	
TOTAL PUBLIC EDUCATION	5,230,745	
	<u>(50.00)</u>	

H67-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. HIGHER EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	168,500	
	(5.00)	
TOTAL PERSONAL SERVICE	168,500	
	(5.00)	
OTHER OPERATING EXPENSES	111,000	
TOTAL HIGHER EDUCATION	279,500	
	(5.00)	
C. AGENCY SERVICES		
1. LOCAL GOVT & BUS SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	292,585	
	(7.00)	
TOTAL PERSONAL SERVICE	292,585	
	(7.00)	
OTHER OPERATING EXPENSES	10,000	
TOTAL LOCAL GOVERNMENT & BUSINESS SERVICES	302,585	
	(7.00)	
2. GENERAL SUPPORT & SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	835,000	
	(23.00)	
TOTAL PERSONAL SERVICE	835,000	
	(23.00)	
OTHER OPERATING EXPENSES	545,600	
TOTAL GENERAL SUPPORT & SERVICES	1,380,600	
	(23.00)	
TOTAL AGENCY SERVICES	1,683,185	
	(30.00)	

H67-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
D. COMMUNITY EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,385,415	
	(31.00)	
OTHER PERSONAL SERVICES	90,000	
TOTAL PERSONAL SERVICE	1,475,415	
	(31.00)	
OTHER OPERATING EXPENSES	3,150,000	
TOT COMMUNITY EDUCATION	4,625,415	
	(31.00)	
E. PUBLIC AFFAIRS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	475,000	
	(20.20)	
OTHER PERSONAL SERVICES	120,000	
TOTAL PERSONAL SERVICE	595,000	
	(20.20)	
OTHER OPERATING EXPENSES	807,655	
TOTAL PUBLIC AFFAIRS	1,402,655	
	(20.20)	
F. CULTURAL & PERFORM ARTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	425,000	
	(13.00)	
TOTAL PERSONAL SERVICE	425,000	
	(13.00)	
OTHER OPERATING EXPENSES	1,000,000	
TOTAL CULTURAL & PERFORMING ARTS	1,425,000	
	(13.00)	
TOT PROGRAM AND SERVICES	14,646,500	
	(149.20)	

H67-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	2,320,000	
TOTAL FRINGE BENEFITS	2,320,000	
TOTAL EMPLOYEE BENEFITS	2,320,000	
EDUCATIONAL TELEVISION COMMISSION		
TOTAL FUNDS AVAILABLE	18,875,000	
TOTAL AUTH FTE POSITIONS	(173.20)	

SECTION 20
H73-VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	117,765	117,765
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,186,621	1,083,835
	(69.00)	(15.80)
UNCLASSIFIED POSITIONS	97,924	13,210
	(1.00)	(.24)
OTHER PERSONAL SERVICES	562,361	
TOTAL PERSONAL SERVICE	3,964,671	1,214,810
	(71.00)	(17.04)
OTHER OPERATING EXPENSES	2,250,000	
TOTAL ADMINISTRATION	6,214,671	1,214,810
	(71.00)	(17.04)
II. VOCATIONAL REHAB PROG		
A. BASIC SERVICE PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	30,931,075	7,613,124
	(770.76)	(171.43)

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H73-VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	2,500,000	
TOTAL PERSONAL SERVICE	33,431,075	7,613,124
	(770.76)	(171.43)
OTHER OPERATING EXPENSES	8,801,404	
CASE SERVICES		
CASE SERVICES	8,055,741	
TOTAL CASE SRVC/PUB ASST	8,055,741	
TOTAL BASIC SERVICE PROG	50,288,220	7,613,124
	(770.76)	(171.43)
B. SPECIAL PROJECTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	360,615	
	(27.00)	
OTHER PERSONAL SERVICES	1,823,000	
TOTAL PERSONAL SERVICE	2,183,615	
	(27.00)	
OTHER OPERATING EXPENSES	908,672	66,557
CASE SERVICES		
CASE SERVICES	636,484	
TOTAL CASE SRVC/PUB ASST	636,484	
TOTAL SPECIAL PROJECTS	3,728,771	66,557
	(27.00)	
C. WORKSHOP PRODUCTION		
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	21,000,000	
TOT WORKSHOP PRODUCTION	21,000,000	
TOT VOCATIONAL REHAB PGM	75,016,991	7,679,681
	(797.76)	(171.43)
III. DISABILITY DETERMINATION		
SERV		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	22,050,000	
	(385.51)	

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H73-VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	2,025,000	
TOTAL PERSONAL SERVICE	24,075,000	
	(385.51)	
OTHER OPERATING EXPENSES	5,814,284	
CASE SERVICES		
CASE SERVICES	15,796,913	
TOTAL CASE SRVC/PUB ASST	<u>15,796,913</u>	
TOTAL DISABILITY		
DETERMINATION DIV	45,686,197	
	<u>(385.51)</u>	
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>19,856,098</u>	3,289,514
TOTAL FRINGE BENEFITS	<u>19,856,098</u>	<u>3,289,514</u>
TOTAL EMPLOYEE BENEFITS	<u>19,856,098</u>	<u>3,289,514</u>
VOCATIONAL REHABILITATION		
TOTAL FUNDS AVAILABLE	146,773,957	12,184,005
TOTAL AUTH FTE POSITIONS	<u>(1,254.27)</u>	<u>(188.47)</u>

SECTION 21

J02-DEPT OF HEALTH AND HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	148,787	57,898
	(1.00)	(.40)
CLASSIFIED POSITIONS	7,228,218	2,822,475
	(112.00)	(53.32)
UNCLASSIFIED POSITIONS	344,130	146,652
	<u>(5.00)</u>	<u>(1.84)</u>

J02-DEPT OF HEALTH AND HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	7,721,135	3,027,025
	(118.00)	(55.56)
OTHER OPERATING EXPENSES	<u>9,508,376</u>	<u>2,578,146</u>
TOTAL ADMINISTRATION	17,229,511	5,605,171
	(118.00)	(55.56)
II. PROGRAM AND SERVICES		
A. HEALTH SERVICES		
1. MEDICAL ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	19,862,734	6,605,306
	(469.11)	(171.18)
OTHER PERSONAL SERVICES	<u>764,282</u>	
TOTAL PERSONAL SERVICE	20,627,016	6,605,306
	(469.11)	(171.18)
OTHER OPERATING EXPENSES	<u>6,069,407</u>	<u>1,258,062</u>
TOTAL MEDICAL ADMIN	26,696,423	7,863,368
	(469.11)	(171.18)
2. MEDICAL CONTRACTS		
OTHER OPERATING EXPENSES		
A. PROVIDER SUPPORT	34,721,411	6,187,690
B. NURSING HOME CONTRACTS	5,250,502	298,502
C. CLTC CONTRACTS	2,394,910	632,910
D. ELIGIBILITY CONTRACTS	26,265,728	4,520,000
E. MMIS - MEDICAL MGMT INFO	<u>75,689,134</u>	<u>18,852,816</u>
TOTAL MEDICAL CONTRACTS	<u>144,321,685</u>	<u>30,491,918</u>
3. MEDICAL ASSIST PAYMENT		
CASE SERVICES		
A. HOSPITAL SERVICES	771,900,000	139,894,804
B. NURSING HOME SERVICES	514,901,045	149,234,551
D. PHARMACEUTICAL		
SERVICES	224,499,959	22,593,171
E. PHYSICIAN SERVICES	183,047,463	42,965,427
F. DENTAL SERVICES	97,915,517	18,384,366
G. CLTC-COMMUNITY		
LONG-TERM CARE	172,388,507	42,264,483

J02-DEPT OF HEALTH AND HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. HOME HEALTH SERVICES	6,670,524	1,457,396
J. EPSDT SERVICES	10,864,132	3,233,166
K. MEDICAL		
PROFESSIONAL SERVICES	47,691,730	11,931,726
L. TRANSPORTATION		
SERVICES	49,658,076	11,651,782
M. LAB & X-RAY SERVICES	28,631,876	6,560,072
N. FAMILY PLANNING	23,703,720	1,925,602
O. PREMIUMS MATCHED	198,100,000	44,635,213
P. PREMIUMS 100% STATE	18,100,000	14,810,953
Q. HOSPICE	12,490,000	2,886,419
R. OPTIONAL STATE		
SUPPLEMENT	17,632,480	13,881,053
S. INTEGRATED PERSONAL		
CARE	5,270,600	1,270,818
T. CLINICAL SERVICES	68,255,459	16,318,501
U. DURABLE MEDICAL		
EQUIPMENT	41,400,000	9,856,728
V. COORDINATED CARE	1,710,451,398	378,530,331
W. PACE	13,809,328	3,426,160
Y. MMA PHASED DOWN		
CONTRIBUTIONS	<u>82,300,000</u>	<u>80,722,176</u>
TOTAL CASE SRVC/PUB ASST	<u>4,299,681,814</u>	<u>1,018,434,898</u>
TOTAL MEDICAL ASSIST		
PAYMENT	<u>4,299,681,814</u>	<u>1,018,434,898</u>
4. ASSISTANCE		
PAYMENTS-STATE AGENCIES		
A. MENTAL HEALTH	155,000,000	
B. DISABILITIES &		
SPECIAL NEEDS	560,536,408	
C. DHEC	14,158,264	
D. MUSC	41,858,252	
E. USC	5,742,100	
F. DAODAS	13,249,431	
G. CONTINUUM OF CARE	6,590,057	
H. SCHL FOR DEAF & BLIND	4,778,795	
I. SOCIAL SERVICES	12,412,716	

J02-DEPT OF HEALTH AND HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
J. JUVENILE JUSTICE	3,350,020	
K. DEPT OF EDUCATION	50,000,000	
L. COMMISSION FOR THE BLIND	39,805	
M. WIL LOU GRAY OPPORTUNITY SCHOOL	30,000	
N. DEPT. OF CORRECTIONS	2,333,948	
P. SC STATE HOUSING AUTHORITY	330,000	
TOTAL CASE SRVC/PUB ASST	<u>870,409,796</u>	
TOTAL ASSIST PAYMENTS - STATE AGENCIES	<u>870,409,796</u>	
5. EMOTIONALLY DISTURBED CHILDREN CASE SERVICES	37,732,690	
TOTAL CASE SRVC/PUB ASST	<u>37,732,690</u>	
TOTAL EMOTIONALLY DISTURBED CHILDREN	<u>37,732,690</u>	
6. OTHER ENTITIES ASSISTANCE PAYMENTS		
B. MUSC-MAXILLOFACIAL PROSTHODONTICS	225,086	225,086
C. OTHER ENTITIES FUNDING	23,960,020	
F. DISPROPORTIONATE SHARE	480,128,621	18,628,621
TOTAL CASE SRVC/PUB ASST	<u>504,313,727</u>	<u>18,853,707</u>
TOTAL OTHER ENTITIES ASSISTANCE PAYMENTS	<u>504,313,727</u>	<u>18,853,707</u>
7. MEDICAID ELIGIBILITY PERSONAL SERVICE		
CLASSIFIED POSITIONS	15,798,055	5,800,702
	(472.89)	(188.51)
OTHER PERSONAL SERVICES	2,700,296	198,594
TOTAL PERSONAL SERVICE	18,498,351	5,999,296
	(472.89)	(188.51)

J02-DEPT OF HEALTH AND HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	3,697,323	1,046,041
TOTAL MEDICAID ELIGIBILITY	22,195,674 (472.89)	7,045,337 (188.51)
TOTAL HEALTH SERVICES	5,905,351,809 (942.00)	1,082,689,228 (359.69)
TOT PROGRAM AND SERVICES	5,905,351,809 (942.00)	1,082,689,228 (359.69)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	15,724,016	5,458,605
TOTAL FRINGE BENEFITS	15,724,016	5,458,605
TOTAL EMPLOYEE BENEFITS	15,724,016	5,458,605
DEPT OF HEALTH AND HUMAN SERVICES		
TOTAL FUNDS AVAILABLE	5,938,305,336	1,093,753,004
TOTAL AUTH FTE POSITIONS	(1,060.00)	(415.25)

SECTION 22

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	151,942 (1.00)	151,942 (1.00)
CLASSIFIED POSITIONS	10,042,297 (243.56)	4,525,290 (109.89)
UNCLASSIFIED POSITIONS	229,650 (3.00)	229,650 (3.00)
OTHER PERSONAL SERVICES	229,368	41,611

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	10,653,257	4,948,493
	(247.56)	(113.89)
OTHER OPERATING EXPENSES	<u>8,953,304</u>	<u>319,683</u>
TOTAL ADMINISTRATION	19,606,561	5,268,176
	(247.56)	(113.89)
II. PROGRAMS & SERVICES		
A. WATER QUALITY IMPROVE		
1. UNDRGRND STORAGE TANKS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,360,643	
	(40.10)	
TOTAL PERSONAL SERVICE	1,360,643	
	(40.10)	
OTHER OPERATING EXPENSES	<u>2,895,606</u>	
TOTAL UNDERGROUND TANKS	4,256,249	
	(40.10)	
A. WATER QUALITY IMPROVE		
2. WATER MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	15,206,831	4,288,749
	(431.77)	(128.78)
UNCLASSIFIED POSITIONS	131,031	131,031
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	<u>539,747</u>	<u>91,897</u>
TOTAL PERSONAL SERVICE	15,877,609	4,511,677
	(432.77)	(129.78)
OTHER OPERATING EXPENSES	9,141,939	2,837,853
AID TO SUBDIVISIONS:		
ALLOC MUN-RESTRICTED	570,953	
ALLOC CNTY-RESTRICTED	2,266,267	
ALLOC SCHOOL DIST	186,550	
ALLOC OTHER STATE AGENCIES	213,264	
ALLOC OTHER ENTITIES	1,945,590	
ALLOC-PRIVATE SECTOR	87,342	
ALLOC PLANNING DIST	<u>492,165</u>	

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL DIST SUBDIVISIONS	5,762,131	
TOTAL WATER MANAGEMENT	30,781,679	7,349,530
	(432.77)	(129.78)
<hr/>		
A. WATER QUALITY IMPROVE		
3. ENVIRONMENTAL HEALTH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	5,037,206	2,974,925
	(149.97)	(92.61)
OTHER PERSONAL SERVICES	7,000	7,000
TOTAL PERSONAL SERVICE	5,044,206	2,981,925
	(149.97)	(92.61)
OTHER OPERATING EXPENSES	816,495	633,478
TOT ENVIRONMENTAL HEALTH	5,860,701	3,615,403
	(149.97)	(92.61)
<hr/>		
TOTAL WATER QUALITY IMPROVEMENT	40,898,629	10,964,933
	(622.84)	(222.39)
<hr/>		
B.COASTAL RESOURCE IMPROVEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,615,268	640,586
	(55.35)	(16.64)
UNCLASSIFIED POSITIONS	119,119	119,119
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	210,433	33,529
TOTAL PERSONAL SERVICE	2,944,820	793,234
	(56.35)	(17.64)
OTHER OPERATING EXPENSES	2,947,026	106,871
TOTAL COASTAL RESOURCE IMPROVEMENT	5,891,846	900,105
	(56.35)	(17.64)
<hr/>		
C. AIR QUALITY IMPROVEMENT		
PERSONAL SERVICE		

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	9,144,173	643,150
	(237.40)	(21.33)
OTHER PERSONAL SERVICES	<u>39,424</u>	<u>21,424</u>
TOTAL PERSONAL SERVICE	9,183,597	664,574
	(237.40)	(21.33)
OTHER OPERATING EXPENSES	3,151,842	212,054
AID TO SUBDIVISIONS:		
ALLOC OTHER STATE AGENCIES	192,469	
ALLOC OTHER ENTITIES	316,853	
ALLOC MUNI-RESTRICTED	234,872	
ALLOC CNTY-RESTRICTED	299,797	
ALLOC SCHOOL DIST	<u>71,710</u>	
TOTAL DIST SUBDIVISIONS	<u>1,115,701</u>	
TOT AIR QUALITY IMPRVMT	13,451,140	876,628
	<u>(237.40)</u>	<u>(21.33)</u>
D. LAND & WASTE MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,526,344	1,722,913
	(279.17)	(45.27)
OTHER PERSONAL SERVICES	<u>284,499</u>	<u>47,945</u>
TOTAL PERSONAL SERVICE	11,810,843	1,770,858
	(279.17)	(45.27)
OTHER OPERATING EXPENSES	7,083,949	515,934
AID TO SUBDIVISIONS:		
ALLOC MUN-RESTRICTED	360,313	
ALLOC CNTY-RESTRICTED	4,280,329	
ALLOC SCHOOL DIST	1,603,174	
ALLOC OTHER ENTITIES	761,633	
ALLOC-PRIVATE SECTOR	3,062,964	
ALLOC PLANNING DIST	<u>824,724</u>	
TOTAL DIST SUBDIVISIONS	<u>10,893,137</u>	
TOTAL LAND & WASTE MGMT	29,787,929	2,286,792
	<u>(279.17)</u>	<u>(45.27)</u>

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. FAMILY HEALTH		
1. INFECTIOUS DISEASE PREVENTION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	13,113,834	6,874,537
	(279.88)	(143.55)
OTHER PERSONAL SERVICES	278,047	17,193
TOTAL PERSONAL SERVICE	13,391,881	6,891,730
	(279.88)	(143.55)
OTHER OPERATING EXPENSES	40,288,962	7,330,082
SPECIAL ITEMS:		
PALMETTO AIDS LIFE SUPPORT	50,000	50,000
TOTAL SPECIAL ITEMS	50,000	50,000
PUBLIC ASSISTANCE:		
CASE SERVICES	8,052,398	5,616,263
TOTAL CASE SRVC/PUB ASST	8,052,398	5,616,263
AID TO SUBDIVISIONS:		
ALLOC OTHER STATE AGENCIES	7,378,324	
ALLOC OTHER ENTITIES	8,945,781	
TOTAL DIST SUBDIVISIONS	16,324,105	
TOTAL INFECTIOUS DISEASE PREVENTION	78,107,346	19,888,075
	(279.88)	(143.55)
E. FAMILY HEALTH		
2. MATERNAL/INFANT HEALTH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	18,661,698	1,319,198
	(456.70)	(26.31)
OTHER PERSONAL SERVICES	1,127,347	200
TOTAL PERSONAL SERVICE	19,789,045	1,319,398
	(456.70)	(26.31)
OTHER OPERATING EXPENSES	14,551,653	194,022
SPECIAL ITEMS:		
NEWBORN HEARING SCREEN	421,750	421,750
TOTAL SPECIAL ITEMS	421,750	421,750

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
PUBLIC ASSISTANCE:		
CASE SERVICES	118,024,950	498,201
TOTAL CASE SRVC/PUB ASST	<u>118,024,950</u>	<u>498,201</u>
TOT MATERNAL/INFANT HLTH	152,787,398	2,433,371
	<u>(456.70)</u>	<u>(26.31)</u>
E. FAMILY HEALTH		
3. CHRONIC DISEASE		
PREVENTION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,639,581	707,178
	(38.29)	(19.09)
OTHER PERSONAL SERVICES	<u>247,442</u>	<u>18,262</u>
TOTAL PERSONAL SERVICE	1,887,023	725,440
	(38.29)	(19.09)
OTHER OPERATING EXPENSES	5,718,620	354,353
SPECIAL ITEMS:		
YOUTH SMOKING PREVENTION	592,738	
SMOKING PREVENTION TRUST	<u>8,800,000</u>	
TOTAL SPECIAL ITEMS	9,392,738	
PUBLIC ASSISTANCE:		
CASE SERVICES	<u>3,239,508</u>	
TOTAL CASE SRVC/PUB ASST	3,239,508	
AID TO SUBDIVISIONS:		
ALLOC OTHER STATE AGENCIES	1,543,274	
ALLOC OTHER ENTITIES	<u>4,094,650</u>	
TOTAL DIST SUBDIVISIONS	<u>5,637,924</u>	
TOTAL CHRONIC DISEASE		
PREVENTION	25,875,813	1,079,793
	<u>(38.29)</u>	<u>(19.09)</u>
E. FAMILY HEALTH		
4. ACCESS TO CARE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	38,542,762	17,553,922
	(945.81)	(474.83)

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	TOTAL FUNDS	GENERAL FUNDS
UNCLASSIFIED POSITIONS	160,017	160,017
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	4,851,544	133,185
TOTAL PERSONAL SERVICE	43,554,323	17,847,124
	(946.81)	(475.83)
OTHER OPERATING EXPENSES	33,675,444	3,232,568
PUBLIC ASSISTANCE:		
CASE SERVICES	631,108	9,542
TOTAL CASE SRVC/PUB ASST	631,108	9,542
AID TO SUBDIVISIONS:		
ALLOC OTHER STATE AGENCIES	755,290	
ALLOC OTHER ENTITIES	3,881,777	
TOTAL DIST SUBDIVISIONS	4,637,067	
TOTAL ACCESS TO CARE	82,497,942	21,089,234
	(946.81)	(475.83)
E. FAMILY HEALTH		
5. DRUG CONTROL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,506,499	
	(35.89)	
TOTAL PERSONAL SERVICE	1,506,499	
	(35.89)	
OTHER OPERATING EXPENSES	753,534	
TOTAL DRUG CONTROL	2,260,033	
	(35.89)	
E. FAMILY HEALTH		
6. RAPE VIOLENCE PREVENTION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,292	
OTHER PERSONAL SERVICES	38,235	
TOTAL PERSONAL SERVICE	44,527	
OTHER OPERATING EXPENSES	247,279	
PUBLIC ASSISTANCE:		
CASE SERVICES	1,178,357	648,114

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL CASE SRVC/PUB ASST	1,178,357	648,114
AID TO SUBDIVISIONS:		
AID TO OTHER ENTITIES	<u>8,575</u>	<u>8,575</u>
TOTAL DIST SUBDIVISIONS	<u>8,575</u>	<u>8,575</u>
TOTAL RAPE VIOLENCE PREVENTION	<u>1,478,738</u>	<u>656,689</u>
E. FAMILY HEALTH		
7. INDEPENDENT LIVING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	10,450,009	481,014
	(234.62)	(3.34)
OTHER PERSONAL SERVICES	<u>2,031,989</u>	
TOTAL PERSONAL SERVICE	12,481,998	481,014
	(234.62)	(3.34)
OTHER OPERATING EXPENSES	6,128,581	750,056
SPECIAL ITEMS:		
SICKLE CELL PROF		
EDUCATION	<u>100,000</u>	<u>100,000</u>
TOTAL SPECIAL ITEMS	100,000	100,000
PUBLIC ASSISTANCE:		
CASE SERVICES		
	<u>11,405,130</u>	<u>3,951,250</u>
TOTAL CASE SRVC/PUB ASST	<u>11,405,130</u>	<u>3,951,250</u>
TOTAL INDEPENDENT LIVING	<u>30,115,709</u>	<u>5,282,320</u>
	(234.62)	(3.34)
TOTAL FAMILY HEALTH	<u>373,122,979</u>	<u>50,429,482</u>
	(1,992.19)	(668.12)
F. HEALTH CARE STANDARDS		
1. RADIOLOGICAL MONITORING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,317,269	489,737
	(26.95)	(9.86)
OTHER PERSONAL SERVICES	368	368
UNCLASSIFIED POSITIONS	<u>8,277</u>	<u>8,277</u>

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,325,914	498,382
	(26.95)	(9.86)
OTHER OPERATING EXPENSES	<u>463,890</u>	<u>56,741</u>
TOTAL RADIOLOGICAL MONITORING	1,789,804	555,123
	<u>(26.95)</u>	<u>(9.86)</u>
F. HEALTH CARE STANDARDS		
2. FACIL/SVC DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	398,126	202,065
	(9.74)	(6.83)
UNCLASSIFIED POSITIONS	93,336	93,336
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	<u>8,818</u>	<u>8,818</u>
TOTAL PERSONAL SERVICE	500,280	304,219
	(10.74)	(7.83)
OTHER OPERATING EXPENSES	<u>226,909</u>	<u>107,098</u>
**TOT FACILITY & SRVC DEVEL	<u>727,189</u>	<u>411,317</u>
	<u>(10.74)</u>	<u>(7.83)</u>
F. HEALTH CARE STANDARDS		
3. FACILITY LICENSING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,694,038	769,025
	(38.93)	(21.78)
TOTAL PERSONAL SERVICE	1,694,038	769,025
	(38.93)	(21.78)
OTHER OPERATING EXPENSES	<u>485,397</u>	<u>104,874</u>
TOTAL FACILITY LICENSING	2,179,435	873,899
	<u>(38.93)</u>	<u>(21.78)</u>
F. HEALTH CARE STANDARDS		
4. CERTIFICATION		
PERSONAL SERVICE		

** See note at end of Act.

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	3,152,835	
	(70.18)	
OTHER PERSONAL SERVICES	11,822	
TOTAL PERSONAL SERVICE	3,164,657	
	(70.18)	
OTHER OPERATING EXPENSES	1,292,915	
TOTAL CERTIFICATION	4,457,572	
	(70.18)	
=====		
F. HEALTH CARE STANDARDS		
5. EMERGENCY MEDICAL SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	444,464	319,686
	(11.76)	(8.71)
OTHER PERSONAL SERVICES	43,264	42,175
TOTAL PERSONAL SERVICE	487,728	361,861
	(11.76)	(8.71)
OTHER OPERATING EXPENSES	752,494	37,835
SPECIAL ITEMS:		
TRAUMA CENTER FUND	2,656,240	2,268,886
TOTAL SPECIAL ITEMS	2,656,240	2,268,886
AID TO SUBDIVISIONS:		
ALLOC CNTY-RESTRICTED	52,773	
AID CNTY-RESTRICTED	536,382	536,382
AID EMS-REGIONAL COUNCILS	164,579	164,579
TOTAL DIST SUBDIVISIONS	753,734	700,961
TOTAL E.M.S.	4,650,196	3,369,543
	(11.76)	(8.71)
=====		
TOT HLTH CARE STANDARDS	13,804,196	5,209,882
	(158.56)	(48.18)
=====		

G. HEALTH SURVEILLANCE
SUPPORT
1. HEALTH LAB
PERSONAL SERVICE

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	TOTAL FUNDS	GENERAL FUNDS
CLASSIFIED POSITIONS	3,140,126	825,383
	(77.63)	(25.49)
OTHER PERSONAL SERVICES	128,094	
TOTAL PERSONAL SERVICE	3,268,220	825,383
	(77.63)	(25.49)
OTHER OPERATING EXPENSES	10,364,391	212,924
TOTAL HEALTH LAB	13,632,611	1,038,307
	(77.63)	(25.49)
G. HEALTH SURVEILLANCE		
SUPPORT		
2. VITAL RECORDS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,986,107	80,230
	(67.33)	(2.65)
OTHER PERSONAL SERVICES	1,304,435	10,000
TOTAL PERSONAL SERVICE	4,290,542	90,230
	(67.33)	(2.65)
OTHER OPERATING EXPENSES	4,751,452	42,198
TOTAL VITAL RECORDS	9,041,994	132,428
	(67.33)	(2.65)
TOTAL HEALTH SURVEILLANCE SUPPORT		
	22,674,605	1,170,735
	(144.96)	(28.14)
TOT PROG AND SERVICES	499,631,324	71,838,557
	(3,491.47)	(1,051.07)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	52,650,031	14,741,251
TOTAL FRINGE BENEFITS	52,650,031	14,741,251
TOTAL EMPLOYEE BENEFITS	52,650,031	14,741,251
IV. NON-RECURRING APPRO		
COMMUNITY HEALTH CENTERS	1,800,000	1,800,000

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL NON-RECURRING APPRO	1,800,000	1,800,000
TOTAL NON-RECURRING	<u>1,800,000</u>	<u>1,800,000</u>
DEPT OF HEALTH AND ENVIRONMENTAL CONTROL		
TOTAL RECURRING BASE	571,887,916	91,847,984
TOTAL FUNDS AVAILABLE	573,687,916	93,647,984
TOTAL AUTH FTE POSITIONS	<u>(3,739.03)</u>	<u>(1,164.96)</u>

SECTION 23**J12-DEPT OF MENTAL HEALTH**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. GENERAL ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	155,787	155,787
	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,002,972	1,738,430
	(47.00)	(40.00)
UNCLASSIFIED POSITIONS	325,278	265,120
	(8.13)	(3.63)
OTHER PERSONAL SERVICES	10,107	5,000
TOTAL PERSONAL SERVICE	2,494,144	2,164,337
	(56.13)	(44.63)
OTHER OPERATING EXPENSES	727,273	359,536
CASE SERVICES		
CASE SERVICES	154,743	24,669
TOTAL CASE SRVC/PUB ASST	<u>154,743</u>	<u>24,669</u>
TOTAL GENERAL ADMIN	3,376,160	2,548,542
	<u>(56.13)</u>	<u>(44.63)</u>

II. PROGRAMS & SERVICES**A. COMMUNITY MENTAL HEALTH****1. MENTAL HEALTH CENTERS****PERSONAL SERVICE**

STATUTES AT LARGE
General and Permanent Laws--2012
J12-DEPT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	65,919,204	27,990,121
	(2,179.34)	(942.71)
UNCLASSIFIED POSITIONS	12,106,752	4,929,904
	(132.26)	(86.84)
OTHER PERSONAL SERVICES	3,853,951	1,034,869
TOTAL PERSONAL SERVICE	81,879,907	33,954,894
	(2,311.60)	(1,029.55)
OTHER OPERATING EXPENSES	35,824,132	5,442,380
CASE SERVICES		
CASE SERVICES	9,190,922	3,833,901
TOTAL CASE SRVC/PUB ASST	9,190,922	3,833,901
TOT MENTAL HLTH CENTERS	126,894,961	43,231,175
	(2,311.60)	(1,029.55)
2. PROJECTS & GRANTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,011,247	196,363
	(17.79)	(4.00)
UNCLASSIFIED POSITIONS	1,016,855	
	(4.30)	(2.25)
OTHER PERSONAL SERVICES	84,407	19,200
TOTAL PERSONAL SERVICE	2,112,509	215,563
	(22.09)	(6.25)
OTHER OPERATING EXPENSES	7,885,016	3,144,447
CASE SERVICES		
CASE SERVICES	595,000	595,000
TOTAL CASE SRVC/PUB ASST	595,000	595,000
SPECIAL ITEMS:		
SC SHARE	250,000	
ALLIANCE FOR THE MENTALLY ILL	50,000	
TOTAL SPECIAL ITEMS	300,000	
DIST SUBDIVISIONS		
ALLOC-PRIVATE SECTOR	866,577	
TOTAL DIST SUBDIVISIONS	866,577	

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PROJECTS & GRANTS	11,759,102 (22.09)	3,955,010 (6.25)
TOT COMMUNITY MENT HLTH	138,654,063 (2,333.69)	47,186,185 (1,035.80)
B. INPATIENT BEHAV HEALTH		
1. PSYCHIATRIC REHAB		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,640,340 (50.63)	1,197,857 (33.33)
UNCLASSIFIED POSITIONS	322,025 (5.00)	(3.00)
OTHER PERSONAL SERVICES	177,363	32,398
TOTAL PERSONAL SERVICE	2,139,728 (55.63)	1,230,255 (36.33)
OTHER OPERATING EXPENSES	1,308,765	97,781
CASE SERVICES		
CASE SERVICES	27,793	3,793
TOTAL CASE SRVC/PUB ASST	27,793	3,793
TOTAL PSYCHIATRIC REHABILITATION	3,476,286 (55.63)	1,331,829 (36.33)
2. BRYAN PSYCHIATRIC HOSP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	16,116,694 (536.55)	11,385,139 (399.42)
UNCLASSIFIED POSITIONS	2,977,743 (27.38)	113,154 (18.38)
OTHER PERSONAL SERVICES	3,305,340	848,178
TOTAL PERSONAL SERVICE	22,399,777 (563.93)	12,346,471 (417.80)
OTHER OPERATING EXPENSES	16,912,018	992,391
CASE SERVICES		
CASE SERVICES	1,582,224	750,000
TOTAL CASE SRVC/PUB ASST	1,582,224	750,000

STATUTES AT LARGE
General and Permanent Laws--2012
J12-DEPT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL BRYAN PSYCHIATRIC HOSPITAL	40,894,019 (563.93)	14,088,862 (417.80)
3. HALL PSYCHIATRIC INSTIT PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,666,539 (243.37)	2,785,493 (135.05)
UNCLASSIFIED POSITIONS	593,990 (13.35)	18,920 (8.00)
OTHER PERSONAL SERVICES	1,940,451	100,856
TOTAL PERSONAL SERVICE	9,200,980 (256.72)	2,905,269 (143.05)
OTHER OPERATING EXPENSES	5,037,554	1,141,399
CASE SERVICES		
CASE SERVICES	46,534	
TOTAL CASE SRVC/PUB ASST	46,534	
TOTAL HALL PSYCHIATRIC INSTITUTE	14,285,068 (256.72)	4,046,668 (143.05)
4. MORRIS VILLAGE PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,528,924 (204.12)	5,118,925 (162.67)
UNCLASSIFIED POSITIONS	243,091 (.75)	85,000
OTHER PERSONAL SERVICES	590,781	310,500
TOTAL PERSONAL SERVICE	7,362,796 (204.87)	5,514,425 (162.67)
OTHER OPERATING EXPENSES	1,504,582	110,308
CASE SERVICES		
CASE SERVICES	20,000	
TOTAL CASE SRVC/PUB ASST	20,000	
TOTAL MORRIS VILLAGE	8,887,378 (204.87)	5,624,733 (162.67)

	TOTAL FUNDS	GENERAL FUNDS
5. HARRIS PSYCHIATRIC HOSP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	8,709,205	3,929,694
	(302.63)	(181.84)
UNCLASSIFIED POSITIONS	1,469,702	25,800
	(8.00)	(2.00)
OTHER PERSONAL SERVICES	835,000	375,000
TOTAL PERSONAL SERVICE	11,013,907	4,330,494
	(310.63)	(183.84)
OTHER OPERATING EXPENSES	5,273,299	1,970,592
CASE SERVICES		
CASE SERVICES	353,488	
TOTAL CASE SRVC/PUB ASST	353,488	
TOTAL HARRIS PSYCHIATRIC HOSPITAL		
	16,640,694	6,301,086
	(310.63)	(183.84)
TOTAL INPATIENT BEHAV HEALTH		
	84,183,445	31,393,178
	(1,391.78)	(943.69)
C. TUCKER/DOWDY-GARD NURS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	8,199,984	1,706,834
	(277.33)	(69.79)
UNCLASSIFIED POSITIONS	227,521	27,521
	(3.00)	(1.00)
OTHER PERSONAL SERVICES	1,759,483	121,359
TOTAL PERSONAL SERVICE	10,186,988	1,855,714
	(280.33)	(70.79)
OTHER OPERATING EXPENSES	7,524,246	1,097,155
CASE SERVICES		
CASE SERVICES	238,268	
TOTAL CASE SRVC/PUB ASST	238,268	

STATUTES AT LARGE
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	TOTAL FUNDS	GENERAL FUNDS
TOTAL TUCKER/DOWDY-GARD NURSING	17,949,502 (280.33)	2,952,869 (70.79)
<hr/>		
D. SUPPORT SERVICES		
1. ADMIN SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	10,515,239 (333.10)	9,954,640 (289.60)
UNCLASSIFIED POSITIONS	292,261 (3.00)	275,519 (3.00)
OTHER PERSONAL SERVICES	1,854,887	1,827,887
TOTAL PERSONAL SERVICE	12,662,387 (336.10)	12,058,046 (292.60)
OTHER OPERATING EXPENSES	14,128,270	3,724,448
CASE SERVICES		
CASE SERVICES	55,000	
TOTAL CASE SRVC/PUB ASST	55,000	
TOTAL ADMIN SERVICES	26,845,657 (336.10)	15,782,494 (292.60)
<hr/>		
2. PUBLIC SAFETY DIVISION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	919,484 (41.00)	670,525 (25.00)
OTHER PERSONAL SERVICES	24,648	15,848
TOTAL PERSONAL SERVICE	944,132 (41.00)	686,373 (25.00)
OTHER OPERATING EXPENSES	394,911	127,751
TOTAL PUBLIC SAFETY DIV	1,339,043 (41.00)	814,124 (25.00)
<hr/>		
TOTAL SUPPORT SERVICES	28,184,700 (377.10)	16,596,618 (317.60)
<hr/>		
E. VETERANS SERVICES		
1. STONE PAVILION		
PERSONAL SERVICE		

	TOTAL FUNDS	GENERAL FUNDS
CLASSIFIED POSITIONS	3,172,885	1,692,166
	(93.22)	(45.22)
UNCLASSIFIED POSITIONS	45,466	45,466
OTHER PERSONAL SERVICES	435,703	150,274
TOTAL PERSONAL SERVICE	3,654,054	1,887,906
	(93.22)	(45.22)
OTHER OPERATING EXPENSES	3,059,187	219,436
CASE SERVICES		
CASE SERVICES	18,003	
TOTAL CASE SRVC/PUB ASST	18,003	
TOTAL STONE PAVILION	6,731,244	2,107,342
	(93.22)	(45.22)
2. CAMPBELL VETERANS HOME		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	192,463	
	(4.00)	
OTHER PERSONAL SERVICES	4,518	
TOTAL PERSONAL SERVICE	196,981	
	(4.00)	
OTHER OPERATING EXPENSES	15,633,225	3,158,662
TOT CAMPBELL VET HOME	15,830,206	3,158,662
	(4.00)	
3. VETERANS' VICTORY HOUSE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	91,130	
	(2.00)	
TOTAL PERSONAL SERVICE	91,130	
	(2.00)	
OTHER OPERATING EXPENSES	14,915,398	4,073,982
TOT VETVICTORY HOUSE	15,006,528	4,073,982
	(2.00)	
TOTAL VETERANS SERVICES	37,567,978	9,339,986
	(99.22)	(45.22)

STATUTES AT LARGE
General and Permanent Laws--2012
J12-DEPT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
F. SEXUAL PREDATOR TREAT PROGRAM PERSONAL SERVICE		
CLASSIFIED POSITIONS	7,885,576	6,099,934
	(98.41)	(79.41)
UNCLASSIFIED POSITIONS	51,061	51,061
OTHER PERSONAL SERVICES	734,137	546,270
TOTAL PERSONAL SERVICE	8,670,774	6,697,265
	(98.41)	(79.41)
OTHER OPERATING EXPENSES	4,298,695	3,339,140
CASE SERVICES		
CASE SERVICES	678,169	356,335
TOTAL CASE SRVC/PUB ASST	678,169	356,335
TOTAL SEXUAL PREDATOR TREATMENT PROGRAM	13,647,638	10,392,740
	(98.41)	(79.41)
TOTAL PROGRAM & SERVICES	320,187,326	117,861,576
	(4,580.53)	(2,492.51)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	62,582,302	30,259,200
TOTAL FRINGE BENEFITS	62,582,302	30,259,200
TOTAL EMPLOYEE BENEFITS	62,582,302	30,259,200
<i>*IV. NON-RECURRING APPRO</i>		
<i>DEFERRED MAINTENANCE</i>	<i>1,000,000</i>	<i>1,000,000</i>
TOTAL NON-RECURRING APPRO	1,000,000	1,000,000
TOTAL NON-RECURRING	1,000,000	1,000,000

* See note at end of Act.

	TOTAL FUNDS	GENERAL FUNDS
DEPT OF MENTAL HEALTH		
TOTAL RECURRING BASE	386,145,788	150,669,318
TOTAL FUNDS AVAILABLE	387,145,788	151,669,318
TOTAL AUTH FTE POSITIONS	(4,636.66)	(2,537.14)

SECTION 24

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	130,063	130,063
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,735,893	3,569,756
	(89.00)	(84.00)
OTHER PERSONAL SERVICES	157,637	20,000
TOTAL PERSONAL SERVICE	4,023,593	3,719,819
	(90.00)	(85.00)
OTHER OPERATING EXPENSES	1,981,871	
TOTAL ADMINISTRATION	6,005,464	3,719,819
	(90.00)	(85.00)
II. PROGRAM & SERVICES		
A. PREVENTION PROGRAM		
OTHER OPERATING EXPENSES	257,098	
SPECIAL ITEMS:		
GREENWOOD GENETIC CENTER	9,468,376	2,934,300
TOTAL SPECIAL ITEMS	9,468,376	2,934,300
TOTAL PREVENTION PROGRAM	9,725,474	2,934,300
B. INTELLECTUAL DISABILITIES		
FAMILY SUPPORT		
1. CHILDREN'S SERVICES		
PERSONAL SERVICE		

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	113,148	113,148
	(2.00)	(2.00)
<hr/>		
TOTAL PERSONAL SERVICE	113,148	113,148
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	14,740,263	2,935,037
SPECIAL ITEM:		
BABYNET	9,312,500	3,725,000
<hr/>		
TOTAL SPECIAL ITEMS	9,312,500	3,725,000
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TOTAL CHILDREN'S SERVICES	24,165,911	6,773,185
	(2.00)	(2.00)
<hr/> <hr/>		
2. IN-HOME FAMILY SUPPORTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	128,120	128,120
	(3.00)	(3.00)
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TOTAL PERSONAL SERVICE	128,120	128,120
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	43,401,007	22,007,746
CASE SERVICES		
CASE SERVICES	10,000	
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TOTAL CASE SRVC/PUB ASST	10,000	
<hr/>		
TOT IN-HOME FAMILY SUPP	43,539,127	22,135,866
	(3.00)	(3.00)
<hr/> <hr/>		
3. ADULT DEV & SUPPORTED		
EMPLOYMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	38,314	38,314
	(1.00)	(1.00)
<hr/>		
TOTAL PERSONAL SERVICE	38,314	38,314
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	63,355,121	14,139,344
<hr/>		
TOT ADULT DEVELOPMENT &		
SUPPORTED EMPLOYM	63,393,435	14,177,658
	(1.00)	(1.00)
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J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
4. SERVICE COORDINATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	325,749	325,749
	(7.00)	(7.00)
TOTAL PERSONAL SERVICE	325,749	325,749
	(7.00)	(7.00)
OTHER OPERATING EXPENSES	22,329,861	6,239,098
CASE SERVICES		
CASE SERVICES	52,000	2,000
TOTAL CASE SRVC/PUB ASST	52,000	2,000
TOT SERVICE COORDINATION	22,707,610	6,566,847
	(7.00)	(7.00)
TOT INTELLECTUAL DISABIL		
FAMILY SUPPORT	153,806,083	49,653,556
	(13.00)	(13.00)
C. AUTISM FAMILY SUPPORT		
PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	509,706	509,706
	(14.00)	(14.00)
OTHER PERSONAL SERVICES	200	200
TOTAL PERSONAL SERVICE	509,906	509,906
	(14.00)	(14.00)
OTHER OPERATING EXPENSES	10,793,403	3,272,233
SPECIAL ITEM:		
PDD AUTISM WAIVER	10,275,000	6,975,000
TOTAL SPECIAL ITEMS	10,275,000	6,975,000
CASE SERVICES		
CASE SERVICES	17,000	
TOTAL CASE SRVC/PUB ASST	17,000	
TOTAL AUTISM FAMILY		
SUPPORT PROGRAM	21,595,309	10,757,139
	(14.00)	(14.00)

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
D. HEAD & SPINAL CORD INJ		
FAMILY SUPP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	140,760	140,760
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	140,760	140,760
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	15,383,720	5,784,000
CASE SERVICES		
CASE SERVICES	12,000	12,000
TOTAL CASE SRVC/PUB ASST	12,000	12,000
TOTAL HEAD & SPINAL CORD		
INJURY FAMILY SUPPO	15,536,480	5,936,760
	(2.00)	(2.00)
E. INTELLECTUAL DISABILITIES		
COMM RESIDENTIA		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,014,493	1,829,977
	(41.00)	(37.00)
OTHER PERSONAL SERVICES	210,000	50,000
TOTAL PERSONAL SERVICE	2,224,493	1,879,977
	(41.00)	(37.00)
OTHER OPERATING EXPENSES	223,329,415	38,192,883
CASE SERVICES		
CASE SERVICES	14,863,063	900,800
TOTAL CASE SRVC/PUB ASST	14,863,063	900,800
TOT INTELLECT DISABILITY		
COMMUNITY RESI	240,416,971	40,973,660
	(41.00)	(37.00)
F. AUTISM COMMUNITY		
RESIDENTIAL PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,384,324	1,209,713
	(50.00)	(44.00)
OTHER PERSONAL SERVICES	299,696	166,312

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,684,020	1,376,025
	(50.00)	(44.00)
OTHER OPERATING EXPENSES	21,820,184	3,927,592
CASE SERVICES		
CASE SERVICES	33,025	
TOTAL CASE SRVC/PUB ASST	<u>33,025</u>	
TOTAL AUTISM COMMUNITY RESIDENTIAL PROGRAM	23,537,229	5,303,617
	(50.00)	(44.00)
G. HEAD & SPINAL CORD INJ COMMUNITY RESID		
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	2,540,532	958,763
TOTAL HEAD & SPINAL CORD INJURY COMMUNITY R	<u>2,540,532</u>	<u>958,763</u>
H. REGIONAL CENTER RESIDENTIAL PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	46,718,573	33,344,826
	(2,010.40)	(1,328.85)
OTHER PERSONAL SERVICES	4,458,773	1,836,989
TOTAL PERSONAL SERVICE	51,177,346	35,181,815
	(2,010.40)	(1,328.85)
OTHER OPERATING EXPENSES	17,873,449	
CASE SERVICES		
CASE SERVICES	441,222	
TOTAL CASE SRVC/PUB ASST	<u>441,222</u>	
TOTAL REGIONAL CENTER RESIDENTIAL PROGRAM	69,492,017	35,181,815
	(2,010.40)	(1,328.85)
TOTAL PROGRAM & SERVICES	536,650,095	151,699,610
	(2,130.40)	(1,438.85)

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	TOTAL FUNDS	GENERAL FUNDS
III. EMPLOYEE BENEFITS		
PERSONAL SERVICE		
EMPLOYER CONTRIBUTIONS	25,792,706	18,983,219
TOTAL FRINGE BENEFITS	25,792,706	18,983,219
TOTAL EMPLOYEE BENEFITS	25,792,706	18,983,219
DEPT OF DISABILITIES AND SPECIAL NEEDS		
TOTAL FUNDS AVAILABLE	568,448,265	174,402,648
TOTAL AUTH FTE POSITIONS	(2,220.40)	(1,523.85)

SECTION 25

J20-DEPT OF ALCOHOL & OTHER DRUG ABUSE SERVICES

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	112,082 (1.00)	56,041 (.50)
TOTAL PERSONAL SERVICE	112,082 (1.00)	56,041 (.50)
OTHER OPERATING EXPENSES	13,977	6,988
TOTAL ADMINISTRATION	126,059 (1.00)	63,029 (.50)
II. FINANCE & OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	359,408 (15.81)	141,661 (8.36)
TOTAL PERSONAL SERVICE	359,408 (15.81)	141,661 (8.36)
OTHER OPERATING EXPENSES	1,159,482	89,128
SPECIAL ITEMS		
STATE BLOCK GRANT	129,847	129,847

J20-DEPT OF ALCOHOL & OTHER DRUG ABUSE SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
LOCAL SALARY SUPPLEMENT	3,197,154	3,197,154
TOTAL SPECIAL ITEMS	3,327,001	3,327,001
DIST SUBDIVISIONS		
ALLOC OTHER STATE AGENCIES	415,000	
ALCOHOL AND DRUG TREAT	16,141,920	
ALCOHOL & DRUG MATCH FUNDS	815,000	
ALCOHOL & DRUG PREVENTION	5,309,177	
AID OTHER STATE AGENCIES	1,915,902	1,915,902
ALCOHOL & DRUG TREATMENT	261,192	261,192
AID TO ENT-ALCOHOL & DRUG MATCH FUNDS	87,365	87,365
AID TO ENTITIES - ALCOHOL & DRUG PREVENTION	74,224	74,224
TOTAL DIST SUBDIVISIONS	<u>25,019,780</u>	<u>2,338,683</u>
TOT FINANCE & OPERATIONS	29,865,671	5,896,473
	<u>(15.81)</u>	<u>(8.36)</u>
III. MGMNT INFO & RESEARCH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	283,395	47,051
	(5.00)	(.85)
OTHER PERSONAL SERVICES	42,000	
TOTAL PERSONAL SERVICE	325,395	47,051
	(5.00)	(.85)
OTHER OPERATING EXPENSES	170,994	3,934
TOT MGMNT INFO & RESEARCH	496,389	50,985
	<u>(5.00)</u>	<u>(.85)</u>
IV. SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	133,499	43,839
	(3.00)	(.65)
OTHER PERSONAL SERVICES	196,364	
TOTAL PERSONAL SERVICE	329,863	43,839
	(3.00)	(.65)
OTHER OPERATING EXPENSES	70,726	3,033

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STATUTES AT LARGE
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J20-DEPT OF ALCOHOL & OTHER DRUG ABUSE SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SERVICES	400,589	46,872
	(3.00)	(.65)
<hr/>		
V. PROGRAMS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	528,794	76,407
	(9.00)	(1.65)
OTHER PERSONAL SERVICES	102,625	
TOTAL PERSONAL SERVICE	631,419	76,407
	(9.00)	(1.65)
OTHER OPERATING EXPENSES	234,429	7,754
TOTAL PROGRAMS	865,848	84,161
	(9.00)	(1.65)
<hr/>		
VI. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	543,574	114,113
TOTAL FRINGE BENEFITS	543,574	114,113
TOTAL EMPLOYEE BENEFITS	543,574	114,113
<hr/>		
DEPT OF ALCOHOL & OTHER DRUG ABUSE SERVICES		
TOTAL FUNDS AVAILABLE	32,298,130	6,255,633
TOTAL AUTH FTE POSITIONS	(33.81)	(12.01)

SECTION 26
L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. STATE OFFICE		
A. AGENCY ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	144,746	144,746
	(1.00)	(1.00)
CLASSIFIED POSITIONS	6,644,117	2,364,465
	(150.80)	(57.63)

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	230,372	80,378
	(.99)	(.37)
OTHER PERSONAL SERVICES	<u>534,051</u>	<u>186,330</u>
TOTAL PERSONAL SERVICE	7,553,286	2,775,919
	(152.79)	(59.00)
OTHER OPERATING EXPENSES	<u>15,074,885</u>	<u>1,079,147</u>
TOTAL AGENCY ADMIN	22,628,171	3,855,066
	<u>(152.79)</u>	<u>(59.00)</u>
B. INFO RESOURCE MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,127,630	1,155,401
	(76.00)	(24.57)
OTHER PERSONAL SERVICES	<u>825,100</u>	<u>156,955</u>
TOTAL PERSONAL SERVICE	4,952,730	1,312,356
	(76.00)	(24.57)
OTHER OPERATING EXPENSES	<u>53,354,168</u>	<u>264,290</u>
TOT INFORMATION RESOURCE MANAGEMENT	58,306,898	1,576,646
	<u>(76.00)</u>	<u>(24.57)</u>
C. COUNTY OFFICE ADMIN		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	10,889,731	3,939,905
	(374.00)	(145.86)
UNCLASSIFIED POSITIONS	120,000	43,416
	(1.00)	(.39)
OTHER PERSONAL SERVICES	<u>51,839</u>	<u>18,757</u>
TOTAL PERSONAL SERVICE	11,061,570	4,002,078
	(375.00)	(146.25)
OTHER OPERATING EXPENSES	2,130,585	770,845
PUBLIC ASSISTANCE:		
CASE SERVICES	<u>336,001</u>	<u>121,565</u>
TOTAL CASE SRVC/PUB ASST	<u>336,001</u>	<u>121,565</u>

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL COUNTY OFFICE		
ADMINISTRATION	13,528,156	4,894,488
	(375.00)	(146.25)
	13,527,781	4,894,342
D. COUNTY SUPP OF LOCAL DSS		
PERSONAL SERVICE		
OTHER PERSONAL SERVICES	61,321	
TOTAL PERSONAL SERVICE	61,321	
OTHER OPERATING EXPENSES	390,758	
PUBLIC ASSISTANCE:		
AID TO SUBDIVISIONS:		
ALLOC CNTY-UNRESTRICTED	3,900,703	
TOTAL DIST SUBDIVISIONS	3,900,703	
TOTAL COUNTY SUPPORT OF LOCAL DSS	4,352,782	
E. PROGRAM MANAGEMENT		
1. CHILDREN'S SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,284,714	620,753
	(57.00)	(13.68)
OTHER PERSONAL SERVICES	341,974	8,028
TOTAL PERSONAL SERVICE	2,626,688	628,781
	(57.00)	(13.68)
OTHER OPERATING EXPENSES	5,263,878	490,827
PUBLIC ASSISTANCE:		
CASE SERVICES	25,154,949	138,325
TOTAL CASE SRVC/PUB ASST	25,154,949	138,325
TOTAL CHILDREN'S SERVICES	33,045,515	1,257,933
	(57.00)	(13.68)
	33,045,458	1,257,919
2. ADULT SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	377,169	
	(10.00)	
TOTAL PERSONAL SERVICE	377,169	
	(10.00)	

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	4,976,631	
TOTAL ADULT SERVICES	5,353,800	
	(10.00)	
=====		
3. FAMILY INDEPENDENCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	312,827	
	(8.00)	
OTHER PERSONAL SERVICES	986,228	
TOTAL PERSONAL SERVICE	1,299,055	
	(8.00)	
OTHER OPERATING EXPENSES	10,761,483	
PUBLIC ASSISTANCE:		
CASE SERVICES	73,610	
TOTAL CASE SRVC/PUB ASST	73,610	
TOTAL FAMILY INDEPENDENCE	12,134,148	
	(8.00)	
=====		
4. ECONOMIC SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,528,802	27,329
	(76.00)	(.78)
OTHER PERSONAL SERVICES	687,872	
TOTAL PERSONAL SERVICE	3,216,674	27,329
	(76.00)	(.78)
OTHER OPERATING EXPENSES	5,733,347	1,653,863
TOTAL ECONOMIC SERVICES	8,950,021	1,681,192
	(76.00)	(.78)
=====		
TOTAL PROGRAM MANAGEMENT	59,483,484	2,939,125
	(151.00)	(14.46)
=====		
TOTAL STATE OFFICE	158,299,491	13,265,325
	(754.79)	(244.28)
=====		
II. PROGRAMS AND SERVICES		
A. CHILD PROTECTIVE SERVICES		
1. CASE MANAGEMENT		

L04-DEPARTMENT OF SOCIAL SERVICES

	TOTAL FUNDS	GENERAL FUNDS
PERSONAL SERVICE		
CLASSIFIED POSITIONS	19,199,971	6,441,590
	(605.00)	(199.65)
OTHER PERSONAL SERVICES	351,533	116,386
TOTAL PERSONAL SERVICE	19,551,504	6,557,976
	(605.00)	(199.65)
OTHER OPERATING EXPENSES	6,024,666	498,849
PUBLIC ASSISTANCE:		
CASE SERVICES	1,500	495
TOTAL CASE SRVC/PUB ASST	1,500	495
TOTAL CASE MANAGEMENT	25,577,670	7,057,320
	(605.00)	(199.65)
2. LEGAL REPRESENTATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,340,126	653,997
	(85.00)	(14.45)
OTHER PERSONAL SERVICES	40,873	8,003
TOTAL PERSONAL SERVICE	3,380,999	662,000
	(85.00)	(14.45)
OTHER OPERATING EXPENSES	1,746,198	290,054
TOT LEGAL REPRESENTATION	5,127,197	952,054
	(85.00)	(14.45)
TOT CHILD PROTECTIVE SRVCS	30,704,867	8,009,374
	(690.00)	(214.10)
B. FOSTER CARE		
1. CASE MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	18,161,542	5,578,168
	(558.21)	(236.56)
OTHER PERSONAL SERVICES	1,007,904	204,221
TOTAL PERSONAL SERVICE	19,169,446	5,782,389
	(558.21)	(236.56)
OTHER OPERATING EXPENSES	3,375,728	728,196

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
PUBLIC ASSISTANCE:		
CASE SERVICES	16,925	3,649
TOTAL CASE SRVC/PUB ASST	16,925	3,649
TOTAL CASE MANAGEMENT	22,562,099	6,514,234
	(558.21)	(236.56)
2. FOSTER CARE ASSISTANCE		
PAYMENTS		
PUBLIC ASSISTANCE:		
CASE SERVICES	34,507,669	6,139,203
TOTAL CASE SRVC/PUB ASST	34,507,669	6,139,203
TOTAL FOSTER CARE ASSIST		
PAYMENTS	34,507,669	6,139,203
3. EMOTIONALLY DISTURBED		
CHILDREN		
PUBLIC ASSISTANCE:		
CASE SERVICES	40,160,561	34,615,252
TOTAL CASE SRVC/PUB ASST	40,160,561	34,615,252
TOT EMOTIONALLY		
DISTURBED CHILDREN	40,160,561	34,615,252
TOTAL FOSTER CARE	97,230,329	47,268,689
	(558.21)	(236.56)
C. ADOPTIONS		
1. CASE MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,761,616	1,535,868
	(121.00)	(48.40)
OTHER PERSONAL SERVICES	43,672	17,831
TOTAL PERSONAL SERVICE	3,805,288	1,553,699
	(121.00)	(48.40)
OTHER OPERATING EXPENSES	1,786,220	403,881
PUBLIC ASSISTANCE:		
CASE SERVICES	700	240

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL CASE SRVC/PUB ASST	700	240
TOTAL CASE MANAGEMENT	5,592,208 (121.00)	1,957,820 (48.40)
2. ADOPTIONS ASSISTANCE		
PUBLIC ASSISTANCE:		
CASE SERVICES	25,275,121	12,616,719
TOTAL CASE SRVC/PUB ASST	25,275,121	12,616,719
TOTAL ADOPTIONS ASSISTANCE PAYMENTS	25,275,121	12,616,719
TOTAL ADOPTIONS	30,867,329 (121.00)	14,574,539 (48.40)
D. ADULT PROTECTIVE SRVCS		
1. CASE MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,755,883 (90.00)	
OTHER PERSONAL SERVICES	26,821	
TOTAL PERSONAL SERVICE	2,782,704 (90.00)	
OTHER OPERATING EXPENSES	240,895	
TOTAL CASE MANAGEMENT	3,023,599 (90.00)	
2. CASE SERVICES		
PUBLIC ASSISTANCE:		
CASE SERVICES	175,000	
TOTAL CASE SRVC/PUB ASST	175,000	
TOTAL CASE SERVICES	175,000	
TOT ADULT PROTECTIVE SRVCS	3,198,599 (90.00)	

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. EMPLOYMENT AND TRAINING SERVICES		
1. CASE MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,920,601	590,541
	(375.00)	(19.44)
OTHER PERSONAL SERVICES	1,816,289	
TOTAL PERSONAL SERVICE	13,736,890	590,541
	(375.00)	(19.44)
OTHER OPERATING EXPENSES	520,390	6,354
PUBLIC ASSISTANCE:		
TOTAL CASE MANAGEMENT	14,257,280	596,895
	(375.00)	(19.44)
2. E & T CASE SERVICES		
PUBLIC ASSISTANCE:		
CASE SERVICES	7,520,582	2,500
TOTAL CASE SRVC/PUB ASST	7,520,582	2,500
TOTAL EMPLOYMENT AND TRAINING CASE SERVICE	7,520,582	2,500
3. TANF ASSIST PAYMENTS		
PUBLIC ASSISTANCE:		
CASE SERVICES	62,048,519	3,625,903
TOTAL CASE SRVC/PUB ASST	62,048,519	3,625,903
TOTAL TANF ASSISTANCE PAYMENTS	62,048,519	3,625,903
TOTAL EMPLOYMENT AND TRAINING SERVICES	83,826,381	4,225,298
	(375.00)	(19.44)
F. CHILD SUPPORT ENFORCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	7,448,434	2,018,411
	(229.00)	(59.84)
OTHER PERSONAL SERVICES	489,162	

L04-DEPARTMENT OF SOCIAL SERVICES

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	7,937,596	2,018,411
	(229.00)	(59.84)
OTHER OPERATING EXPENSES	26,422,290	734,862
AID TO SUBDIVISIONS:		
ALLOC OTHER ENTITIES	6,500	
TOTAL DIST SUBDIVISIONS	6,500	
TOTAL CHILD SUPPORT ENFORCEMENT	34,366,386	2,753,273
	(229.00)	(59.84)
G. FOOD STAMP ASSISTANCE PROGRAM		
1. ELIGIBILITY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,386,188	5,358,422
	(442.00)	(184.29)
OTHER PERSONAL SERVICES	1,896,128	36,654
TOTAL PERSONAL SERVICE	13,282,316	5,395,076
	(442.00)	(184.29)
OTHER OPERATING EXPENSES	1,507,654	51,652
TOTAL ELIGIBILITY	14,789,970	5,446,728
	(442.00)	(184.29)
2. FOOD STAMP ASSISTANCE PAYMENTS		
PUBLIC ASSISTANCE:		
CASE SERVICES	1,502,802,060	
TOTAL CASE SRVC/PUB ASST	1,502,802,060	
TOTAL FOOD STAMP ASSISTANCE PAYMENTS	1,502,802,060	
TOT FOOD STAMPS PROGRAM	1,517,592,030	5,446,728
	(442.00)	(184.29)
H. FAMILY PRESERVATION		
PERSONAL SERVICE		

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	79,207	
	(1.00)	
OTHER PERSONAL SERVICES	879,422	7,313
TOTAL PERSONAL SERVICE	958,629	7,313
	(1.00)	
OTHER OPERATING EXPENSES	3,674,663	124,090
PUBLIC ASSISTANCE:		
CASE SERVICES	1,783,245	
TOTAL CASE SRVC/PUB ASST	1,783,245	
TOTAL FAMILY PRESERVATION	6,416,537	131,403
	(1.00)	
=====		
I. HOMEMAKER		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,238,099	
	(69.00)	
TOTAL PERSONAL SERVICE	1,238,099	
	(69.00)	
OTHER OPERATING EXPENSES	276,400	
TOTAL HOMEMAKER	1,514,499	
	(69.00)	
=====		
J. BATTERED SPOUSE		
PERSONAL SERVICE		
OTHER PERSONAL SERVICES	33,730	
TOTAL PERSONAL SERVICE	33,730	
OTHER OPERATING EXPENSES	23,875	
AID TO SUBDIVISIONS:		
ALLOC OTHER ENTITIES	3,999,554	
AID TO OTHER ENTITIES	1,648,333	1,648,333
TOTAL DIST SUBDIVISIONS	5,647,887	1,648,333
TOTAL BATTERED SPOUSE	5,705,492	1,648,333
=====		
K. PREGNANCY PREVENTION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	91,228	
	(2.00)	

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	32,749	
TOTAL PERSONAL SERVICE	123,977	
	(2.00)	
OTHER OPERATING EXPENSES	26,200	
SPECIAL ITEMS:		
CONTINUATION TEEN		
PREGNANCY PREVENTION	1,093,944	1,093,944
TOTAL SPECIAL ITEMS	1,093,944	1,093,944
TOT PREGNANCY PREVENTION	1,244,121	1,093,944
	(2.00)	
=====		
L. FOOD SERVICES		
PUBLIC ASSISTANCE:		
CASE SERVICES	36,036,715	
TOTAL CASE SRVC/PUB ASST	36,036,715	
TOTAL FOOD SERVICE	36,036,715	
=====		
M. CHILD CARE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,267,761	
	(133.99)	
OTHER PERSONAL SERVICES	2,636,821	
TOTAL PERSONAL SERVICE	6,904,582	
	(133.99)	
OTHER OPERATING EXPENSES	14,662,256	16,377
PUBLIC ASSISTANCE:		
CASE SERVICES	65,471,307	7,017,437
TOTAL CASE SRVC/PUB ASST	65,471,307	7,017,437
AID TO SUBDIVISIONS:		
ALLOC-PRIVATE SECTOR	450,000	
TOTAL DIST SUBDIVISIONS	450,000	
TOTAL CHILD CARE	87,488,145	7,033,814
	(133.99)	
=====		
TOT PROGRAMS AND SRVCS	1,936,191,430	92,185,395
	(2,711.20)	(762.63)
=====		

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	41,781,796	14,445,114
TOTAL FRINGE BENEFITS	<u>41,781,796</u>	<u>14,445,114</u>
TOTAL EMPLOYEE BENEFITS	<u>41,781,796</u>	<u>14,445,114</u>
DEPT OF SOCIAL SERVICES		
TOTAL FUNDS AVAILABLE	2,136,272,717	119,895,834
TOTAL AUTH FTE POSITIONS	<u>(3,465.99)</u>	<u>(1,006.91)</u>

SECTION 27

L24-COMMISSION FOR THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	81,127	81,127
	(1.00)	(1.00)
CLASSIFIED POSITIONS	529,738	529,738
	(13.45)	(13.45)
OTHER PERSONAL SERVICES	<u>38,100</u>	<u>38,100</u>
TOTAL PERSONAL SERVICE	648,965	648,965
	(14.45)	(14.45)
OTHER OPERATING EXPENSES	<u>431,363</u>	<u>421,512</u>
TOTAL ADMINISTRATION	<u>1,080,328</u>	<u>1,070,477</u>
	(14.45)	(14.45)
II. REHABILITATION SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,584,798	539,277
	(84.34)	(17.69)
OTHER PERSONAL SERVICES	<u>214,932</u>	<u> </u>
TOTAL PERSONAL SERVICE	2,799,730	539,277
	(84.34)	(17.69)

STATUTES AT LARGE
General and Permanent Laws--2012
L24-COMMISSION FOR THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	1,715,476	787
CASE SERVICES		
PUBLIC ASSIST PAYMENTS	<u>2,835,086</u>	<u>284,202</u>
TOTAL CASE SRVC/PUB ASST	<u>2,835,086</u>	<u>284,202</u>
TOT REHABILITATION SRVCS	7,350,292	824,266
	<u>(84.34)</u>	<u>(17.69)</u>
III. PREVENT OF BLINDNESS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	227,558	
	(6.53)	
OTHER PERSONAL SERVICES	<u>5,000</u>	
TOTAL PERSONAL SERVICE	232,558	
	(6.53)	
OTHER OPERATING EXPENSES	90,000	
CASE SERVICES		
PUBLIC ASSISTPAYMENTS	<u>147,188</u>	
TOTAL CASE SRVC/PUB ASST	<u>147,188</u>	
TOT PREVENT OF BLINDNESS	469,746	
	<u>(6.53)</u>	
IV. COMMUNITY SERVICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	93,177	93,177
	(2.53)	(2.53)
TOTAL PERSONAL SERVICE	93,177	93,177
	(2.53)	(2.53)
OTHER OPERATING EXPENSES	30,000	30,000
CASE SERVICES	<u>18,000</u>	<u>18,000</u>
TOTAL CASE SRVC/PUB ASST	<u>18,000</u>	<u>18,000</u>
TOTAL COMMUNITY SERVICE	141,177	141,177
	<u>(2.53)</u>	<u>(2.53)</u>
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		

OF SOUTH CAROLINA
General and Permanent Laws--2012
L24-COMMISSION FOR THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
EMPLOYER CONTRIBUTIONS	1,229,928	433,005
TOTAL FRINGE BENEFITS	1,229,928	433,005
TOTAL EMPLOYEE BENEFITS	1,229,928	433,005
COMMISSION FOR THE BLIND		
TOTAL FUNDS AVAILABLE	10,271,471	2,468,925
TOTAL AUTH FTE POSITIONS	(107.85)	(34.67)

SECTION 28

H79-DEPARTMENT OF ARCHIVES AND HISTORY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION & PLANNING		
PERSONAL SERVICE		
DIRECTOR	85,000	85,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	167,387	167,387
	(5.00)	(5.00)
OTHER PERSONAL SERVICES	64,000	
TOTAL PERSONAL SERVICE	316,387	252,387
	(6.00)	(6.00)
OTHER OPERATING EXPENSES	762,398	613,488
TOT ADMIN & PLANNING	1,078,785	865,875
	(6.00)	(6.00)
III. ARCHIVES & RECORDS MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	789,847	766,847
	(27.00)	(27.00)
OTHER PERSONAL SERVICES	55,100	
TOTAL PERSONAL SERVICE	844,947	766,847
	(27.00)	(27.00)
OTHER OPERATING EXPENSES	496,000	

H79-DEPARTMENT OF ARCHIVES AND HISTORY

	TOTAL FUNDS	GENERAL FUNDS
TOTAL ARCHIVES & RECORDS MANAGEMENT	1,340,947 (27.00)	766,847 (27.00)
IV. HISTORICAL SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	380,000 (8.00)	
OTHER PERSONAL SERVICES	37,075	
TOTAL PERSONAL SERVICE	417,075 (8.00)	
OTHER OPERATING EXPENSES	146,420	
SPECIAL ITEMS:		
STATE HISTORIC GRANT FUND	415,000	
AFRICAN AMERICAN HERITAGE HISTORY COMMISSIO	25,000	25,000
TOTAL SPECIAL ITEMS	440,000	25,000
DISTRIBUTION TO SUBDIVISIONS:		
ALLOC MUN-RESTRICTED	50,000	
ALLOC OTHER STATE AGENCIES	50,000	
ALLOC-PRIVATE SECTOR	40,000	
TOTAL DIST SUBDIVISIONS	140,000	
TOTAL HISTORICAL SERVICES	1,143,495 (8.00)	25,000
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	829,450	543,214
TOTAL FRINGE BENEFITS	829,450	543,214
TOTAL EMPLOYEE BENEFITS	829,450	543,214
DEPARTMENT OF ARCHIVES AND HISTORY		
TOTAL FUNDS AVAILABLE	4,392,677	2,200,936
TOTAL AUTH FTE POSITIONS	(41.00)	(33.00)

SECTION 29
H87-STATE LIBRARY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	89,555	89,555
	(1.00)	(1.00)
CLASSIFIED POSITIONS	285,785	285,785
	(8.00)	(8.00)
OTHER PERSONAL SERVICES	2,302	2,302
TOTAL PERSONAL SERVICE	377,642	377,642
	(9.00)	(9.00)
OTHER OPERATING EXPENSES	743,547	729,547
TOTAL ADMINISTRATION	1,121,189	1,107,189
	(9.00)	(9.00)
II. TALKING BOOK SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	300,699	
	(11.00)	
TOTAL PERSONAL SERVICE	300,699	
	(11.00)	
OTHER OPERATING EXPENSES	105,397	
TOTAL TALKING BOOK SERVICES	406,096	
	(11.00)	
III. INNOVATION AND TECH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	325,039	71,088
	(13.00)	(5.00)
TOTAL PERSONAL SERVICE	325,039	71,088
	(13.00)	(5.00)
OTHER OPERATING EXPENSES	1,274,544	76,311
DISTRIBUTION TO SUBDIV		
DISCUS PROGRAMS (H87)	1,486,201	1,486,201
TOTAL DIST SUBDIVISIONS	1,486,201	1,486,201

STATUTES AT LARGE
General and Permanent Laws--2012
H87-STATE LIBRARY

	TOTAL FUNDS	GENERAL FUNDS
TOT INNOVATION & TECH	3,085,784	1,633,600
	(13.00)	(5.00)
<hr/>		
IV. LIBRARY SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	480,733	340,373
	(14.00)	(9.00)
TOTAL PERSONAL SERVICE	480,733	340,373
	(14.00)	(9.00)
OTHER OPERATING EXPENSES	621,885	117,958
DISTRIBUTION TO SUBDIV		
ALLOC CNTY LIBRARIES	100,000	
ALLOC-PRIVATE SECTOR	50,000	
AID CNTY-LIBRARIES	5,365,581	5,365,581
ALLOC OTHER STATE AGENCIES	50,000	
TOTAL DIST SUBDIVISIONS	5,565,581	5,365,581
TOTAL LIBRARY SERVICES	6,668,199	5,823,912
	(14.00)	(9.00)
<hr/>		
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	439,621	238,042
TOTAL FRINGE BENEFITS	439,621	238,042
TOTAL EMPLOYEE BENEFITS	439,621	238,042
<hr/>		
STATE LIBRARY		
TOTAL FUNDS AVAILABLE	11,720,889	8,802,743
TOTAL AUTH FTE POSITIONS	(47.00)	(23.00)

SECTION 30
H91-ARTS COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		

	TOTAL FUNDS	GENERAL FUNDS
DIRECTOR	91,664	45,832
	(1.00)	(.50)
TOTAL PERSONAL SERVICE	91,664	45,832
	(1.00)	(.50)
TOTAL ADMINISTRATION	91,664	45,832
	(1.00)	(.50)
 II. STATEWIDE ARTS SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	825,939	303,623
	(22.50)	(14.50)
TOTAL PERSONAL SERVICE	825,939	303,623
	(22.50)	(14.50)
OTHER OPERATING EXPENSES	417,750	102,142
DIST TO SUBDIVISIONS		
DISTRIBUTION TO SUBDIV	1,821,693	1,356,318
TOTAL DIST SUBDIVISIONS	1,821,693	1,356,318
TOT STATEWIDE ARTS SRVC	3,065,382	1,762,083
	(22.50)	(14.50)
 III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	289,900	129,683
TOTAL FRINGE BENEFITS	289,900	129,683
TOTAL EMPLOYEE BENEFITS	289,900	129,683
 ARTS COMMISSION		
**TOTAL FUNDS AVAILABLE	3,446,946	1,937,598
TOTAL AUTH FTE POSITIONS	(23.50)	(15.00)

** See note at end of Act.

SECTION 31
H95-STATE MUSEUM COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
A. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	91,883	91,883
	(1.00)	(1.00)
CLASSIFIED POSITIONS	157,689	157,689
	(6.00)	(6.00)
OTHER PERSONAL SERVICES	22,715	
TOTAL PERSONAL SERVICE	272,287	249,572
	(7.00)	(7.00)
OTHER OPERATING EXPENSES	1,950,944	1,533,831
TOTAL ADMINISTRATION	2,223,231	1,783,403
	(7.00)	(7.00)
B. GUEST SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	81,622	
	(2.00)	
OTHER PERSONAL SERVICES	81,119	
TOTAL PERSONAL SERVICE	162,741	
	(2.00)	
OTHER OPERATING EXPENSES	726,174	
TOTAL GUEST SERVICES	888,915	
	(2.00)	
TOTAL ADMINISTRATION	3,112,146	1,783,403
	(9.00)	(7.00)
II. PROGRAMS		
A. COLLECTIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	134,112	134,112
	(5.00)	(5.00)
TOTAL PERSONAL SERVICE	134,112	134,112
	(5.00)	(5.00)

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General and Permanent Laws--2012
H95-STATE MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	6,500	
TOTAL COLLECTIONS	140,612	134,112
	(5.00)	(5.00)
<hr/>		
B. EXHIBITS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	251,652	251,652
	(12.00)	(12.00)
OTHER PERSONAL SERVICES	95,000	
<hr/>		
TOTAL PERSONAL SERVICE	346,652	251,652
	(12.00)	(12.00)
OTHER OPERATING EXPENSES	35,500	
<hr/>		
TOTAL EXHIBITS	382,152	251,652
	(12.00)	(12.00)
<hr/>		
C. EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	91,068	91,068
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	30,000	
<hr/>		
TOTAL PERSONAL SERVICE	121,068	91,068
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	6,500	
<hr/>		
TOTAL EDUCATION	127,568	91,068
	(3.00)	(3.00)
<hr/>		
D. PROGRAMS AND EVENTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	111,009	111,009
	(5.00)	(5.00)
OTHER PERSONAL SERVICES	40,000	
<hr/>		
TOTAL PERSONAL SERVICE	151,009	111,009
	(5.00)	(5.00)
OTHER OPERATING EXPENSES	30,000	
<hr/>		
TOT PROGRAMS AND EVENTS	181,009	111,009
	(5.00)	(5.00)
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STATUTES AT LARGE
General and Permanent Laws--2012
H95-STATE MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. PUBLIC INFO & MARKETING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	127,904	47,975
	(1.00)	
OTHER PERSONAL SERVICES	25,000	
TOTAL PERSONAL SERVICE	152,904	47,975
	(1.00)	
OTHER OPERATING EXPENSES	175,450	
TOT PUBLIC INFO & MARKET	328,354	47,975
	(1.00)	
TOTAL PROGRAMS	1,159,695	635,816
	(26.00)	(25.00)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	410,513	291,225
TOTAL FRINGE BENEFITS	410,513	291,225
TOTAL EMPLOYEE BENEFITS	410,513	291,225
STATE MUSEUM COMMISSION		
TOTAL FUNDS AVAILABLE	4,682,354	2,710,444
TOTAL AUTH FTE POSITIONS	(35.00)	(32.00)

SECTION 32

L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. EXECUTIVE DIVISION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	101,827	
	(1.00)	
CLASSIFIED POSITIONS	692,808	
	(15.00)	

L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	40,250	
TOTAL PERSONAL SERVICE	834,885	
	(16.00)	
OTHER OPERATING EXPENSES	645,524	
DISTRIBUTION TO SUBDIVISIONS		
ALLOC MUN-RESTRICTED	400,000	
ALLOC CNTY-RESTRICTED	100,000	
ALLOC OTHER STATE AGENCIES	3,700,000	
ALLOC OTHER ENTITIES	2,000,000	
TOTAL DIST SUBDIVISIONS	6,200,000	
TOTAL EXECUTIVE DIVISION	7,680,409	
	(16.00)	
=====		
I. ADMINISTRATION		
B. FINANCE DIVISION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	638,992	
	(10.00)	
OTHER PERSONAL SERVICES	35,500	
TOTAL PERSONAL SERVICE	674,492	
	(10.00)	
OTHER OPERATING EXPENSES	205,545	
TOTAL FINANCE DIVISION	880,037	
	(10.00)	
=====		
I. ADMINISTRATION		
C. SUPPORT SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	791,910	
	(12.00)	
OTHER PERSONAL SERVICES	12,500	
TOTAL PERSONAL SERVICE	804,410	
	(12.00)	
OTHER OPERATING EXPENSES	917,700	
TOTAL SUPPORT SERVICES	1,722,110	
	(12.00)	
=====		

L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL ADMINISTRATION	10,282,556	
	(38.00)	
<hr/>		
II. HOUSING PROGRAMS		
A. CONTRACT ADMIN & COMP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,342,220	
	(27.00)	
OTHER PERSONAL SERVICES	118,000	
TOTAL PERSONAL SERVICE	1,460,220	
	(27.00)	
OTHER OPERATING EXPENSES	643,295	
CASE SERVICES/PUBLIC		
ASSISTANCE		
PUBLIC ASSIST PAYMENTS	119,925,000	
TOTAL CASE SRVC/PUB ASST	119,925,000	
TOTAL CONTRACT ADMIN &		
COMPLIANCE	122,028,515	
	(27.00)	
<hr/>		
II. HOUSING PROGRAMS		
B. RENTAL ASSISTANCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	792,355	
	(17.00)	
OTHER PERSONAL SERVICES	25,000	
TOTAL PERSONAL SERVICE	817,355	
	(17.00)	
OTHER OPERATING EXPENSES	791,060	
CASE SERVICES/PUBLIC		
ASSISTANCE		
PUBLIC ASSIST PAYMENTS	11,500,000	
TOTAL CASE SRVC/PUB ASST	11,500,000	
TOTAL RENTAL ASSISTANCE	13,108,415	
	(17.00)	
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L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. HOUSING PROGRAMS		
C. HOUSING INITIATIVES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	911,040	
	(19.00)	
OTHER PERSONAL SERVICES	49,000	
TOTAL PERSONAL SERVICE	960,040	
	(19.00)	
OTHER OPERATING EXPENSES	994,349	
DISTRIBUTION TO SUBDIV		
ALLOC MUN-RESTRICTED	1,700,000	
ALLOC CNTY-RESTRICTED	600,000	
ALLOC OTHER ST AGENCIES	1,500,000	
ALLOC OTHER ENTITIES	21,787,153	
TOTAL DIST SUBDIVISIONS	25,587,153	
TOT HOUSING INITIATIVES	27,541,542	
	(19.00)	
II. HOUSING PROGRAMS		
D. HOUSING CREDIT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	256,570	
	(4.00)	
OTHER PERSONAL SERVICES	16,000	
TOTAL PERSONAL SERVICE	272,570	
	(4.00)	
OTHER OPERATING EXPENSES	225,485	
TOTAL HOUSING CREDIT	498,055	
	(4.00)	
TOTAL HOUSING PROGRAMS	163,176,527	
	(67.00)	
III. HOMEOWNERSHIP PROG		
A. MORTGAGE PRODUCTION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	413,495	
	(7.00)	

L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	40,000	
TOTAL PERSONAL SERVICE	453,495	
	(7.00)	
OTHER OPERATING EXPENSES	522,338	
DISTRIBUTION TO SUBDIV		
ALLOC OTHER ENTITIES	625,902	
TOTAL DIST SUBDIVISIONS	625,902	
TOT MORTGAGE PRODUCTION	1,601,735	
	(7.00)	
=====		
III. HOMEOWNERSHIP PROG		
B. MORTGAGE SERVICING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	863,595	
	(21.00)	
OTHER PERSONAL SERVICES	153,682	
TOTAL PERSONAL SERVICE	1,017,277	
	(21.00)	
OTHER OPERATING EXPENSES	865,970	
TOTAL MORTGAGE SERVICING	1,883,247	
	(21.00)	
=====		
TOT HOMEOWNERSHIP PROG	3,484,982	
	(28.00)	
=====		
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	2,232,552	
TOTAL FRINGE BENEFITS	2,232,552	
=====		
TOTAL EMPLOYEE BENEFITS	2,232,552	
=====		
HOUSING FINANCE AND		
DEVELOPMENT AUTHORITY		
TOTAL FUNDS AVAILABLE	179,176,617	
TOTAL AUTH FTE POSITIONS	(133.00)	
=====		

SECTION 33
P12-FORESTRY COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
STATE FORESTER	105,000	105,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	570,076	570,076
	(14.20)	(14.20)
UNCLASSIFIED POSITIONS	88,000	88,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	10,000	10,000
TOTAL PERSONAL SERVICE	773,076	773,076
	(16.20)	(16.20)
OTHER OPERATING EXPENSES	91,520	91,520
TOTAL ADMINISTRATION	864,596	864,596
	(16.20)	(16.20)
II. FOREST PROTECTION AND DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	8,000,698	6,340,180
	(271.55)	(233.25)
OTHER PERSONAL SERVICES	353,000	175,000
TOTAL PERSONAL SERVICE	8,353,698	6,515,180
	(271.55)	(233.25)
OTHER OPERATING EXPENSES	4,336,777	1,686,210
SPECIAL ITEMS:		
FOREST RENEWAL PROGRAM	1,000,000	200,000
TOTAL SPECIAL ITEMS	1,000,000	200,000
AID TO SUBDIVISIONS:		
ALLOC MUNI-RESTRICTED	30,000	
ALLOC CNTY-RESTRICTED	47,000	
ALLOC OTHER ENTITIES	183,475	
ALLOC - PRIVATE SECTOR	545,000	
TOTAL DIST SUBDIVISIONS	805,475	

STATUTES AT LARGE
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P12-FORESTRY COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
TOTAL FOREST PROTECTION & DEVELOPMENT	14,495,950 <u>(271.55)</u>	8,401,390 <u>(233.25)</u>
III. STATE FORESTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,080,000 (21.35)	
OTHER PERSONAL SERVICES	<u>50,000</u>	
TOTAL PERSONAL SERVICE	1,130,000 (21.35)	
OTHER OPERATING EXPENSES	1,327,713	
AID TO SUBDIVISIONS:		
ALLOC CNTY-RESTRICTED	<u>1,095,000</u>	
TOTAL DIST SUBDIVISIONS	<u>1,095,000</u>	
TOTAL STATE FORESTS	<u>3,552,713</u> (21.35)	
IV. EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	130,000 (4.20)	130,000 (4.20)
OTHER PERSONAL SERVICES	<u>5,000</u>	<u>5,000</u>
TOTAL PERSONAL SERVICE	135,000 (4.20)	135,000 (4.20)
OTHER OPERATING EXPENSES	<u>29,925</u>	<u>29,925</u>
TOTAL EDUCATION	<u>164,925</u> (4.20)	<u>164,925</u> (4.20)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>4,096,569</u>	<u>3,001,569</u>
TOTAL FRINGE BENEFITS	<u>4,096,569</u>	<u>3,001,569</u>
TOTAL EMPLOYEE BENEFITS	<u>4,096,569</u>	<u>3,001,569</u>

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P12-FORESTRY COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
FORESTRY COMMISSION		
TOTAL FUNDS AVAILABLE	23,174,753	12,432,480
TOTAL AUTH FTE POSITIONS	(313.30)	(253.65)

SECTION 34
P16-DEPARTMENT OF AGRICULTURE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATIVE SERVICES		
PERSONAL SERVICE		
COMMSNR. OF AGRICULTURE	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	490,575	490,575
	(14.00)	(14.00)
TOTAL PERSONAL SERVICE	582,582	582,582
	(15.00)	(15.00)
OTHER OPERATING EXPENSES	193,272	103,272
TOT ADMIN SERVICES	775,854	685,854
	(15.00)	(15.00)
II. LABORATORY SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	788,274	652,274
	(18.00)	(17.00)
TOTAL PERSONAL SERVICE	788,274	652,274
	(18.00)	(17.00)
OTHER OPERATING EXPENSES	490,326	285,726
TOT LABORATORY SERVICES	1,278,600	938,000
	(18.00)	(17.00)
III. CONSUMER SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	822,313	202,313
	(35.00)	(8.00)

STATUTES AT LARGE
General and Permanent Laws--2012
P16-DEPARTMENT OF AGRICULTURE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	80,000	
TOTAL PERSONAL SERVICE	902,313	202,313
	(35.00)	(8.00)
OTHER OPERATING EXPENSES	584,687	114,187
TOTAL CONSUMER SERVICES	1,487,000	316,500
	(35.00)	(8.00)
 IV. MARKETING SERVICES		
A. MARKETING & PROMOTIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	465,564	460,564
	(16.51)	(16.51)
TOTAL PERSONAL SERVICE	465,564	460,564
	(16.51)	(16.51)
OTHER OPERATING EXPENSES	1,886,041	1,563,341
SPECIAL ITEMS:		
RENEWABLE ENERGY	350,000	
AGRIBUSINESS	250,000	250,000
TOTAL SPECIAL ITEMS	600,000	250,000
TOT MARKETING & PROMO	2,951,605	2,273,905
	(16.51)	(16.51)
 B. COMMODITY BOARDS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	39,320	
	(3.00)	
OTHER PERSONAL SERVICES	50,280	
TOTAL PERSONAL SERVICE	89,600	
	(3.00)	
OTHER OPERATING EXPENSES	1,759,680	
TOTAL COMMODITY BOARDS	1,849,280	
	(3.00)	
 C. MARKET SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	252,000	
	(19.12)	

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P16-DEPARTMENT OF AGRICULTURE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	64,500	
TOTAL PERSONAL SERVICE	316,500	
	(19.12)	
OTHER OPERATING EXPENSES	577,900	
TOTAL MARKET SERVICES	894,400	
	(19.12)	
<hr/>		
D. INSPECTION SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	960,000	
	(25.37)	
OTHER PERSONAL SERVICES	250,000	
TOTAL PERSONAL SERVICE	1,210,000	
	(25.37)	
OTHER OPERATING EXPENSES	621,200	
TOTAL INSPECTION SERVICES	1,831,200	
	(25.37)	
<hr/>		
E. MARKET BULLETIN		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	48,000	
	(4.00)	
TOTAL PERSONAL SERVICE	48,000	
	(4.00)	
OTHER OPERATING EXPENSES	111,500	
TOTAL MARKET BULLETIN	159,500	
	(4.00)	
<hr/>		
TOTAL MARKETING SERVICES	7,685,985	2,273,905
	(68.00)	(16.51)
<hr/>		
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,766,237	685,891
TOTAL FRINGE BENEFITS	1,766,237	685,891
TOTAL EMPLOYEE BENEFITS	1,766,237	685,891

STATUTES AT LARGE
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	TOTAL FUNDS	GENERAL FUNDS
DEPARTMENT OF AGRICULTURE		
TOTAL FUNDS AVAILABLE	12,993,676	4,900,150
TOTAL AUTH FTE POSITIONS	(136.00)	(56.51)

SECTION 35

P20-CLEMSON UNIV (PUBLIC SERVICE ACTIVITIES)

	TOTAL FUNDS	GENERAL FUNDS
I. REGULATORY & PUBLIC SRVC		
A. GENERAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,485,155	286,728
	(56.00)	(36.00)
UNCLASSIFIED POSITIONS	729,377	192,008
	(5.42)	(5.42)
OTHER PERSONAL SERVICES	284,204	
TOTAL PERSONAL SERVICE	2,498,736	478,736
	(61.42)	(41.42)
OTHER OPERATING EXPENSES	1,348,469	
TOTAL GENERAL	3,847,205	478,736
	(61.42)	(41.42)

I. REGULATORY & PUBLIC SRVC

B. RESTRICTED

PERSONAL SERVICE

CLASSIFIED POSITIONS	191,779	
	(5.00)	
OTHER PERSONAL SERVICES	223,694	
TOTAL PERSONAL SERVICE	415,473	
	(5.00)	
OTHER OPERATING EXPENSES	252,620	
TOTAL RESTRICTED	668,093	
	(5.00)	

P20-CLEMSON UNIV (PUBLIC SERVICE ACTIVITIES)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT REG & PUBLIC SRVC	4,515,298 (66.42)	478,736 (41.42)
II. LIVESTOCK-POULTRY HLTH		
A. GENERAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	964,556 (42.00)	869,156 (42.00)
UNCLASSIFIED POSITIONS	729,523 (5.33)	729,523 (5.33)
OTHER PERSONAL SERVICES	172,403	
TOTAL PERSONAL SERVICE	1,866,482 (47.33)	1,598,679 (47.33)
OTHER OPERATING EXPENSES	878,960	203,706
TOTAL GENERAL	2,745,442 (47.33)	1,802,385 (47.33)
II. LIVESTOCK-POULTRY HLTH		
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	873,371 (21.00)	
UNCLASSIFIED POSITIONS	82,682 (.50)	
TOTAL PERSONAL SERVICE	956,053 (21.50)	
OTHER OPERATING EXPENSES	757,123	
TOTAL RESTRICTED	1,713,176 (21.50)	
TOT LIVESTOCK-PLTRY HLTH	4,458,618 (68.83)	1,802,385 (47.33)
III. AGRICULTURAL RESEARCH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,659,220 (136.42)	2,618,656 (108.99)
UNCLASSIFIED POSITIONS	8,467,327 (76.14)	6,334,156 (60.61)

P20-CLEMSON UNIV (PUBLIC SERVICE ACTIVITIES)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	816,714	
TOTAL PERSONAL SERVICE	12,943,261	8,952,812
	(212.56)	(169.60)
OTHER OPERATING EXPENSES	4,137,855	
TOT AGRI RESEARCH	17,081,116	8,952,812
	(212.56)	(169.60)
IV. COOP EXTENSION SRVC		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	5,318,483	3,047,459
	(172.04)	(92.54)
UNCLASSIFIED POSITIONS	9,025,432	5,757,166
	(176.90)	(77.64)
OTHER PERSONAL SERVICES	2,897,061	13,100
TOTAL PERSONAL SERVICE	17,240,976	8,817,725
	(348.94)	(170.18)
OTHER OPERATING EXPENSES	9,533,670	
TOT COOP EXTENSION SRVC	26,774,646	8,817,725
	(348.94)	(170.18)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	13,081,298	7,944,169
TOTAL FRINGE BENEFITS	13,081,298	7,944,169
TOTAL EMPLOYEE BENEFITS	13,081,298	7,944,169
CLEMSON UNIV		
(PUBLIC SERVICE ACTIVITIES)		
TOTAL FUNDS AVAILABLE	65,910,976	27,995,827
TOTAL AUTH FTE POSITIONS	(696.75)	(428.53)

SECTION 36

P21-SC STATE UNIV (PUBLIC SERVICE ACTIVITIES)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	82,623	47,655
	(4.00)	(1.75)
UNCLASSIFIED POSITIONS	363,700	111,700
	(5.00)	(1.25)
OTHER PERSONAL SERVICES	73,787	
TOTAL PERSONAL SERVICE	520,110	159,355
	(9.00)	(3.00)
OTHER OPERATING EXPENSES	504,635	95,106
TOTAL ADMINISTRATION	1,024,745	254,461
	(9.00)	(3.00)
II. RESEARCH & EXTENSION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	751,595	70,870
	(17.00)	(1.00)
UNCLASSIFIED POSITIONS	803,722	298,215
	(29.00)	(5.00)
OTHER PERSONAL SERVICES	350,143	
TOTAL PERSONAL SERVICE	1,905,460	369,085
	(46.00)	(6.00)
OTHER OPERATING EXPENSES	2,461,454	1,158,644
TOT RESEARCH & EXTENSION	4,366,914	1,527,729
	(46.00)	(6.00)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	942,379	499,672
TOTAL FRINGE BENEFITS	942,379	499,672
TOTAL EMPLOYEE BENEFITS	942,379	499,672

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P21-SC STATE UNIV (PUBLIC SERVICE ACTIVITIES)

SC STATE UNIV
(PUBLIC SERVICE ACTIVITIES)

TOTAL FUNDS AVAILABLE	6,334,038	2,281,862
TOTAL AUTH FTE POSITIONS	<u>(55.00)</u>	<u>(9.00)</u>

SECTION 37
P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	121,380	121,380
	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,229,547	998,072
	(41.17)	(22.50)
UNCLASSIFIED POSITIONS	89,579	89,579
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	<u>97,345</u>	
TOTAL PERSONAL SERVICE	2,537,851	1,209,031
	(43.17)	(24.50)
OTHER OPERATING EXPENSES	391,156	60,956
AID TO SUBDIVISIONS:		
ALLOC OTHER ENTITIES	<u>50,000</u>	
TOTAL DIST SUBDIVISIONS	<u>50,000</u>	
TOTAL ADMINISTRATION	2,979,007	1,269,987
	<u>(43.17)</u>	<u>(24.50)</u>
II. PROGRAMS & SERVICES		
A. CONSERVATION EDUCATION		
1. OUTREACH PROGRAMS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	450,664	343,914
	(14.10)	(9.60)
UNCLASSIFIED POSITIONS	90,000	
	<u>(1.00)</u>	

OF SOUTH CAROLINA
General and Permanent Laws--2012
P24-DEPT OF NATURAL RESOURCES

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	540,664	343,914
	(15.10)	(9.60)
OTHER OPERATING EXPENSES	73,850	
TOTAL OUTREACH PROGRAMS	614,514	343,914
	(15.10)	(9.60)
2. MAGAZINE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	302,150	
	(6.15)	
TOTAL PERSONAL SERVICE	302,150	
	(6.15)	
OTHER OPERATING EXPENSES	755,000	
TOTAL MAGAZINE	1,057,150	
	(6.15)	
3. WEB SRVCS & TECH DEV		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,053,538	344,913
	(17.18)	(9.83)
TOTAL PERSONAL SERVICE	1,053,538	344,913
	(17.18)	(9.83)
OTHER OPERATING EXPENSES	1,105,000	
TOTAL WEB SRVCS & TECH DEV	2,158,538	344,913
	(17.18)	(9.83)
TOT CONSERVATION EDUC	3,830,202	688,827
	(38.43)	(19.43)
B. TITLING & LICENSING SRVCS		
1. BOAT TITLING & REGIST		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	783,500	
	(22.00)	
OTHER PERSONAL SERVICES	103,000	

STATUTES AT LARGE
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P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	886,500	
	(22.00)	
OTHER OPERATING EXPENSES	375,000	
TOTAL BOAT TITLING & REGISTRATION	1,261,500	
	(22.00)	
=====		
2. FISHING & HUNT LICENSES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	224,050	
	(7.60)	
OTHER PERSONAL SERVICES	85,000	
TOTAL PERSONAL SERVICE	309,050	
	(7.60)	
OTHER OPERATING EXPENSES	950,100	
TOTAL FISHING & HUNTING LICENSES	1,259,150	
	(7.60)	
=====		
=====		
TOT TITLING & LICENSE SRVCS	2,520,650	
	(29.60)	
=====		
C. REGIONAL PROJECTS		
1. BOATING ACCESS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	198,000	
	(4.50)	
TOTAL PERSONAL SERVICE	198,000	
	(4.50)	
OTHER OPERATING EXPENSES	710,000	
TOTAL BOATING ACCESS	908,000	
	(4.50)	
=====		
2. CO WATER REC FUND		
OTHER OPERATING EXPENSES	275,000	
AID TO SUBDIVISIONS:		
ALLOC MUNI-RESTRICTED	435,000	

OF SOUTH CAROLINA
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P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC CNTY-RESTRICTED	75,000	
TOTAL DIST SUBDIVISIONS	510,000	
TOT CTY/WATER REC FUND	785,000	
3. CO GAME & FISH FUND		
PERSONAL SERVICE		
OTHER PERSONAL SERVICES	5,000	
TOTAL PERSONAL SERVICE	5,000	
OTHER OPERATING EXPENSES	325,000	
AID TO SUBDIVISIONS:		
TOT CTY GAME & FISH FUND	330,000	
TOTAL REGIONAL PROJECTS		
	2,023,000	
	(4.50)	
D. WILDLIFE/FW FISHERIES		
1. WILDLIFE-REGIONAL OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,029,325	
	(87.95)	
UNCLASSIFIED POSITIONS	90,000	
	(1.00)	
OTHER PERSONAL SERVICES	321,900	
TOTAL PERSONAL SERVICE	3,441,225	
	(88.95)	
OTHER OPERATING EXPENSES	5,236,800	
AID TO SUBDIVISIONS:		
ALLOC OTHER ENTITIES	20,000	
TOTAL DIST SUBDIVISIONS	20,000	
TOTAL WILDLIFE - REGIONAL OPERATIONS	8,698,025	
	(88.95)	
2. WILDLIFE-STATEWIDE OPERATIONS		
PERSONAL SERVICE		

STATUTES AT LARGE
General and Permanent Laws--2012
P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	393,275	
	(14.00)	
TOTAL PERSONAL SERVICE	393,275	
	(14.00)	
OTHER OPERATING EXPENSES	1,046,750	
TOT WILDLIFE - STATEWIDE OPERATIONS	1,440,025	
	(14.00)	
=====		
3. ENDANGERED SPECIES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	395,125	
	(5.85)	
OTHER PERSONAL SERVICES	137,675	
TOTAL PERSONAL SERVICE	532,800	
	(5.85)	
OTHER OPERATING EXPENSES	502,800	
TOTAL ENDANGERED SPECIES	1,035,600	
	(5.85)	
=====		
4. FISHERIES-REGIONAL OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	693,705	
	(31.32)	
OTHER PERSONAL SERVICES	616,725	
TOTAL PERSONAL SERVICE	1,310,430	
	(31.32)	
OTHER OPERATING EXPENSES	1,370,642	
TOTAL FISHERIES - REGIONAL OPERATIONS	2,681,072	
	(31.32)	
=====		
5. FISHERIES-HATCHERY OPERATIONS		
PERSONAL SERVICE		

STATUTES AT LARGE
General and Permanent Laws--2012
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	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	632,000	
	(19.00)	
OTHER OPERATING EXPENSES	2,058,843	
TOTAL BOATING SAFETY	2,690,843	
	(19.00)	
=====		
3. HUNTER SAFETY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	420,285	
	(9.00)	
OTHER PERSONAL SERVICES	66,450	
TOTAL PERSONAL SERVICE	486,735	
	(9.00)	
OTHER OPERATING EXPENSES	1,418,850	
TOTAL HUNTER SAFETY	1,905,585	
	(9.00)	
=====		
TOTAL LAW ENFORCEMENT	19,380,139	7,050,001
	(275.14)	(170.40)
=====		
F. MARINE RESOURCES		
1. CONSERVATION & MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,460,675	545,895
	(68.75)	(11.52)
UNCLASSIFIED POSITIONS	130,715	64,305
	(1.50)	
OTHER PERSONAL SERVICES	606,125	9,900
TOTAL PERSONAL SERVICE	3,197,515	620,100
	(70.25)	(11.52)
OTHER OPERATING EXPENSES	3,648,226	
SPECIAL ITEMS:		
ATLANTIC MARINE FISHERIES		
COMMISSION	31,800	
TOTAL SPECIAL ITEMS	31,800	

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	TOTAL FUNDS	GENERAL FUNDS
TOT MARINE CONSERV & MGMT	6,877,541 (70.25)	620,100 (11.52)
<hr/>		
2. MARINE RESEARCH & MONITORING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	833,465 (24.73)	95,100 (4.00)
UNCLASSIFIED POSITIONS	461,475 (6.50)	331,265 (4.50)
OTHER PERSONAL SERVICES	1,258,730	17,480
TOTAL PERSONAL SERVICE	2,553,670 (31.23)	443,845 (8.50)
OTHER OPERATING EXPENSES	2,747,725	
TOTAL MARINE RESEARCH & MONITORING	5,301,395 (31.23)	443,845 (8.50)
<hr/>		
TOTAL MARINE RESOURCES	12,178,936 (101.48)	1,063,945 (20.02)
<hr/>		
G. LAND, WATER & CONSERV		
1. EARTH SCIENCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,126,698 (24.66)	660,534 (14.32)
UNCLASSIFIED POSITIONS	97,850 (1.00)	97,850 (1.00)
OTHER PERSONAL SERVICES	228,000	
TOTAL PERSONAL SERVICE	1,452,548 (25.66)	758,384 (15.32)
OTHER OPERATING EXPENSES	763,435	75,485
TOTAL EARTH SCIENCE	2,215,983 (25.66)	833,869 (15.32)

STATUTES AT LARGE
General and Permanent Laws--2012
P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
2. CONSERVATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	541,990	112,840
	(11.39)	(4.89)
OTHER PERSONAL SERVICES	85,000	
TOTAL PERSONAL SERVICE	626,990	112,840
	(11.39)	(4.89)
OTHER OPERATING EXPENSES	2,034,052	15,000
AID TO SUBDIVISIONS:		
AID TO CONSERVATION		
DISTRICTS	629,004	629,004
TOTAL DIST SUBDIVISIONS	629,004	629,004
TOTAL CONSERVATION	3,290,046	756,844
	(11.39)	(4.89)
3. HERITAGE TRUST		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	359,550	
	(7.71)	
OTHER PERSONAL SERVICES	77,405	
TOTAL PERSONAL SERVICE	436,955	
	(7.71)	
OTHER OPERATING EXPENSES	925,000	
TOTAL HERITAGE TRUST	1,361,955	
	(7.71)	
TOTAL LAND, WATER &		
CONSERVATION	6,867,984	1,590,713
	(44.76)	(20.21)
TOT PROGRAMS AND SRVCS	63,438,203	10,393,486
	(659.03)	(230.06)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	11,716,807	4,091,309
TOTAL FRINGE BENEFITS	11,716,807	4,091,309

OF SOUTH CAROLINA
General and Permanent Laws--2012
P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL EMPLOYEE BENEFITS	11,716,807	4,091,309
DEPT OF NATURAL RESOURCES		
TOTAL FUNDS AVAILABLE	78,134,017	15,754,782
TOTAL AUTH FTE POSITIONS	(702.20)	(254.56)

SECTION 38
P26-SEA GRANT CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	83,409	83,409
	(1.00)	(1.00)
CLASSIFIED POSITIONS	535,420	177,420
	(13.00)	(5.74)
OTHER PERSONAL SERVICES	544,674	
TOTAL PERSONAL SERVICE	1,163,503	260,829
	(14.00)	(6.74)
OTHER OPERATING EXPENSES	564,074	90,473
AID TO SUBDIVISIONS:		
ALLOC OTHER STATE AGENCIES	1,955,875	
ALLOC OTHER ENTITIES	1,756,480	
ALLOC - PRIVATE SECTOR	300,000	
TOTAL DIST SUBDIVISIONS	4,012,355	
TOTAL ADMINISTRATION	5,739,932	351,302
	(14.00)	(6.74)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	308,077	76,921
TOTAL FRINGE BENEFITS	308,077	76,921
TOTAL EMPLOYEE BENEFITS	308,077	76,921

STATUTES AT LARGE
General and Permanent Laws--2012
P26-SEA GRANT CONSORTIUM

	TOTAL FUNDS	GENERAL FUNDS
SEA GRANT CONSORTIUM		
**TOTAL FUNDS AVAILABLE	6,048,009	428,223
TOTAL AUTH FTE POSITIONS	<u>(14.00)</u>	<u>(6.74)</u>

SECTION 39
P28-DEPT OF PARKS, RECREATION & TOURISM

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
A. EXECUTIVE OFFICES		
PERSONAL SERVICE		
DIRECTOR	112,504	112,504
	(1.00)	(1.00)
CLASSIFIED POSITIONS	289,461	289,461
	(7.00)	(7.00)
UNCLASSIFIED POSITIONS	111,929	111,929
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	<u>200,000</u>	<u>200,000</u>
TOTAL PERSONAL SERVICE	713,894	713,894
	(10.00)	(10.00)
OTHER OPERATING EXPENSES	<u>64,414</u>	<u>64,414</u>
TOTAL EXECUTIVE OFFICES	<u>778,308</u>	<u>778,308</u>
	<u>(10.00)</u>	<u>(10.00)</u>
B. ADMIN SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,174,458	1,174,458
	(21.00)	(2.00)
TOTAL PERSONAL SERVICE	1,174,458	1,174,458
	(21.00)	(2.00)
OTHER OPERATING EXPENSES	<u>1,065,543</u>	<u>1,060,543</u>
TOT ADMIN SERVICES	<u>2,240,001</u>	<u>2,235,001</u>
	<u>(21.00)</u>	<u>(2.00)</u>

** See note at end of Act.

P28-DEPT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL ADMINISTRATION	3,018,309 (31.00)	3,013,309 (12.00)
II. PROGRAMS AND SERVICES		
A. TOURISM SALES & MKTG		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,409,212 (47.00)	1,186,990 (14.00)
OTHER PERSONAL SERVICES	196,389	175,000
TOTAL PERSONAL SERVICE	1,605,601 (47.00)	1,361,990 (14.00)
OTHER OPERATING EXPENSES	176,997	155,608
SPECIAL ITEMS:		
REGIONAL PROMOTIONS	1,925,000	1,925,000
ADVERTISING	10,039,793	8,239,793
DESTINATION-SPECIFIC ADVERTISING	8,000,000	8,000,000
TOTAL SPECIAL ITEMS	19,964,793	18,164,793
TOT TOURISM SALES & MKTG	21,747,391 (47.00)	19,682,391 (14.00)
B. HERITAGE CORRIDOR		
PERSONAL SERVICE		
AID TO SUBDIVISIONS:		
ALLOC MUN - RESTRICTED	50,000	
ALLOC CNTY-RESTRICTED	50,000	
ALLOC OTHER STATE AGENCIES	20,000	
ALLOC OTHER ENTITIES	573,530	
TOTAL DIST SUBDIVISIONS	693,530	
TOT SC HERITAGE CORRIDOR	693,530	
C. TOURISM & RECREATION DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	243,510 (7.00)	218,510 (6.75)
OTHER PERSONAL SERVICES	54,000	

P28-DEPT OF PARKS, RECREATION & TOURISM

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	297,510	218,510
	(7.00)	(6.75)
OTHER OPERATING EXPENSES	163,480	29,000
SPECIAL ITEMS:		
SC FIRST IN GOLF	75,000	
SPORTS DEVELOPMENT FUND	50,000	
	125,000	
TOTAL SPECIAL ITEMS	125,000	
AID TO SUBDIVISIONS:		
ALLOC MUN - RESTRICTED	1,056,000	
ALLOC CNTY-RESTRICTED	764,500	
ALLOC OTHER STATE AGENCIES	532,600	
ALLOC OTHER ENTITIES	395,000	
	2,748,100	
TOTAL DIST SUBDIVISIONS	2,748,100	
TOT TOURISM & RECREATION DEVELOPMENT	3,334,090	247,510
	(7.00)	(6.75)
	3,334,090	247,510
 D. STATE PARKS SERVICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	8,482,472	3,431,347
	(317.42)	(185.67)
OTHER PERSONAL SERVICES	3,250,000	
	11,732,472	3,431,347
TOTAL PERSONAL SERVICE	11,732,472	3,431,347
	(317.42)	(185.67)
OTHER OPERATING EXPENSES	12,053,875	
SPECIAL ITEMS:		
TOTAL STATE PARKS SERVICE	23,786,347	3,431,347
	(317.42)	(185.67)
	23,786,347	3,431,347
 E. COMMUNICATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	200,819	200,819
	(2.00)	(2.00)
	200,819	200,819
TOTAL PERSONAL SERVICE	200,819	200,819
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	18,000	18,000
	18,000	18,000

P28-DEPT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL COMMUNICATIONS	218,819	218,819
	(2.00)	(2.00)
<hr/>		
F. RESEARCH & POLICY DEVELOPMENT PERSONAL SERVICE CLASSIFIED POSITIONS	104,255	104,255
	(2.00)	(2.00)
<hr/>		
TOTAL PERSONAL SERVICE	104,255	104,255
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	15,000	15,000
<hr/>		
TOT RESEARCH & POLICY DEV	119,255	119,255
	(2.00)	(2.00)
<hr/>		
G. STATE FILM OFFICE PERSONAL SERVICE CLASSIFIED POSITIONS	127,872	
	(2.00)	
OTHER PERSONAL SERVICES	50,000	
<hr/>		
TOTAL PERSONAL SERVICE	177,872	
	(2.00)	
OTHER OPERATING EXPENSES	200,000	
AID TO SUBDIVISIONS: ALLOC-PRIVATE SECTOR	10,793,767	
<hr/>		
TOTAL DIST SUBDIVISIONS	10,793,767	
<hr/>		
TOTAL FILM OFFICE	11,171,639	
	(2.00)	
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TOT PROGRAMS AND SRVCS	61,071,071	23,699,322
	(377.42)	(210.42)
<hr/>		
III. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIB EMPLOYER CONTRIBUTIONS	6,103,190	2,938,966
<hr/>		
TOTAL FRINGE BENEFITS	6,103,190	2,938,966
<hr/>		
TOTAL EMPLOYEE BENEFITS	6,103,190	2,938,966
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P28-DEPT OF PARKS, RECREATION & TOURISM

	TOTAL FUNDS	GENERAL FUNDS
DEPT OF PARKS, RECREATION & TOURISM		
TOTAL FUNDS AVAILABLE	70,192,570	29,651,597
TOTAL AUTH FTE POSITIONS	(408.42)	(222.42)

SECTION 40
 P32-DEPARTMENT OF COMMERCE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMIN & SUPPORT		
A. OFFICE OF SEC'Y		
PERSONAL SERVICE		
DIRECTOR	152,000	152,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	325,000	325,000
	(4.00)	(2.00)
UNCLASSIFIED POSITIONS	125,000	125,000
	(1.00)	(1.00)
TOTAL PERSONAL SERVICE	602,000	602,000
	(6.00)	(4.00)
OTHER OPERATING EXPENSES	168,000	168,000
TOTAL OFF OF SECRETARY	770,000	770,000
	(6.00)	(4.00)
B. FINANCIAL SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	445,000	445,000
	(8.21)	(6.21)
OTHER PERSONAL SERVICES	20,000	20,000
TOTAL PERSONAL SERVICE	465,000	465,000
	(8.21)	(6.21)
OTHER OPERATING EXPENSES	450,000	200,000
TOTAL FINANCIAL SERVICES	915,000	665,000
	(8.21)	(6.21)

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P32-DEPARTMENT OF COMMERCE

	TOTAL FUNDS	GENERAL FUNDS
C. INFO TECHNOLOGY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	245,000	170,000
	(4.00)	(1.00)
TOTAL PERSONAL SERVICE	245,000	170,000
	(4.00)	(1.00)
OTHER OPERATING EXPENSES	180,000	126,000
TOT INFO TECHNOLOGY	425,000	296,000
	(4.00)	(1.00)
TOT ADMIN & SUPPORT	2,110,000	1,731,000
	(18.21)	(11.21)
II. PROGRAMS AND SERVICES		
A. GLOBAL BUSINESS DEVELOP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	750,000	750,000
	(17.00)	(13.00)
UNCLASSIFIED POSITIONS	110,000	110,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	100,000	100,000
TOTAL PERSONAL SERVICE	960,000	960,000
	(18.00)	(14.00)
OTHER OPERATING EXPENSES	1,267,000	1,267,000
SPECIAL ITEMS:		
PUBLIC-PRIV PARTNERSHIPS	101,065	101,065
LOCAL ECONOMIC DEVELOP		
ALLIANCES	5,000,000	5,000,000
TOTAL SPECIAL ITEMS	5,101,065	5,101,065
TOTAL GLOBAL BUSINESS		
DEVELOPMENT	7,328,065	7,328,065
	(18.00)	(14.00)
B. BUSINESS SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	506,000	316,000
	(10.00)	(7.30)

STATUTES AT LARGE
General and Permanent Laws--2012
P32-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	20,000	10,000
TOTAL PERSONAL SERVICE	526,000	326,000
	(10.00)	(7.30)
OTHER OPERATING EXPENSES	353,000	185,000
TOTAL BUSINESS SERVICES	879,000	511,000
	(10.00)	(7.30)
C. COMMUNITY & RURAL DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	350,000	
	(6.00)	(1.00)
OTHER PERSONAL SERVICES	50,000	
TOTAL PERSONAL SERVICE	400,000	
	(6.00)	(1.00)
OTHER OPERATING EXPENSES	145,000	
AID TO SUBDIVISIONS:		
TOT COMMUNITY & RURAL DEVELOPMENT		
	545,000	
	(6.00)	(1.00)
D. MKTG, COMMUNIC & RESEARCH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	603,000	603,000
	(14.00)	(8.20)
OTHER PERSONAL SERVICES	25,000	25,000
TOTAL PERSONAL SERVICE	628,000	628,000
	(14.00)	(8.20)
OTHER OPERATING EXPENSES	215,000	215,000
SPECIAL ITEMS:		
BUS DEV & MKTG	750,000	750,000
SC MANUFACTURING EXT PARTNERSHIP	682,049	682,049
TOTAL SPECIAL ITEMS	1,432,049	1,432,049

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	TOTAL FUNDS	GENERAL FUNDS
TOTAL MKTG, COMMUNIC, & RESEARCH	2,275,049 (14.00)	2,275,049 (8.20)
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E. GRANT PROGRAMS		
1. COORD COUNCIL ECO DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	330,000 (6.00)	
UNCLASSIFIED POSITIONS	110,000 (1.00)	
OTHER PERSONAL SERVICES	35,000	
TOTAL PERSONAL SERVICE	475,000 (7.00)	
OTHER OPERATING EXPENSES	122,000	
SPECIAL ITEMS:		
CLOSING FUND	8,000,000	8,000,000
TOTAL SPECIAL ITEMS	8,000,000	8,000,000
AID TO SUBDIVISIONS:		
ALLOC MUNI-RESTRICTED	11,000,000	
ALLOC CNTY-RESTRICTED	27,366,000	
TOTAL DIST SUBDIVISIONS	38,366,000	
TOT COORDINATING COUNCIL	46,963,000 (7.00)	8,000,000
<hr/>		
2. COMMUNITY GRANTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	538,000 (10.89)	113,000
OTHER PERSONAL SERVICES	50,000	25,000
TOTAL PERSONAL SERVICE	588,000 (10.89)	138,000
OTHER OPERATING EXPENSES	250,000	
AID TO SUBDIVISIONS:		
ALLOC MUNI-RESTRICTED	11,741,409	
ALLOC CNTY-RESTRICTED	7,577,606	

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P32-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL DIST SUBDIVISIONS	19,319,015	
TOTAL COMMUNITY GRANTS	20,157,015	138,000
	(10.89)	
TOTAL GRANT PROGRAMS	67,120,015	8,138,000
	(17.89)	
TOT PROGRAMS AND SRVCS	78,147,129	18,252,114
	(65.89)	(30.50)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,432,706	968,706
TOTAL FRINGE BENEFITS	1,432,706	968,706
TOTAL EMPLOYEE BENEFITS	1,432,706	968,706
IV. NON-RECURRING APPRO		
RESEARCH	4,457,408	4,457,408
TOT NON-RECURRING APPRO	4,457,408	4,457,408
TOTAL NON-RECURRING	4,457,408	4,457,408
DEPARTMENT OF COMMERCE		
TOTAL RECURRING BASE	81,689,835	20,951,820
TOTAL FUNDS AVAILABLE	86,147,243	25,409,228
TOTAL AUTH FTE POSITIONS	(84.10)	(41.71)

SECTION 41

P34-JOBS-ECONOMIC DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	110,000	
	(1.00)	
OTHER PERSONAL SERVICES	50,000	

P34-JOBS-ECONOMIC DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	160,000	
	(1.00)	
OTHER OPERATING EXPENSES	248,500	
TOTAL ADMINISTRATION	408,500	
	(1.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	52,650	
TOTAL FRINGE BENEFITS	52,650	
TOTAL EMPLOYEE BENEFITS	52,650	
JOBS-ECONOMIC DEVELOPMENT AUTHORITY		
TOTAL FUNDS AVAILABLE	461,150	
TOTAL AUTH FTE POSITIONS	(1.00)	

SECTION 42**P36-PATRIOTS POINT DEVELOPMENT AUTHORITY**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. NAVAL & MARITIME MUSEUM		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	100,000	
	(1.00)	
CLASSIFIED POSITIONS	2,692,375	
	(77.00)	
OTHER PERSONAL SERVICES	490,000	
TOTAL PERSONAL SERVICE	3,282,375	
	(78.00)	
OTHER OPERATING EXPENSES	4,157,387	
TOT NAVAL & MARI MUSEUM	7,439,762	
	(78.00)	

P36-PATRIOTS POINT DEVELOPMENT AUTHORITY

	TOTAL FUNDS	GENERAL FUNDS
II. EMPLOYEE BENEFITS:		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,107,500	
	1,107,500	
TOTAL FRINGE BENEFITS	1,107,500	
	1,107,500	
Patriots Point Development Authority		
TOTAL FUNDS AVAILABLE	8,547,262	
TOTAL AUTH FTE POSITIONS	(78.00)	
	(78.00)	

SECTION 43
P40-S. C. CONSERVATION BANK

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	132,000	
	(2.00)	
TOTAL PERSONAL SERVICE	132,000	
	(2.00)	
OTHER OPERATING EXPENSES	118,610	
SPECIAL ITEMS:		
CONSERVATION BANK TRUST	7,240,289	
	7,240,289	
TOTAL SPECIAL ITEMS	7,240,289	
	7,240,289	
TOTAL ADMINISTRATION	7,490,899	
	(2.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	33,000	
	33,000	
TOTAL FRINGE BENEFITS	33,000	
	33,000	
TOTAL EMPLOYEE BENEFITS	33,000	
	33,000	

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P40-S. C. CONSERVATION BANK

	TOTAL FUNDS	GENERAL FUNDS
S. C. CONSERVATION BANK		
TOTAL FUNDS AVAILABLE	7,523,899	
TOTAL AUTH FTE POSITIONS	(2.00)	

SECTION 44
 B04-JUDICIAL DEPARTMENT

	TOTAL FUNDS	GENERAL FUNDS
I. THE COURT:		
A. SUPREME COURT:		
PERSONAL SERVICE		
CHIEF JUSTICE	144,029	144,029
	(1.00)	(1.00)
ASSOCIATE JUSTICE	548,684	548,684
	(4.00)	(4.00)
TAXABLE SUBSISTENCE	2,500	2,500
UNCLASSIFIED POSITIONS	2,200,000	2,200,000
	(44.47)	(44.47)
OTHER PERSONAL SERVICES	1,000	1,000
TOTAL PERSONAL SERVICE	2,896,213	2,896,213
	(49.47)	(49.47)
OTHER OPERATING EXPENSES	1,324,000	424,000
TOTAL THE SUPREME COURT	4,220,213	3,320,213
	(49.47)	(49.47)
B. BD OF LAW EXAMINERS:		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	90,000	
	(1.00)	
OTHER PERSONAL SERVICES	150,000	
TOTAL PERSONAL SERVICE	240,000	
	(1.00)	
OTHER OPERATING EXPENSES	450,000	

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B04-JUDICIAL DEPARTMENT

	TOTAL FUNDS	GENERAL FUNDS
TOT BD OF LAW EXAMINERS	690,000	
	(1.00)	
<hr style="border-top: 3px double #000;"/>		
C. OFFICE OF DISCIPLINARY COUNSEL		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	891,000	
	(14.00)	
OTHER PERSONAL SERVICES	5,000	
TOTAL PERSONAL SERVICE	896,000	
	(14.00)	
OTHER OPERATING EXPENSES	120,000	
TOT OFFICE OF DISCIPLINARY COUNSEL	1,016,000	
	(14.00)	
<hr style="border-top: 3px double #000;"/>		
D. COMMISSION ON CONDUCT		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	220,000	
	(4.00)	
OTHER PERSONAL SERVICES	15,000	
TOTAL PERSONAL SERVICE	235,000	
	(4.00)	
OTHER OPERATING EXPENSES	40,000	
TOT COMM ON CONDUCT	275,000	
	(4.00)	
<hr style="border-top: 3px double #000;"/>		
TOTAL THE COURT	6,201,213	3,320,213
	(68.47)	(49.47)
<hr style="border-top: 3px double #000;"/>		
II. COURT OF APPEALS:		
PERSONAL SERVICE		
CHIEF APPEALS COURT JUDGE	135,799	135,799
	(1.00)	(1.00)
ASSOC APPEALS COURT JUDGE	1,069,928	1,069,928
	(8.00)	(8.00)
TAXABLE SUBSISTENCE	20,000	20,000
UNCLASSIFIED POSITIONS	2,220,000	2,220,000
	(53.00)	(53.00)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	1,000	1,000
TOTAL PERSONAL SERVICE	3,446,727	3,446,727
	(62.00)	(62.00)
OTHER OPERATING EXPENSES	580,000	310,000
TOTAL COURT OF APPEALS	4,026,727	3,756,727
	(62.00)	(62.00)
 III. CIRCUIT COURT:		
PERSONAL SERVICE		
CIRCUIT COURT JUDGE		
	5,994,352	5,994,352
	(46.00)	(46.00)
TAXABLE SUBSISTENCE	140,000	140,000
UNCLASSIFIED POSITIONS	6,100,000	2,296,000
	(162.00)	(92.00)
NEW POSITIONS		
<i>CIRCUIT COURT JUDGE</i>		
	390,936	390,936
	(3.00)	(3.00)
<i>ADMINISTRATIVE SPECIALIST</i>		
	73,914	73,914
	(3.00)	(3.00)
<i>COURT REPORTER</i>		
	106,404	106,404
	(3.00)	(3.00)
<i>LAW CLERK</i>		
	117,480	117,480
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	51,000	1,000
TOTAL PERSONAL SERVICE	12,974,086	9,120,086
	(220.00)	(150.00)
OTHER OPERATING EXPENSES	1,825,058	1,465,058
SPECIAL ITEMS:		
REACTIVATED JUDGES		
DIFFERENTIAL		
	500,000	
TOTAL SPECIAL ITEMS	500,000	
TOTAL CIRCUIT COURT	15,299,144	10,585,144
	(220.00)	(150.00)

IV. FAMILY COURT:
PERSONAL SERVICE

STATUTES AT LARGE
General and Permanent Laws--2012
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	TOTAL FUNDS	GENERAL FUNDS
FAMILY COURT JUDGE	6,597,916	6,597,916
	(52.00)	(52.00)
TAXABLE SUBSISTENCE	160,000	160,000
UNCLASSIFIED POSITIONS	3,150,000	3,150,000
	(116.00)	(116.00)
NEW POSITIONS		
<i>FAMILY COURT JUDGE</i>	761,299	761,299
	(6.00)	(6.00)
<i>ADMINISTRATIVE SPECIALIST</i>	147,828	147,828
	(6.00)	(6.00)
<i>COURT REPORTER</i>	212,808	212,808
	(6.00)	(6.00)
OTHER PERSONAL SERVICES	1,000	1,000
TOTAL PERSONAL SERVICE	11,030,851	11,030,851
	(186.00)	(186.00)
OTHER OPERATING EXPENSES	818,058	447,058
TOTAL FAMILY COURT	11,848,909	11,477,909
	(186.00)	(186.00)
V. ADMINISTRATION:		
A. COURT ADMINISTRATION:		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	1,100,000	
	(23.00)	
OTHER PERSONAL SERVICES	5,000	
TOTAL PERSONAL SERVICE	1,105,000	
	(23.00)	
OTHER OPERATING EXPENSES	225,000	
SPECIAL ITEMS:		
STATE COURT IMPRVMT XI		
TRAINING	165,558	
STATE COURT IMPRVMT XI		
DATA SHARING	169,835	
TOTAL SPECIAL ITEMS	335,393	
TOT COURT ADMINISTRATION	1,665,393	
	(23.00)	

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. FINANCE AND PERSONNEL:		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	800,000	
	(15.00)	
OTHER PERSONAL SERVICES	30,000	
TOTAL PERSONAL SERVICE	830,000	
	(15.00)	
OTHER OPERATING EXPENSES	105,000	
TOT FINANCE & PERSONNEL	935,000	
	(15.00)	
C. INFO TECHNOLOGY		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	2,600,000	
	(41.00)	
OTHER PERSONAL SERVICES	100,000	
TOTAL PERSONAL SERVICE	2,700,000	
	(41.00)	
** OTHER OPERATING EXPENSES	2,800,000	1,500,000
SPECIAL ITEMS:		
COMPUTER AUTOMATION	698,000	
CASE MANAGEMENT	1,700,000	
FY05 CONGRESSIONALLY		
MANDATED AWARDS	3,500,000	
ELECTRONIC FILING	1,000	
TOTAL SPECIAL ITEMS	5,899,000	
TOT INFO TECHNOLOGY	11,399,000	1,500,000
	(41.00)	
TOTAL ADMINISTRATION	13,999,393	1,500,000
	(79.00)	
VI. JUDICIAL COMMITMENT:		
SPECIAL ITEM:		
JUDICIAL COMMITMENT	375,000	

** See note at end of Act.

STATUTES AT LARGE
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SPECIAL ITEMS	375,000	
TOT JUDICIAL COMMITMENT	375,000	
VII. LANGUAGE INTERPRET OTHER OPER EXPENSES		
OTHER OPER EXPENSES	160,000	90,000
TOT LANGUAGE INTERPRET	160,000	90,000
VIII. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIB EMPLOYER CONTRIBUTIONS	15,909,169	12,756,169
TOTAL FRINGE BENEFITS	15,909,169	12,756,169
TOTAL EMPLOYEE BENEFITS	15,909,169	12,756,169
JUDICIAL DEPARTMENT		
TOTAL FUNDS AVAILABLE	67,819,555	43,486,162
TOTAL AUTH FTE POSITIONS	(615.47)	(447.47)

SECTION 45
E20-ATTORNEY GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. STATE LITIGATION PERSONAL SERVICE ATTORNEY GENERAL	92,007 (1.00)	92,007 (1.00)
CLASSIFIED POSITIONS	4,857,832 (166.25)	2,737,474 (94.05)
NEW POSITIONS <i>ATTORNEY II</i>	438,122 (7.00)	438,122 (7.00)
<i>INVESTIGATOR II</i>	318,152 (5.00)	318,152 (5.00)
OTHER PERSONAL SERVICES	765,010	25,000

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E20-ATTORNEY GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	6,471,123	3,610,755
	(179.25)	(107.05)
OTHER OPERATING EXPENSES	<u>9,875,461</u>	<u>73,378</u>
TOTAL STATE LITIGATION	16,346,584	3,684,133
	<u>(179.25)</u>	<u>(107.05)</u>
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>1,514,686</u>	<u>694,843</u>
TOTAL FRINGE BENEFITS	<u>1,514,686</u>	<u>694,843</u>
TOTAL EMPLOYEE BENEFITS	<u>1,514,686</u>	<u>694,843</u>
III. NON-RECURRING		
APPROPRIATIONS		
SAVANNAH RIVER MARITIME		
COMM LITIGATION	<u>3,000,000</u>	<u>3,000,000</u>
TOT NON-RECURRING APPRO	<u>3,000,000</u>	<u>3,000,000</u>
TOTAL NON-RECURRING	<u>3,000,000</u>	<u>3,000,000</u>
ATTORNEY GENERAL'S OFF		
TOTAL RECURRING BASE	17,861,270	4,378,976
TOTAL FUNDS AVAILABLE	20,861,270	7,378,976
TOTAL AUTH FTE POSITIONS	<u>(179.25)</u>	<u>(107.05)</u>

SECTION 46

E21-PROSECUTION COORDINATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	98,223	98,223
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	314,610	314,610
	(8.00)	(8.00)

E21-PROSECUTION COORDINATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	99,550	2,400
TOTAL PERSONAL SERVICE	512,383	415,233
	(9.00)	(9.00)
OTHER OPERATING EXPENSES	153,373	110,609
TOTAL ADMINISTRATION	665,756	525,842
	(9.00)	(9.00)
II. OFFICES OF CIRCUIT SOLICITORS		
PERSONAL SERVICE		
CIRCUIT SOLICITOR	2,084,992	2,084,992
	(16.00)	(16.00)
UNCLASSIFIED POSITIONS	549,467	549,467
	(16.00)	(16.00)
TOTAL PERSONAL SERVICE	2,634,459	2,634,459
	(32.00)	(32.00)
OTHER OPERATING EXPENSES	96,000	96,000
SPECIAL ITEMS		
JUD CIRCUIT STATE SUPPORT	4,692,961	4,692,961
RICHLAND CNTY DRUG COURT	56,436	56,436
KERSHAW CNTY DRUG COURT	52,965	52,965
SALUDA CNTY DRUG COURT	38,000	38,000
DRUG COURT FUNDING	2,800,000	
FEE FOR MOTIONS	450,000	
LAW ENFORCEMENT FUNDING	4,500,000	
COURT FEES	300,000	
CRIMINAL DOM VIOLENCE PROSECUTION	1,600,000	1,600,000
12TH JUDICIAL CIRCUIT DRUG COURT	150,000	150,000
TRAFFIC EDUCATION PROG (MAGISTRATE)	50,000	
TRAFFIC EDUCATION PROG (MUNICIPAL)	50,000	
CONDITIONAL DISCHARGE - GENERAL SESSIONS	100,000	
CONDITIONAL DISCHARGE - MAGISTRATE	100,000	

E21-PROSECUTION COORDINATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CONDITIONAL DISCHARGE - MUNICIPAL	100,000	
VICTIM'S ASSISTANCE PROG	132,703	132,703
TOTAL SPECIAL ITEMS	<u>15,173,065</u>	<u>6,723,065</u>
TOTAL OFFICES OF CIRCUIT SOLICITORS	17,903,524	9,453,524
	<u>(32.00)</u>	<u>(32.00)</u>
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,609,467	1,574,043
TOTAL FRINGE BENEFITS	<u>1,609,467</u>	<u>1,574,043</u>
TOTAL EMPLOYEE BENEFITS	<u>1,609,467</u>	<u>1,574,043</u>
PROSECUTION COORDINATION COMMISSION		
TOTAL FUNDS AVAILABLE	20,178,747	11,553,409
TOTAL AUTH FTE POSITIONS	<u>(41.00)</u>	<u>(41.00)</u>

SECTION 47**E23-COMMISSION ON INDIGENT DEFENSE**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	117,028	117,028
	(1.00)	(1.00)
CLASSIFIED POSITIONS	428,549	313,938
	(9.50)	(9.50)
OTHER PERSONAL SERVICES	<u>1,234</u>	<u>1,234</u>
TOTAL PERSONAL SERVICE	546,811	432,200
	(10.50)	(10.50)
OTHER OPERATING EXPENSES	250,000	

E23-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
SPECIAL ITEMS:		
DEATH PENALTY TRIAL FUNDS	2,500,000	
CONFLICT FUND	2,500,000	
LEGAL AID FUNDING	1,700,000	
RULE 608 APPOINTMENT FUND	6,300,000	6,300,000
COURT FINE ASSESSMENT	1,191,169	
TOTAL SPECIAL ITEMS	<u>14,191,169</u>	<u>6,300,000</u>
TOTAL ADMINISTRATION	14,987,980	6,732,200
	<u>(10.50)</u>	<u>(10.50)</u>
II. DIVISION OF APPELLATE DEFENSE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	820,408	626,188
	<u>(19.50)</u>	<u>(19.50)</u>
TOTAL PERSONAL SERVICE	820,408	626,188
	<u>(19.50)</u>	<u>(19.50)</u>
OTHER OPERATING EXPENSES	<u>302,600</u>	
TOTAL DIVISION OF APPELLATE DEFENSE	1,123,008	626,188
	<u>(19.50)</u>	<u>(19.50)</u>
III. OFFICE OF CIRCUIT PUBLIC DEFENDERS		
PERSONAL SERVICE		
CIRCUIT PUBLIC DEFENDERS	2,084,992	2,084,992
	<u>(16.00)</u>	<u>(16.00)</u>
UNCLASSIFIED POSITIONS	394,160	394,160
	<u>(16.00)</u>	<u>(16.00)</u>
TOTAL PERSONAL SERVICE	2,479,152	2,479,152
	<u>(32.00)</u>	<u>(32.00)</u>
OTHER OPERATING EXPENSES	96,000	96,000
SPECIAL ITEMS:		
DEFENSE OF INDIGENTS PER CAPITA	8,833,194	4,660,142
DUI DEFENSE OF INDIGENTS	97,185	97,185
CRIMINAL DOM VIOLENCE	<u>1,377,185</u>	<u>1,377,185</u>

E23-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SPECIAL ITEMS	10,307,564	6,134,512
TOT OFFICE OF CIRCUIT PUBLIC DEFENDERS	12,882,716 (32.00)	8,709,664 (32.00)
IV. DEATH PEN TRIAL DIV PERSONAL SERVICE UNCLASSIFIED POSITIONS	296,000 (5.00)	
TOTAL PERSONAL SERVICE	296,000 (5.00)	
OTHER OPERATING EXPENSES	115,200	
TOTAL DEATH PENALTY TRIAL DIVISION	411,200 (5.00)	
V. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIB EMPLOYER CONTRIBUTIONS	1,833,646	1,744,846
TOTAL FRINGE BENEFITS	1,833,646	1,744,846
TOTAL EMPLOYEE BENEFITS	1,833,646	1,744,846
COMM ON INDIGENT DEFENSE		
TOTAL FUNDS AVAILABLE	31,238,550	17,812,898
TOTAL AUTH FTE POSITIONS	(67.00)	(62.00)

SECTION 48
D10-GOVERNOR'S OFF-STATE LAW
ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION PERSONAL SERVICE: CHIEF	145,000 (1.00)	145,000 (1.00)

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ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	1,558,537	1,558,537
	(29.00)	(29.00)
NEW POSITIONS:		
<i>ADMINISTRATIVE COORDINATOR</i>	(1.00)	(1.00)
<i>AUDITOR IV</i>	(1.00)	(1.00)
OTHER PERSONAL SERVICES	94,894	
TOTAL PERSONAL SERVICE	1,798,431	1,703,537
	(32.00)	(32.00)
OTHER OPERATING EXPENSES	864,212	
TOTAL ADMINISTRATION	2,662,643	1,703,537
	(32.00)	(32.00)
II. PROGRAMS AND SERVICES		
A. ENFORCEMENT AND INVESTIGATION		
1. INVESTIGATION--REGIONS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	6,420,412	6,420,412
	(133.00)	(133.00)
NEW POSITIONS:		
<i>PROGRAM MANAGER III</i>	(1.00)	(1.00)
<i>LAW ENFORCEMENT OFFICER II</i>	(4.00)	(4.00)
<i>LAW ENFORCEMENT OFFICER III</i>	(6.00)	(6.00)
<i>LAW ENFORCEMENT OFFICER V</i>	(1.00)	(1.00)
<i>LAW ENFORCEMENT OFFICER III</i>	183,178	183,178
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	345,350	96,550
TOTAL PERSONAL SERVICE	6,948,940	6,700,140
	(149.00)	(149.00)
OTHER OPERATING EXPENSES	2,015,438	363,683

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ENFORCEMENT DIVISION

	TOTAL FUNDS	GENERAL FUNDS
SPECIAL ITEM:		
AGENT OPERATIONS	92,625	92,625
TOTAL SPECIAL ITEMS	92,625	92,625
TOT INVEST - REGIONS	9,057,003	7,156,448
	(149.00)	(149.00)
<hr/>		
2. INVESTIGATION--SPECIAL		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	2,294,314	2,159,624
	(45.00)	(42.00)
OTHER PERSONAL SERVICES	135,554	91,952
TOTAL PERSONAL SERVICE	2,429,868	2,251,576
	(45.00)	(42.00)
OTHER OPERATING EXPENSES	317,907	105,930
TOT INVESTIGATION - SPECIAL	2,747,775	2,357,506
	(45.00)	(42.00)
<hr/>		
TOTAL ENFORCEMENT AND INVESTIGATION	11,804,778	9,513,954
	(194.00)	(191.00)
<hr/>		
B. FORENSIC SERVICES		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	4,570,613	3,500,535
	(97.00)	(74.00)
NEW POSITIONS:		
<i>LAW ENFORCEMENT OFFICER III</i>	(8.00)	(8.00)
OTHER PERSONAL SERVICES	651,705	165,302
TOTAL PERSONAL SERVICE	5,222,318	3,665,837
	(105.00)	(82.00)
OTHER OPERATING EXPENSES	6,068,761	1,208,058
SPECIAL ITEMS:		
DNA DATABASE PROGRAM	370,000	
BREATHTESTING SITE		
VIDEOTAPING	250,000	

STATUTES AT LARGE
General and Permanent Laws--2012
D10-GOVERNOR'S OFF-STATE LAW
ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IMPLIED CONSENT	89,855	89,855
TOTAL SPECIAL ITEMS	709,855	89,855
CASE SVC/PUBLIC ASSISTANCE		
HOSPITAL SERVICES	3,174	3,174
TOTAL CASE SRVC/PUB ASST	3,174	3,174
TOTAL FORENSIC SERVICES	12,004,108	4,966,924
	(105.00)	(82.00)
C. DATA CENTER		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	2,932,418	2,188,923
	(73.59)	(28.59)
NEW POSITIONS:		
<i>APPLICATION ANALYST I</i>		
	(2.00)	(2.00)
<i>COMPUTER OPERATOR I</i>		
	(1.00)	(1.00)
<i>DATABASE ADMINISTRATOR II</i>		
	(1.00)	(1.00)
<i>DATABASE COORDINATOR I</i>		
	(8.00)	(8.00)
<i>INFORMATION RESOURCE</i>		
<i>CONSULTANT II</i>		
	(2.00)	(2.00)
<i>INFORMATION RESOURCE</i>		
<i>COORDINATOR I</i>		
	(5.00)	(5.00)
<i>INSTRUCTOR/TRAINING</i>		
<i>COORDINATOR II</i>		
	(1.00)	(1.00)
<i>ANALYST II</i>		
	(1.00)	(1.00)
<i>LAW ENFORCEMENT OFFICER V</i>		
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	397,494	96,601
TOTAL PERSONAL SERVICE	3,329,912	2,285,524
	(95.59)	(50.59)

OF SOUTH CAROLINA
General and Permanent Laws--2012
D10-GOVERNOR'S OFF-STATE LAW
ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	4,747,954	76,801
TOTAL DATA CENTER	8,077,866	2,362,325
	(95.59)	(50.59)
<hr/>		
D. REGULATORY		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,933,843	872,685
	(50.00)	(11.00)
OTHER PERSONAL SERVICES	191,425	52,350
TOTAL PERSONAL SERVICE	2,125,268	925,035
	(50.00)	(11.00)
OTHER OPERATING EXPENSES	2,046,356	96,032
SPECIAL ITEM:		
METH LAB CLEAN UP	1,000,000	1,000,000
TOTAL SPECIAL ITEMS	1,000,000	1,000,000
TOTAL REGULATORY	5,171,624	2,021,067
	(50.00)	(11.00)
<hr/>		
E. HOMELAND SECURITY		
1. HOMELAND SECURITY		
OPERATIONS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	2,812,594	2,812,594
	(58.85)	(58.85)
OTHER PERSONAL SERVICES	968,795	106,470
TOTAL PERSONAL SERVICE	3,781,389	2,919,064
	(58.85)	(58.85)
OTHER OPERATING EXPENSES	4,882,399	116,842
SPECIAL ITEM:		
AMBER ALERT	48,753	48,753
TOTAL SPECIAL ITEMS	48,753	48,753
TOTAL AMBER ALERT	8,712,541	3,084,659
	(58.85)	(58.85)
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STATUTES AT LARGE
General and Permanent Laws--2012
D10-GOVERNOR'S OFF-STATE LAW
ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
2. HOMELAND SECURITY		
ALLOCATIONS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	200,000	
	(3.80)	
OTHER PERSONAL SERVICES	200,000	
TOTAL PERSONAL SERVICE	400,000	
	(3.80)	
OTHER OPERATING EXPENSES	50,000	
DISTRIBUTION TO SUBDIV:		
ALLOC MUNICIPALITIES	3,600,000	
ALLOC CNTY-RESTRICTED	8,700,000	
ALLOC OTHER STAGENCIES	11,757,353	
ALLOC OTHER ENTITIES	3,200,000	
TOTAL DIST SUBDIVISIONS	27,257,353	
TOTAL HOMELAND SECURITY ALLOCATIONS	27,707,353	
	(3.80)	
	36,419,894	3,084,659
TOTAL HOMELAND SECURITY	(62.65)	(58.85)
F. SPECIAL OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,418,907	1,418,907
	(29.00)	(29.00)
NEW POSITIONS:		
<i>PILOT</i>		
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	103,391	61,391
TOTAL PERSONAL SERVICE	1,522,298	1,480,298
	(30.00)	(30.00)
OTHER OPERATING EXPENSES	1,290,059	55,074
TOTAL SPECIAL OPERATIONS	2,812,357	1,535,372
	(30.00)	(30.00)

OF SOUTH CAROLINA
General and Permanent Laws--2012
D10-GOVERNOR'S OFF-STATE LAW
ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT PROGRAMS AND SRVCS	76,290,627 (537.24)	23,484,301 (423.44)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	9,994,234	7,949,627
TOTAL FRINGE BENEFITS	9,994,234	7,949,627
TOTAL EMPLOYEE BENEFITS	9,994,234	7,949,627
GOVERNOR'S OFF-STATE LAW ENFORCEMENT DIVISION		
TOTAL FUNDS AVAILABLE	88,947,504	33,137,465
TOTAL AUTH FTE POSITIONS	(569.24)	(455.44)
TOTAL GOVERNOR'S OFFICE	88,947,504	33,137,465
TOTAL AUTH FTE POSITIONS	(569.24)	(455.44)

SECTION 49
K05-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATIVE SERVICES		
PERSONAL SERVICE		
DIRECTOR	143,000 (1.00)	114,400 (.80)
CLASSIFIED POSITIONS	3,739,100 (96.71)	3,500,165 (85.40)
UNCLASSIFIED POSITIONS	108,763 (1.00)	108,763 (1.00)
OTHER PERSONAL SERVICES	248,944	164,700
TOTAL PERSONAL SERVICE	4,239,807 (98.71)	3,888,028 (87.20)
OTHER OPERATING EXPENSES	2,131,940	37,481

K05-DEPARTMENT OF PUBLIC SAFETY

	TOTAL FUNDS	GENERAL FUNDS
DEBT SERVICE		
DEBT SERVICE	2,339,750	
TOTAL DEBT SERVICE	2,339,750	
TOTAL ADMIN SERVICES	8,711,497	3,925,509
	(98.71)	(87.20)
II. PROGRAMS AND SERVICES		
A.1. HIGHWAY PATROL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	42,313,211	38,251,508
	(1,074.70)	(979.30)
UNCLASSIFIED POSITIONS	111,454	111,454
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	2,476,160	906,160
TOTAL PERSONAL SERVICE	44,900,825	39,269,122
	(1,075.70)	(980.30)
OTHER OPERATING EXPENSES	22,511,557	652,700
TOTAL HIGHWAY PATROL	67,412,382	39,921,822
	(1,075.70)	(980.30)
A.2. ILLEGAL IMMIGRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	406,000	406,000
	(12.00)	(12.00)
TOTAL PERSONAL SERVICE	406,000	406,000
	(12.00)	(12.00)
OTHER OPERATING EXPENSES	118,525	118,525
TOTAL ILLEGAL IMMIGRATION	524,525	524,525
	(12.00)	(12.00)
TOTAL HIGHWAY PATROL	67,936,907	40,446,347
	(1,087.70)	(992.30)
B. STATE TRANSPORT POLICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,246,839	2,030,242
	(144.01)	(45.90)

K05-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	97,000	97,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	<u>509,814</u>	<u>25,000</u>
TOTAL PERSONAL SERVICE	6,853,653	2,152,242
	(145.01)	(46.90)
OTHER OPERATING EXPENSES	<u>7,240,104</u>	
TOT STATE TRANS POLICE	14,093,757	2,152,242
	<u>(145.01)</u>	<u>(46.90)</u>
C. BUREAU OF PROTECT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,021,023	1,591,486
	(91.00)	(55.00)
OTHER PERSONAL SERVICES	<u>65,000</u>	
TOTAL PERSONAL SERVICE	3,086,023	1,591,486
	(91.00)	(55.00)
OTHER OPERATING EXPENSES	<u>770,350</u>	
TOTAL BUREAU OF PROTECTIVE SERVICES	3,856,373	1,591,486
	<u>(91.00)</u>	<u>(55.00)</u>
D. HALL OF FAME		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	137,000	
	(3.00)	
TOTAL PERSONAL SERVICE	137,000	
	(3.00)	
OTHER OPERATING EXPENSES	<u>126,000</u>	
TOTAL HALL OF FAME	263,000	
	<u>(3.00)</u>	
E. SAFETY AND GRANTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,374,410	484,000
	(37.58)	(6.64)

K05-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POS ADDED BY THE BUDGET AND CONTROL BD <i>PROGRAM COORDINATOR II</i>	(1.00)	
OTHER PERSONAL SERVICES	618,000	3,000
TOTAL PERSONAL SERVICE	2,992,410	487,000
	(38.58)	(6.64)
OTHER OPERATING EXPENSES	6,883,139	31,819
DISTRIBUTION TO SUBDIVS		
ALLOC MUN - RESTRICTED	4,775,000	
ALLOC CNTY-RESTRICTED	5,700,000	
ALLOC OTHER STAGENCIES	6,908,908	
ALLOC OTHER ENTITIES	7,675,000	
TOTAL DIST SUBDIVISIONS	25,058,908	
TOTAL SAFETY AND GRANTS	34,934,457	518,819
	(38.58)	(6.64)
TOT PROGRAMS AND SRVCS	121,084,494	44,708,894
	(1,365.29)	(1,100.84)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	25,145,129	19,220,804
TOTAL FRINGE BENEFITS	25,145,129	19,220,804
TOTAL EMPLOYEE BENEFITS	25,145,129	19,220,804
DEPT OF PUBLIC SAFETY		
TOTAL FUNDS AVAILABLE	154,941,120	67,855,207
TOTAL AUTH FTE POSITIONS	(1,464.00)	(1,188.04)

SECTION 50
N20-LAW ENFORCEMENT TRAINING COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	90,000	
	(1.00)	
CLASSIFIED POSITIONS	2,387,931	
	(59.00)	
OTHER PERSONAL SERVICES	47,000	
TOTAL PERSONAL SERVICE	2,524,931	
	(60.00)	
OTHER OPERATING EXPENSES	1,590,310	
SPECIAL ITEM		
ETV-STATE & LOCAL TRAINING		
OF LAW ENFORCEMENT	574,244	574,244
TOTAL SPECIAL ITEMS	574,244	574,244
TOTAL ADMINISTRATION	4,689,485	574,244
	(60.00)	
II. TRAINING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,105,807	371,285
	(64.25)	(6.00)
OTHER PERSONAL SERVICES	212,988	
TOTAL PERSONAL SERVICE	3,318,795	371,285
	(64.25)	(6.00)
OTHER OPERATING EXPENSES	4,062,505	
TOTAL TRAINING	7,381,300	371,285
	(64.25)	(6.00)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	1,832,181	237,437
TOTAL FRINGE BENEFITS	1,832,181	237,437
TOTAL EMPLOYEE BENEFITS	1,832,181	237,437

N20-LAW ENFORCEMENT TRAINING COUNCIL

	TOTAL FUNDS	GENERAL FUNDS
LAW ENFORCEMENT TRAINING COUNCIL		
TOTAL FUNDS AVAILABLE	13,902,966	1,182,966
TOTAL AUTH FTE POSITIONS	(124.25)	(6.00)

SECTION 51
N04-DEPARTMENT OF CORRECTIONS

	TOTAL FUNDS	GENERAL FUNDS
I. INTERNAL ADMIN & SUPPORT		
PERSONAL SERVICE		
COMMISSIONER/S	144,746	144,746
	(1.00)	(1.00)
CLASSIFIED POSITIONS	6,215,988	5,800,697
	(146.00)	(132.40)
UNCLASSIFIED POSITIONS	308,500	308,500
	(3.00)	(3.00)
TEMP GRANTS EMPLOYEE	63,325	
OTHER PERSONAL SERVICES	369,014	336,805
TOTAL PERSONAL SERVICE	7,101,573	6,590,748
	(150.00)	(136.40)
OTHER OPERATING EXPENSES	4,934,452	3,940,363
CASE SRVCS/PUBLIC ASSIST		
CASE SERVICES	1,138	1,138
TOTAL CASE SRVC/PUB ASST	1,138	1,138
TOT INTERNAL ADMIN & SUPP	12,037,163	10,532,249
	(150.00)	(136.40)
II. PROGRAMS & SERVICES		
A. HOUSING, CARE, SECURITY & SUPERVISION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	173,321,714	170,844,983
	(5,762.13)	(5,628.32)

N04-DEPARTMENT OF CORRECTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	510,943	510,943
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	<u>3,989,760</u>	<u>3,500,271</u>
TOTAL PERSONAL SERVICE	177,822,417	174,856,197
	(5,765.13)	(5,631.32)
OTHER OPERATING EXPENSES	84,898,248	71,597,190
CASE SERVICES	17,768,733	14,718,733
PROSTHETICS	<u>100,000</u>	<u>100,000</u>
TOTAL CASE SRVC/PUB ASST	<u>17,868,733</u>	<u>14,818,733</u>
TOTAL HOUSING, CARE, SECURITY & SUPERVISION	280,589,398	261,272,120
	<u>(5,765.13)</u>	<u>(5,631.32)</u>
II. PROGRAMS AND SERVICES		
B. QUOTA ELIMINATION		
SPECIAL ITEMS		
QUOTA ELIMINATION	<u>1,967,720</u>	<u>1,967,720</u>
TOTAL SPECIAL ITEMS	<u>1,967,720</u>	<u>1,967,720</u>
TOTAL QUOTA ELIMINATION	<u>1,967,720</u>	<u>1,967,720</u>
II. PROGRAMS AND SERVICES		
C. WORK AND VOCATIONAL ACTIVITIES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	7,109,323	1,007,080
	(142.52)	(25.00)
OTHER PERSONAL SERVICES	<u>9,837,940</u>	<u>286,390</u>
TOTAL PERSONAL SERVICE	16,947,263	1,293,470
	(142.52)	(25.00)
OTHER OPERATING EXPENSES	<u>12,926,161</u>	<u>519,954</u>
TOTAL WORK AND VOCATIONAL ACTIVITIES	29,873,424	1,813,424
	<u>(142.52)</u>	<u>(25.00)</u>
II. PROGRAMS AND SERVICES		
D. PALMETTO UNIFIED SCHOOL DISTRICT #1		

STATUTES AT LARGE
General and Permanent Laws--2012
N04-DEPARTMENT OF CORRECTIONS

	TOTAL FUNDS	GENERAL FUNDS
PERSONAL SERVICE		
CLASSIFIED POSITIONS	994,517	806,025
	(21.85)	(14.00)
UNCLASSIFIED POSITIONS	2,422,008	1,372,008
	(55.49)	(25.16)
OTHER PERSONAL SERVICES	1,405,753	296,462
TEMP GRANTS EMPLOYEE	283,402	
TOTAL PERSONAL SERVICE	5,105,680	2,474,495
	(77.34)	(39.16)
OTHER OPERATING EXPENSES	524,665	
TOTAL PALMETTO UNIFIED SCHOOL DISTRICT #1	5,630,345	2,474,495
	(77.34)	(39.16)
II. PROGRAMS AND SERVICES		
E. INDIVIDUAL GROWTH AND MOTIVATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,669,148	2,669,148
	(76.00)	(76.00)
OTHER PERSONAL SERVICES	146,250	
TOTAL PERSONAL SERVICE	2,815,398	2,669,148
	(76.00)	(76.00)
OTHER OPERATING EXPENSES	248,795	85,045
TOT INDIVIDUAL GROWTH & MOTIVATION	3,064,193	2,754,193
	(76.00)	(76.00)
II. PROGRAMS AND SERVICES		
F. PENAL FACILITY		
INSPECTION SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	99,498	99,498
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	99,498	99,498
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	5,950	5,950

N04-DEPARTMENT OF CORRECTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PENAL FACILITIES		
INSPECTION SERVICE	105,448	105,448
	(2.00)	(2.00)
TOT PROGRAMS AND SRVCS	321,230,528	270,387,400
	(6,062.99)	(5,773.48)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	79,994,480	76,241,650
TOTAL FRINGE BENEFITS	79,994,480	76,241,650
TOTAL EMPLOYEE BENEFITS	79,994,480	76,241,650
DEPT OF CORRECTIONS		
TOTAL FUNDS AVAILABLE	413,262,171	357,161,299
TOTAL AUTH FTE POSITIONS	(6,212.99)	(5,909.88)

SECTION 52

N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	92,917	92,917
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,484,169	866,338
	(32.00)	(18.00)
UNCLASSIFIED POSITIONS	89,008	89,008
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	117,596	85,000
TOTAL PERSONAL SERVICE	1,783,690	1,133,263
	(34.00)	(20.00)
OTHER OPERATING EXPENSES	158,182	

N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	TOTAL FUNDS	GENERAL FUNDS
TOTAL ADMINISTRATION	1,941,872 (34.00)	1,133,263 (20.00)
II. PROGRAMS AND SERVICES		
A. OFFENDER PROGRAM		
1. OFFENDER SUPERVISION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	22,319,949 (570.00)	8,365,689 (269.00)
UNCLASSIFIED POSITIONS	185,255 (2.00)	185,255 (2.00)
OTHER PERSONAL SERVICES	581,422	38,370
TOTAL PERSONAL SERVICE	23,086,626 (572.00)	8,589,314 (271.00)
OTHER OPERATING EXPENSES	9,769,096	
PUBLIC ASST PAYMENTS		
CASE SERVICES	42,425	
TOTAL CASE SRVC/PUB ASST	42,425	
SPECIAL ITEMS		
TOT OFFENDER SUPERVISION	32,898,147 (572.00)	8,589,314 (271.00)
2. SEX OFFENDER		
MONITORING PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,190,000 (54.00)	2,190,000 (54.00)
OTHER PERSONAL SERVICES	10,000	10,000
TOTAL PERSONAL SERVICE	2,200,000 (54.00)	2,200,000 (54.00)
OTHER OPERATING EXPENSES	595,001	295,001
EMPLOYER CONTRIBUTIONS	619,580	619,580
TOTAL FRINGE BENEFITS	619,580	619,580
TOTAL SEX OFFENDER		
MONITORING AND SUPERVISI	3,414,581 (54.00)	3,114,581 (54.00)

N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
3. SENTENCING REFORM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,690,000	1,690,000
	(52.00)	(52.00)
OTHER PERSONAL SERVICES	20,000	20,000
TOTAL PERSONAL SERVICE	1,710,000	1,710,000
	(52.00)	(52.00)
OTHER OPERATING EXPENSES	1,206,784	1,206,784
PUBLIC ASSIST PAYMENTS		
CASE SERVICES	340,000	340,000
TOTAL CASE SRVC/PUB ASST	340,000	340,000
TOTAL SENTENCING REFORM	3,256,784	3,256,784
	(52.00)	(52.00)
TOT OFFENDER PROGRAM		
	39,569,512	14,960,679
	(678.00)	(377.00)
II. PROGRAMS AND SERVICES		
B. RESIDENTIAL PROGRAMS		
1. SPARTANBURG RESIDENTIAL CENTER		
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	75,000	
TOTAL SPARTANBURG RESIDENTIAL	75,000	
II. PROGRAMS AND SERVICES		
B. RESIDENTIAL PROGRAMS		
2. CHARLESTON RESTITUTION CENTER		
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	75,000	
TOTAL CHARLESTON RESTITUTION CENTER	75,000	
II. PROGRAMS AND SERVICES		
B. RESIDENTIAL PROGRAMS		

N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
3. COLUMBIA RESIDENTIAL CENTER		
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	75,000	
TOTAL COLUMBIA RESIDENTIAL CENTER	75,000	
TOT RESIDENTIAL PROGRAMS	225,000	
II. PROGRAMS AND SERVICES		
C. PAROLE BD OPERATIONS		
PERSONAL SERVICE		
PROBATION, PARDON & PAROLE BOARD	155,230	155,230
CLASSIFIED POSITIONS	747,900	373,311
	(18.00)	(11.00)
OTHER PERSONAL SERVICES	59,853	
TOTAL PERSONAL SERVICE	962,983	528,541
	(18.00)	(11.00)
OTHER OPERATING EXPENSES	67,132	
CASE SERVICES		
CASE SERVICES	45,000	
TOTAL CASE SRVC/PUB ASST	45,000	
TOTAL PAROLE BOARD OPERATIONS	1,075,115	528,541
	(18.00)	(11.00)
TOT PROGRAMS AND SRVCS	40,869,627	15,489,220
	(696.00)	(388.00)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	9,363,053	4,328,577
TOTAL FRINGE BENEFITS	9,363,053	4,328,577
TOTAL EMPLOYEE BENEFITS	9,363,053	4,328,577

N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
DEPT OF PROBATION, PAROLE & PARDON SERVICES		
TOTAL FUNDS AVAILABLE	52,174,552	20,951,060
TOTAL AUTH FTE POSITIONS	<u>(730.00)</u>	<u>(408.00)</u>

SECTION 53

N12-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. PAROLE DIVISION		
PERSONAL SERVICE		
PROBATION, PARDON & PAROLE BOARD		
	12,272	12,272
CLASSIFIED POSITIONS	296,074	296,074
	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	66,921	66,921
	<u>(1.00)</u>	<u>(1.00)</u>
TOTAL PERSONAL SERVICE	375,267	375,267
	(6.00)	(6.00)
OTHER OPERATING EXPENSES	<u>51,869</u>	<u>51,869</u>
TOTAL PAROLE DIVISION	427,136	427,136
	<u>(6.00)</u>	<u>(6.00)</u>
II. ADMINISTRATION DIV		
PERSONAL SERVICE		
COMMISSIONER/S	114,942	114,942
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,152,734	3,110,734
	(66.00)	(65.00)
UNCLASSIFIED POSITIONS	100,780	100,780
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	<u>105,146</u>	<u>105,146</u>
TOTAL PERSONAL SERVICE	3,473,602	3,431,602
	(68.00)	(67.00)
OTHER OPERATING EXPENSES	<u>1,473,168</u>	<u>1,353,168</u>

N12-DEPARTMENT OF JUVENILE JUSTICE

	TOTAL FUNDS	GENERAL FUNDS
TOTAL ADMINISTRATION	4,946,770	4,784,770
	(68.00)	(67.00)
<hr/>		
III. PROGRAMS AND SERVICES		
A. COMMUNITY SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,294,213	11,294,213
	(375.66)	(375.66)
UNCLASSIFIED POSITIONS	95,000	95,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	215,000	118,000
TOTAL PERSONAL SERVICE	11,604,213	11,507,213
	(376.66)	(376.66)
OTHER OPERATING EXPENSES	2,626,526	2,106,026
PUBLIC ASSIST PAYMENTS		
CASE SERVICES	1,940,895	980,895
TOTAL CASE SRVC/PUB ASST	1,940,895	980,895
SPECIAL ITEMS		
COMMUNITY ADVOCACY PROG	250,000	250,000
SEX OFFENDER MONITORING	27,410	27,410
TOTAL SPECIAL ITEMS	277,410	277,410
TOT COMMUNITY SERVICES	16,449,044	14,871,544
	(376.66)	(376.66)
<hr/>		
B. LONGTERM FACILITIES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	15,880,020	15,634,649
	(542.00)	(530.00)
UNCLASSIFIED POSITIONS	100,780	100,780
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	708,812	708,812
TOTAL PERSONAL SERVICE	16,689,612	16,444,241
	(543.00)	(531.00)
OTHER OPERATING EXPENSES	5,039,628	3,338,819
CASE SERVICES/PUBLIC ASST		
CASE SERVICES	9,000	9,000
TOTAL CASE SRVC/PUB ASST	9,000	9,000

N12-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL LONGTERM FACILITIES	21,738,240 (543.00)	19,792,060 (531.00)
C. RECEPTION & EVALUATION CENTER		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,739,842 (223.00)	4,533,969 (150.00)
OTHER PERSONAL SERVICES	520,801	360,640
TOTAL PERSONAL SERVICE	7,260,643 (223.00)	4,894,609 (150.00)
OTHER OPERATING EXPENSES	1,395,639	
CASE SERVICES/PUBLIC ASSISTANCE		
CASE SERVICES	5,000	
TOTAL CASE SRVC/PUB ASST	5,000	
TOT RECEPTION AND EVAL	8,661,282 (223.00)	4,894,609 (150.00)
D. CTY SERV-DETENTION CTR		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,737,249 (93.00)	
OTHER PERSONAL SERVICES	162,307	
TOTAL PERSONAL SERVICE	2,899,556 (93.00)	
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	362,200	
CASE SERVICES/PUBLIC ASSISTANCE		
CASE SERVICES/PUBLIC ASSISTANCE	18,000	
TOTAL CASE SRVC/PUB ASST	18,000	
TOTAL COUNTY SERVICES - DETENTION CENTER	3,279,756 (93.00)	

N12-DEPARTMENT OF JUVENILE JUSTICE

	TOTAL FUNDS	GENERAL FUNDS
E. RESIDENTIAL OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	451,319	451,319
	(10.00)	(10.00)
OTHER PERSONAL SERVICES	14,536	14,536
TOTAL PERSONAL SERVICE	465,855	465,855
	(10.00)	(10.00)
OTHER OPERATING EXPENSES		
CASE SERVICES/PUBLIC ASST	45,745	45,745
CASE SERVICES	24,137,914	18,716,669
TOTAL CASE SRVC/PUB ASST	24,137,914	18,716,669
SPECIAL ITEM		
TARGETED CASE MGMT	1,700,000	1,700,000
TOTAL SPECIAL ITEMS	1,700,000	1,700,000
TOT RESIDENTIAL OPER	26,349,514	20,928,269
	(10.00)	(10.00)
F. JUVENILE HLTH & SAFETY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,076,915	1,827,682
	(47.00)	(40.50)
OTHER PERSONAL SERVICES	320,916	297,675
TOTAL PERSONAL SERVICE	2,397,831	2,125,357
	(47.00)	(40.50)
OTHER OPERATING EXPENSES		
SPECIAL ITEMS	1,527,298	1,209,698
CASE SERVICES/PUBLIC ASSISTANCE		
CASE SERVICES	2,532,358	2,141,158
TOTAL CASE SRVC/PUB ASST	2,532,358	2,141,158
TOTAL JUVENILE HEALTH	6,457,487	5,476,213
	(47.00)	(40.50)
G. PROG ANALYSIS/STAFF DEVELOPMENT		
PERSONAL SERVICE		

N12-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	922,879	922,879
	(22.00)	(22.00)
OTHER PERSONAL SERVICES	<u>201,420</u>	<u>79,000</u>
TOTAL PERSONAL SERVICE	1,124,299	1,001,879
	(22.00)	(22.00)
OTHER OPERATING EXPENSES	288,153	117,765
CASE SERVICES		
CASE SERVICES	<u>25,932</u>	<u>25,932</u>
TOTAL CASE SRVC/PUB ASST	<u>25,932</u>	<u>25,932</u>
TOT PROG ANALYSIS/STAFF DEVEL & QUALITY	1,438,384	1,145,576
	<u>(22.00)</u>	<u>(22.00)</u>
H. EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	529,940	243,300
	(47.45)	(8.00)
UNCLASSIFIED POSITIONS	4,560,424	150,485
	(61.00)	(2.00)
OTHER PERSONAL SERVICES	<u>208,601</u>	<u>4,136</u>
TOTAL PERSONAL SERVICE	5,298,965	397,921
	(108.45)	(10.00)
OTHER OPERATING EXPENSES	<u>1,167,238</u>	<u>163,399</u>
TOTAL EDUCATION	6,466,203	561,320
	<u>(108.45)</u>	<u>(10.00)</u>
TOT PROGRAMS AND SRVCS	90,839,910	67,669,591
	<u>(1,423.11)</u>	<u>(1,140.16)</u>
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>21,578,970</u>	<u>17,245,044</u>
TOTAL FRINGE BENEFITS	<u>21,578,970</u>	<u>17,245,044</u>
TOTAL EMPLOYEE BENEFITS	<u>21,578,970</u>	<u>17,245,044</u>

N12-DEPARTMENT OF JUVENILE JUSTICE

	TOTAL FUNDS	GENERAL FUNDS
DEPT OF JUVENILE JUSTICE		
TOTAL FUNDS AVAILABLE	117,792,786	90,126,541
TOTAL AUTH FTE POSITIONS	(1,497.11)	(1,213.16)

SECTION 54
L36-HUMAN AFFAIRS COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	91,947	91,947
	(1.00)	(1.00)
CLASSIFIED POSITIONS	296,936	296,936
	(7.00)	(7.00)
OTHER PERSONAL SERVICES	3,500	3,500
TOTAL PERSONAL SERVICE	392,383	392,383
	(8.00)	(8.00)
OTHER OPERATING EXPENSES	68,502	65,002
TOTAL ADMINISTRATION	460,885	457,385
	(8.00)	(8.00)
II. CONSULTIVE SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	90,874	90,874
	(4.00)	(4.00)
TOTAL PERSONAL SERVICE	90,874	90,874
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	44,051	26,051
TOT CONSULTIVE SERVICES	134,925	116,925
	(4.00)	(4.00)
III. COMPLIANCE PROGRAMS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	662,799	344,911
	(20.00)	(8.50)

OF SOUTH CAROLINA
General and Permanent Laws--2012
L36-HUMAN AFFAIRS COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	662,799	344,911
	(20.00)	(8.50)
OTHER OPERATING EXPENSES	226,822	52,408
TOT COMPLIANCE PROGRAMS	889,621	397,319
	(20.00)	(8.50)
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	403,196	288,895
TOTAL FRINGE BENEFITS	403,196	288,895
TOTAL EMPLOYEE BENEFITS	403,196	288,895
HUMAN AFFAIRS COMMISSION		
TOTAL FUNDS AVAILABLE	1,888,627	1,260,524
TOTAL AUTH FTE POSITIONS	(32.00)	(20.50)

SECTION 55

L46-STATE COMMISSION FOR MINORITY AFFAIRS

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	64,628	64,628
	(1.00)	(1.00)
CLASSIFIED POSITIONS	306,890	216,890
	(9.00)	(7.00)
TOTAL PERSONAL SERVICE	371,518	281,518
	(10.00)	(8.00)
OTHER OPERATING EXPENSES	180,264	32,450
TOTAL ADMINISTRATION	551,782	313,968
	(10.00)	(8.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	88,710	64,710

L46-STATE COMMISSION FOR MINORITY AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FRINGE BENEFITS	88,710	64,710
TOTAL EMPLOYEE BENEFITS	88,710	64,710
STATE COMMISSION FOR MINORITY AFFAIRS		
TOTAL FUNDS AVAILABLE	640,492	378,678
TOTAL AUTH FTE POSITIONS	(10.00)	(8.00)

SECTION 56
R04-PUBLIC SERVICE COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	110,000	
	(1.00)	
CHAIRMAN	101,304	
	(1.00)	
COMMISSIONER/S	596,394	
	(6.00)	
CLASSIFIED POSITIONS	2,074,297	
	(30.00)	
TOTAL PERSONAL SERVICE	2,881,995	
	(38.00)	
OTHER OPERATING EXPENSES	951,917	
TOTAL ADMINISTRATION	3,833,912	
	(38.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	802,396	
TOTAL FRINGE BENEFITS	802,396	

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General and Permanent Laws--2012
R04-PUBLIC SERVICE COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
TOTAL EMPLOYEE BENEFITS	802,396	
PUBLIC SERVICE COMMISSION		
TOTAL FUNDS AVAILABLE	4,636,308	
TOTAL AUTH FTE POSITIONS	(38.00)	

SECTION 57
R06-OFFICE OF REGULATORY STAFF

	TOTAL FUNDS	GENERAL FUNDS
I. OFFICE OF THE EXECUTIVE		
DIRECTOR		
PERSONAL SERVICE		
DIRECTOR	160,272	
	(1.00)	
UNCLASSIFIED POSITIONS	955,688	
	(11.00)	
TOTAL PERSONAL SERVICE	1,115,960	
	(12.00)	
OTHER OPERATING EXPENSES	1,058,681	
SPECIAL ITEMS		
DUAL PARTY RELAY FUND	4,165,696	
TOTAL SPECIAL ITEMS	4,165,696	
TOTAL OFFICE OF EXECUTIVE DIRECTOR	6,340,337	
	(12.00)	
II. SUPPORT SERVICES		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	1,434,779	
	(30.00)	
TOTAL PERSONAL SERVICE	1,434,779	
	(30.00)	

STATUTES AT LARGE
General and Permanent Laws--2012
R06-OFFICE OF REGULATORY STAFF

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SUPPORT SERVICES	1,434,779	
	(30.00)	
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III. TELECOM, TRANS		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	1,069,763	
	(18.00)	
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TOTAL PERSONAL SERVICE	1,069,763	
	(18.00)	
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TOTAL TELECOM, TRANS, WATER/WASTEWATER	1,069,763	
	(18.00)	
<hr/>		
IV. ELECTRIC & GAS		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	984,521	
	(14.00)	
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TOTAL PERSONAL SERVICE	984,521	
	(14.00)	
<hr/>		
TOTAL ELECTRIC AND GAS	984,521	
	(14.00)	
<hr/>		
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,289,406	
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TOTAL FRINGE BENEFITS	1,289,406	
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TOTAL EMPLOYEE BENEFITS	1,289,406	
<hr/>		
OFFICE OF REGULATORY STAFF		
TOTAL FUNDS AVAILABLE	11,118,806	
TOTAL AUTH FTE POSITIONS	(74.00)	
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SECTION 58
R083-WORKERS' COMPENSATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	94,152	94,152
	(1.00)	(1.00)
CLASSIFIED POSITIONS	351,825	44,825
	(19.00)	(8.00)
OTHER PERSONAL SERVICES	12,247	
TOTAL PERSONAL SERVICE	458,224	138,977
	(20.00)	(9.00)
OTHER OPERATING EXPENSES	433,199	
TOTAL ADMINISTRATION	891,423	138,977
	(20.00)	(9.00)
II. JUDICIAL		
A. COMMISSIONERS		
PERSONAL SERVICE		
CHAIRMAN	115,567	115,567
	(1.00)	(1.00)
COMMISSIONER/S	664,602	664,602
	(6.00)	(6.00)
TAXABLE SUBSISTENCE	72,350	
CLASSIFIED POSITIONS	290,075	290,075
	(7.00)	(7.00)
TOTAL PERSONAL SERVICE	1,142,594	1,070,244
	(14.00)	(14.00)
OTHER OPERATING EXPENSES	424,894	
TOTAL COMMISSIONERS	1,567,488	1,070,244
	(14.00)	(14.00)
B. MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	379,608	27,858
	(10.00)	(2.00)
TOTAL PERSONAL SERVICE	379,608	27,858
	(10.00)	(2.00)

R083-WORKERS' COMPENSATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	140,782	
TOTAL MANAGEMENT	520,390	27,858
	(10.00)	(2.00)
TOTAL JUDICIAL	2,087,878	1,098,102
	(24.00)	(16.00)
III. INSURANCE & MED SRVC		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	443,350	25,350
	(11.00)	(2.00)
OTHER PERSONAL SERVICES	15,018	
TOTAL PERSONAL SERVICE	458,368	25,350
	(11.00)	(2.00)
OTHER OPERATING EXPENSES	154,138	
TOTAL INSURANCE & MEDICAL SERVICES	612,506	25,350
	(11.00)	(2.00)
IV. CLAIMS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	360,000	67,000
	(9.00)	(1.00)
OTHER PERSONAL SERVICES	15,000	
TOTAL PERSONAL SERVICE	375,000	67,000
	(9.00)	(1.00)
OTHER OPERATING EXPENSES	149,504	
TOTAL CLAIMS	524,504	67,000
	(9.00)	(1.00)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	882,374	434,190
TOTAL FRINGE BENEFITS	882,374	434,190
TOTAL EMPLOYEE BENEFITS	882,374	434,190

R083-WORKERS' COMPENSATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
WORKERS' COMP COMMISSION		
TOTAL FUNDS AVAILABLE	4,998,685	1,763,619
TOTAL AUTH FTE POSITIONS	<u>(64.00)</u>	<u>(28.00)</u>

SECTION 59
R12-STATE ACCIDENT FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	93,355	
	(1.00)	
CLASSIFIED POSITIONS	2,835,244	
	<u>(80.00)</u>	
TOTAL PERSONAL SERVICE	2,928,599	
	(81.00)	
OTHER OPERATING EXPENSES	1,865,420	
SPECIAL ITEMS:		
EDUCATIONAL TRAINING	5,000	
TOTAL SPECIAL ITEMS	<u>5,000</u>	
TOTAL ADMINISTRATION	4,799,019	
	<u>(81.00)</u>	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,000,792	
TOTAL FRINGE BENEFITS	<u>1,000,792</u>	
TOTAL EMPLOYEE BENEFITS	<u>1,000,792</u>	
STATE ACCIDENT FUND		
TOTAL FUNDS AVAILABLE	5,799,811	
TOTAL AUTH FTE POSITIONS	<u>(81.00)</u>	

SECTION 60
R14-PATIENTS' COMPENSATION FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	87,929	
	(1.00)	
CLASSIFIED POSITIONS	217,951	
	(4.00)	
OTHER PERSONAL SERVICES	15,000	
TOTAL PERSONAL SERVICE	320,880	
	(5.00)	
OTHER OPERATING EXPENSES	581,623	
TOTAL ADMINISTRATION	902,503	
	(5.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	93,498	
TOTAL FRINGE BENEFITS	93,498	
TOTAL EMPLOYEE BENEFITS	93,498	
PATIENTS' COMP FUND		
TOTAL FUNDS AVAILABLE	996,001	
TOTAL AUTH FTE POSITIONS	(5.00)	

SECTION 61
R16-SECOND INJURY FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	68,631	
	(1.00)	
CLASSIFIED POSITIONS	990,960	
	(22.00)	

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General and Permanent Laws--2012
R16-SECOND INJURY FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,059,591	
	(23.00)	
OTHER OPERATING EXPENSES	<u>384,932</u>	
TOTAL ADMINISTRATION	<u>1,444,523</u>	
	(23.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>351,951</u>	
TOTAL FRINGE BENEFITS	<u>351,951</u>	
TOTAL EMPLOYEE BENEFITS	<u>351,951</u>	
SECOND INJURY FUND		
TOTAL FUNDS AVAILABLE	1,796,474	
TOTAL AUTH FTE POSITIONS	<u>(23.00)</u>	

SECTION 62
R20-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR OF INSURANCE	112,407	112,407
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,894,981	829,981
	(28.25)	(22.30)
UNCLASSIFIED POSITIONS	214,087	129,087
	(1.50)	(1.50)
OTHER PERSONAL SERVICES	<u>62,397</u>	<u>38,397</u>
TOTAL PERSONAL SERVICE	2,283,872	1,109,872
	(30.75)	(24.80)
OTHER OPERATING EXPENSES	<u>490,330</u>	<u>208,330</u>

STATUTES AT LARGE
General and Permanent Laws--2012
R20-DEPARTMENT OF INSURANCE

	TOTAL FUNDS	GENERAL FUNDS
TOTAL ADMINISTRATION	2,774,202 (30.75)	1,318,202 (24.80)
II. PROGRAMS & SERVICES		
A. SOLVENCY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	680,444 (15.00)	124,769 (1.00)
UNCLASSIFIED POSITIONS	121,000 (.50)	61,000
OTHER PERSONAL SERVICES	204,143	
TOTAL PERSONAL SERVICE	1,005,587 (15.50)	185,769 (1.00)
OTHER OPERATING EXPENSES	568,307	13,307
TOTAL SOLVENCY	1,573,894 (15.50)	199,076 (1.00)
B. LICENSING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	339,813 (9.00)	90,938 (2.00)
UNCLASSIFIED POSITIONS	54,000 (.50)	
OTHER PERSONAL SERVICES	15,000	
TOTAL PERSONAL SERVICE	408,813 (9.50)	90,938 (2.00)
OTHER OPERATING EXPENSES	643,340	5,011
TOTAL LICENSING	1,052,153 (9.50)	95,949 (2.00)
C. TAXATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	130,563 (3.00)	37,563 (.50)
OTHER PERSONAL SERVICES	95,413	95,413
TOTAL PERSONAL SERVICE	225,976 (3.00)	132,976 (.50)

OF SOUTH CAROLINA
General and Permanent Laws--2012
R20-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	14,778	8,778
TOTAL TAXATION	240,754	141,754
	(3.00)	(.50)
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D. CONSUMER SRVCS/COMPL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	391,730	239,730
	(9.00)	(2.00)
UNCLASSIFIED POSITIONS	78,080	50,080
	(.50)	(.50)
OTHER PERSONAL SERVICES	47,100	19,100
TOTAL PERSONAL SERVICE	516,910	308,910
	(9.50)	(2.50)
OTHER OPERATING EXPENSES	79,000	29,000
TOTAL CONSUMER		
SERVICES/COMPLAINTS	595,910	337,910
	(9.50)	(2.50)
<hr/>		
E. POLICY FORMS & RATES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	970,228	560,228
	(14.00)	(6.00)
UNCLASSIFIED POSITIONS	104,988	73,988
	(.50)	(.50)
OTHER PERSONAL SERVICES	48,071	48,071
TOTAL PERSONAL SERVICE	1,123,287	682,287
	(14.50)	(6.50)
OTHER OPERATING EXPENSES	187,960	137,960
TOT POL FORMS AND RATES	1,311,247	820,247
	(14.50)	(6.50)
<hr/>		
F. LOSS MITIGATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	135,000	
	(2.75)	
OTHER PERSONAL SERVICES	67,000	

STATUTES AT LARGE
General and Permanent Laws--2012
R20-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	202,000	
	(2.75)	
OTHER OPERATING EXPENSES	4,087,254	
TOTAL LOSS MITIGATION	4,289,254	
	(2.75)	
=====		
G. UNINSURED MOTORIST		
OTHER OPERATING EXPENSES	200,000	
AID TO SUBDIVISIONS:		
ALLOC-PRIVATE SECTOR	2,155,000	
TOTAL DIST SUBDIVISIONS	2,155,000	
TOT UNINSURED MOTORISTS	2,355,000	
=====		
H. CAPTIVES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	660,000	
	(8.00)	
UNCLASSIFIED POSITIONS	60,000	
	(.50)	
OTHER PERSONAL SERVICES	230,000	
TOTAL PERSONAL SERVICE	950,000	
	(8.50)	
OTHER OPERATING EXPENSES	1,580,053	
TOTAL CAPTIVES	2,530,053	
	(8.50)	
=====		
TOT PROGRAMS AND SRVCS	13,948,265	1,594,936
	(63.25)	(12.50)
=====		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,715,626	644,201
TOTAL FRINGE BENEFITS	1,715,626	644,201
TOTAL EMPLOYEE BENEFITS	1,715,626	644,201
=====		

OF SOUTH CAROLINA
General and Permanent Laws--2012
R20-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
DEPARTMENT OF INSURANCE		
TOTAL FUNDS AVAILABLE	18,438,093	3,557,339
TOTAL AUTH FTE POSITIONS	<u>(94.00)</u>	<u>(37.30)</u>

SECTION 63
R23-BOARD OF FINANCIAL INSTITUTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
OTHER PERSONAL SERVICES	3,465	
TOTAL PERSONAL SERVICE	3,465	
OTHER OPERATING EXPENSES	<u>24,212</u>	
TOTAL ADMINISTRATION	<u>27,677</u>	
II. BANKING EXAMINERS		
PERSONAL SERVICE		
COMMISSIONER OF BANKING	78,027	
	(1.00)	
CLASSIFIED POSITIONS	1,206,010	
	<u>(23.00)</u>	
TOTAL PERSONAL SERVICE	1,284,037	
	(24.00)	
OTHER OPERATING EXPENSES	<u>326,733</u>	
TOTAL BANKING EXAMINERS	<u>1,610,770</u>	
	<u>(24.00)</u>	
III. CONSUMER FINANCE		
PERSONAL SERVICE		
DIRECTOR	70,836	
	(1.00)	
CLASSIFIED POSITIONS	1,036,430	
	(20.00)	
OTHER PERSONAL SERVICES	<u>2,600</u>	

R23-BOARD OF FINANCIAL INSTITUTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,109,866	
	(21.00)	
OTHER OPERATING EXPENSES	332,844	
	<hr/>	
TOTAL CONSUMER FINANCE	1,442,710	
	(21.00)	
	<hr/>	
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	694,718	
	<hr/>	
TOTAL FRINGE BENEFITS	694,718	
	<hr/>	
TOTAL EMPLOYEE BENEFITS	694,718	
	<hr/>	
BOARD OF FINANCIAL INSTIT		
TOTAL FUNDS AVAILABLE	3,775,875	
TOTAL AUTH FTE POSITIONS	(45.00)	
	<hr/>	

SECTION 64

R28-DEPARTMENT OF CONSUMER AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
ADMINISTRATOR	101,295	101,295
	(1.00)	(1.00)
CLASSIFIED POSITIONS	261,785	
	(6.00)	
UNCLASSIFIED POSITIONS		
	(1.00)	
	<hr/>	
TOTAL PERSONAL SERVICE	363,080	101,295
	(8.00)	(1.00)
OTHER OPERATING EXPENSES	21,560	
	<hr/>	
TOTAL ADMINISTRATION	384,640	101,295
	(8.00)	(1.00)
	<hr/>	

R28-DEPARTMENT OF CONSUMER AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. LEGAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	553,326	86,966
	(11.00)	(2.00)
OTHER PERSONAL SERVICES	15,000	
TOTAL PERSONAL SERVICE	568,326	86,966
	(11.00)	(2.00)
OTHER OPERATING EXPENSES	250,000	
TOTAL LEGAL	818,326	86,966
	(11.00)	(2.00)
III. CONSUMER SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	327,561	3,296
	(8.00)	
OTHER PERSONAL SERVICES	15,000	
TOTAL PERSONAL SERVICE	342,561	3,296
	(8.00)	
OTHER OPERATING EXPENSES	10,000	
TOTAL CONSUMER SERVICES	352,561	3,296
	(8.00)	
IV. CONSUMER ADVOCACY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	230,890	118,000
	(4.00)	(2.00)
TOTAL PERSONAL SERVICE	230,890	118,000
	(4.00)	(2.00)
OTHER OPERATING EXPENSES	165,000	155,000
TOTAL CONSUMER ADVOCACY	395,890	273,000
	(4.00)	(2.00)
V. PUBLIC INFORMATION & EDUCATION		
PERSONAL SERVICE		

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STATUTES AT LARGE
General and Permanent Laws--2012

(No. 288)

R28-DEPARTMENT OF CONSUMER AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	36,000	36,000
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	36,000	36,000
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	<u>15,000</u>	<u>15,000</u>
TOT PUBLIC INFORMATION & EDUCATION	51,000	51,000
	(2.00)	(2.00)
VI. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>511,825</u>	<u>181,825</u>
TOTAL FRINGE BENEFITS	<u>511,825</u>	<u>181,825</u>
TOTAL EMPLOYEE BENEFITS	<u>511,825</u>	<u>181,825</u>
DEPT OF CONSUMER AFFAIRS		
TOTAL FUNDS AVAILABLE	2,514,242	697,382
TOTAL AUTH FTE POSITIONS	<u>(33.00)</u>	<u>(7.00)</u>

SECTION 65**R36-DEPT OF LABOR, LICENSING AND REGULATION**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	116,797	
	(1.00)	
CLASSIFIED POSITIONS	3,000,000	
	(60.09)	
OTHER PERSONAL SERVICES	<u>500,000</u>	
TOTAL PERSONAL SERVICE	3,616,797	
	(61.09)	
OTHER OPERATING EXPENSES	<u>1,400,000</u>	

R36-DEPT OF LABOR, LICENSING AND REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL ADMINISTRATION	5,016,797	
	(61.09)	
<hr/>		
II. PROGRAMS & SERVICES		
A. OSHA VOLUNTARY PROG		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	591,506	35,255
	(19.98)	(6.26)
TOTAL PERSONAL SERVICE	591,506	35,255
	(19.98)	(6.26)
OTHER OPERATING EXPENSES	243,371	40,000
TOT OSHA VOLUNTARY PROG	834,877	75,255
	(19.98)	(6.26)
<hr/>		
B. OCCUP SAFETY & HEALTH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,724,211	792,648
	(47.44)	(25.56)
OTHER PERSONAL SERVICES	8,190	4,095
TOTAL PERSONAL SERVICE	1,732,401	796,743
	(47.44)	(25.56)
OTHER OPERATING EXPENSES	793,288	191,562
TOTAL OCCUPATIONAL		
SAFETY & HEALTH	2,525,689	988,305
	(47.44)	(25.56)
<hr/>		
C. FIRE ACADEMY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,660,000	
	(45.25)	
UNCLASSIFIED POSITIONS	70,000	
	(1.00)	
OTHER PERSONAL SERVICES	1,150,000	
TOTAL PERSONAL SERVICE	2,880,000	
	(46.25)	
OTHER OPERATING EXPENSES	4,080,000	
	(46.25)	

R36-DEPT OF LABOR, LICENSING AND REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FIRE ACADEMY	6,960,000	(46.25)
<hr style="border-top: 1px dashed black;"/>		
D. STATE FIRE MARSHAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,350,000	(32.00)
OTHER PERSONAL SERVICES	150,000	
TOTAL PERSONAL SERVICE	1,500,000	(32.00)
OTHER OPERATING EXPENSES	1,415,000	
TOTAL OFFICE OF STATE FIRE MARSHAL	2,915,000	(32.00)
<hr style="border-top: 1px dashed black;"/>		
E. ELEVATORS & AMUSE RIDES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	700,000	(14.00)
TOTAL PERSONAL SERVICE	700,000	(14.00)
OTHER OPERATING EXPENSES	215,000	
TOTAL ELEVATORS & AMUSEMENT RIDES	915,000	(14.00)
<hr style="border-top: 1px dashed black;"/>		
F. PROF & OCCUPATIONAL LICENSING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	7,250,000	(169.90)
OTHER PERSONAL SERVICES	900,000	
TOTAL PERSONAL SERVICE	8,150,000	(169.90)
OTHER OPERATING EXPENSES	6,883,069	
SPECIAL ITEMS		
RESEARCH & EDUCATION	200,000	

R36-DEPT OF LABOR, LICENSING AND REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SPECIAL ITEMS	200,000	
TOTAL PROFESSIONAL & OCCUPATIONAL LICENSING	15,233,069 (169.90)	
=====		
G. LABOR SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	70,000 (5.00)	

TOTAL PERSONAL SERVICE	70,000 (5.00)	
OTHER OPERATING EXPENSES	15,000	

TOTAL LABOR SERVICES	85,000 (5.00)	
=====		
H. BUILDING CODES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	430,000 (20.25)	

TOTAL PERSONAL SERVICE	430,000 (20.25)	
OTHER OPERATING EXPENSES	350,000	

TOTAL BUILDING CODES	780,000 (20.25)	
=====		
TOT PROGRAMS AND SRVCS	30,248,635 (354.82)	1,063,560 (31.82)
=====		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	5,682,543	182,543
	-----	-----
TOTAL FRINGE BENEFITS	5,682,543	182,543
	=====	=====
TOTAL EMPLOYEE BENEFITS	5,682,543	182,543
	=====	=====

R36-DEPT OF LABOR, LICENSING AND REGULATION

	TOTAL FUNDS	GENERAL FUNDS
DEPT OF LABOR, LICENSING AND REGULATION		
TOTAL FUNDS AVAILABLE	40,947,975	1,246,103
TOTAL AUTH FTE POSITIONS	(415.91)	(31.82)

SECTION 66

R40-DEPARTMENT OF MOTOR VEHICLES

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	110,504	
	(1.00)	
CLASSIFIED POSITIONS	4,720,408	
	(118.00)	
UNCLASSIFIED POSITIONS	185,293	
	(2.00)	
OTHER PERSONAL SERVICES	56,000	
TOTAL PERSONAL SERVICE	5,072,205	
	(121.00)	
OTHER OPERATING EXPENSES	5,599,377	
TOTAL ADMINISTRATION	10,671,582	
	(121.00)	
II. PROGRAMS AND SERVICES		
A. CUSTOMER SERVICE		
1. CUSTOMER SERVICE CTRS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	20,538,801	
	(846.00)	
OTHER PERSONAL SERVICES	76,000	
TOTAL PERSONAL SERVICE	20,614,801	
	(846.00)	
OTHER OPERATING EXPENSES	13,929,357	

R40-DEPARTMENT OF MOTOR VEHICLES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT CUSTOMER SERVICE CTRS	34,544,158	
	(846.00)	
<hr/>		
2. CUSTOMER SRVC DELIVERY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	779,867	
	(29.00)	
<hr/>		
TOTAL PERSONAL SERVICE	779,867	
	(29.00)	
OTHER OPERATING EXPENSES	1,673,002	
<hr/>		
TOTAL CUSTOMER SERVICE DELIVERY	2,452,869	
	(29.00)	
<hr/>		
TOTAL CUSTOMER SERVICE	36,997,027	
	(875.00)	
<hr/>		
II. PROGRAMS AND SERVICES		
B. DRIVER SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,767,914	
	(146.00)	
UNCLASSIFIED POSITIONS	93,385	
	(1.00)	
OTHER PERSONAL SERVICES	71,000	
<hr/>		
TOTAL PERSONAL SERVICE	3,932,299	
	(147.00)	
OTHER OPERATING EXPENSES	3,305,057	
<hr/>		
TOTAL DRIVER SERVICES	7,237,356	
	(147.00)	
<hr/>		
II. PROGRAMS AND SERVICES		
C. VEHICLE SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,051,456	
	(123.00)	
UNCLASSIFIED POSITIONS	93,640	
	(1.00)	

R40-DEPARTMENT OF MOTOR VEHICLES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	99,500	
TOTAL PERSONAL SERVICE	3,244,596	
	(124.00)	
OTHER OPERATING EXPENSES	1,975,765	
SPECIAL ITEM:		
PLATE REPLACEMENT	3,350,000	
TOTAL SPECIAL ITEMS	3,350,000	
TOTAL VEHICLE SERVICES	8,570,361	
	(124.00)	
=====		
II. PROGRAMS AND SERVICES		
D. TECHNOLOGY AND PROG		
DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,461,967	
	(52.00)	
TOTAL PERSONAL SERVICE	2,461,967	
	(52.00)	
OTHER OPERATING EXPENSES	5,958,780	
TOTAL TECHNOLOGY AND		
PROGRAM DEVELOPMENT	8,420,747	
	(52.00)	
=====		
TOT PROGRAMS AND SRVCS	61,225,491	
	(1,198.00)	
=====		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	13,102,927	
TOTAL FRINGE BENEFITS	13,102,927	
=====		
TOTAL EMPLOYEE BENEFITS	13,102,927	
=====		
DEPT OF MOTOR VEHICLES		
TOTAL FUNDS AVAILABLE	85,000,000	
TOTAL AUTH FTE POSITIONS	(1,319.00)	
=====		

SECTION 67

R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	134,227	(1.00)
CLASSIFIED POSITIONS	6,909,567	(159.85)
UNCLASSIFIED POSITIONS	100,305	(1.00)
TOTAL PERSONAL SERVICE	7,144,099	(161.85)
OTHER OPERATING EXPENSES	4,250,756	
TOTAL ADMINISTRATION	11,394,855	(161.85)
II. EMPLOYMENT SERVICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	10,480,285	(263.11)
UNCLASSIFIED POSITIONS	37,383	(.33)
OTHER PERSONAL SERVICES	5,425,640	
TOTAL PERSONAL SERVICE	15,943,308	(263.44)
OTHER OPERATING EXPENSES	7,738,861	
DIST SUBDIVISIONS		
ALLOC OTHER STATE AGENCIES	512,460	
TOTAL DIST SUBDIVISIONS	512,460	
TOTAL EMPLOYMENT SERVICE	24,194,629	(263.44)
III. UNEMPLOY INSURANCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	17,961,693	(468.05)

R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	138,513	
	(1.34)	
OTHER PERSONAL SERVICES	4,594,431	
TOTAL PERSONAL SERVICE	22,694,637	
	(469.39)	
OTHER OPERATING EXPENSES	22,062,558	
CASE SERVICES		
CASE SERVICES	2,522,579	
TOTAL CASE SRVC/PUB ASST	2,522,579	
TOT UNEMPLOY INSURANCE	47,279,774	
	(469.39)	
IV. SCOICC		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	244,895	244,895
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	44,882	44,882
TOTAL PERSONAL SERVICE	289,777	289,777
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	88,667	32,973
TOTAL SCOICC	378,444	322,750
	(4.00)	(4.00)
V. WORKFORCE INVEST ACT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,159,460	
	(22.76)	
UNCLASSIFIED POSITIONS	37,383	
	(.33)	
OTHER PERSONAL SERVICES	164,760	
TOTAL PERSONAL SERVICE	1,361,603	
	(23.09)	
OTHER OPERATING EXPENSES	295,686	
DIST SUBDIVISIONS		
ALLOC CNTY-RESTRICTED	14,999,364	
ALLOC SCHOOL DIST	1,425,963	
ALLOC OTHER STATE AGENCIES	661,356	

R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC OTHER ENTITIES	1,517,051	
ALLOC-PRIVATE SECTOR	49,316,361	
ALLOC PLANNING DIST	1,322,108	
TOTAL DIST SUBDIVISIONS	<u>69,242,203</u>	
TOT WORKFORCE INVEST ACT	70,899,492	
	<u>(23.09)</u>	
VI. TRADE ADJUST ASSIST PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,375,058	
	<u>(77.00)</u>	
TOTAL PERSONAL SERVICE	1,375,058	
	<u>(77.00)</u>	
OTHER OPERATING EXPENSES	<u>25,726,277</u>	
TOTAL TRADE ADJUSTMENT ASSISTANCE	27,101,335	
	<u>(77.00)</u>	
VII. APPEALS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,689,768	
	<u>(37.50)</u>	
UNCLASSIFIED POSITIONS	105,984	
	<u>(1.00)</u>	
OTHER PERSONAL SERVICES	<u>297,396</u>	
TOTAL PERSONAL SERVICE	2,093,148	
	<u>(38.50)</u>	
OTHER OPERATING EXPENSES	<u>523,287</u>	
TOTAL APPEALS	2,616,435	
	<u>(38.50)</u>	
VIII. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	16,452,874	25,444
TOTAL FRINGE BENEFITS	<u>16,452,874</u>	<u>25,444</u>

R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

	TOTAL FUNDS	GENERAL FUNDS
TOTAL EMPLOYEE BENEFITS	16,452,874	25,444
IX. NON-RECURRING APPROPRIATIONS:		
SUTA TAX RELIEF	30,790,650	30,790,650
TOT NON-RECURRING APPRO	30,790,650	30,790,650
TOTAL NON-RECURRING	30,790,650	30,790,650
DEPT OF EMPLOYMENT AND WORKFORCE		
TOTAL RECURRING BASE	200,317,838	348,194
TOTAL FUNDS AVAILABLE	231,108,488	31,138,844
TOTAL AUTH FTE POSITIONS	(1,037.27)	(4.00)

SECTION 68A

U12-DEPARTMENT OF TRANSPORTATION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
A. GENERAL		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	146,000	(1.00)
CLASSIFIED POSITIONS	13,828,725	(283.00)
UNCLASSIFIED POSITIONS	250,000	(2.00)
OTHER PERSONAL SERVICES	250,000	
TOTAL PERSONAL SERVICE	14,474,725	(286.00)
OTHER OPERATING EXPENSES	22,000,000	
DEBT SERVICE		
DEBT SERVICE	2,000	
TOTAL DEBT SERVICE	2,000	

U12-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL GENERAL	36,476,725	(286.00)
<hr/>		
B. LAND & BUILDINGS		
OTHER OPERATING EXPENSES	500,000	
PERMANENT IMPROVEMENTS:		
CONST BLDGS & ADDITIONS	500,000	
TOTAL PERM IMPROVEMENTS	500,000	
TOTAL LAND AND BUILDINGS	1,000,000	
<hr/>		
TOTAL ADMINISTRATION	37,476,725	(286.00)
<hr/>		
II. HIGHWAY ENGINEERING		
A. ENGR-ADMIN & PROJ MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	74,065,016	(1,556.00)
UNCLASSIFIED POSITIONS	150,000	(1.00)
OTHER PERSONAL SERVICES	3,000,000	
TOTAL PERSONAL SERVICE	77,215,016	(1,557.00)
OTHER OPERATING EXPENSES	7,650,000	
TOT ENG-ADM & PROJ MGMT	84,865,016	(1,557.00)
<hr/>		
B. ENGINEER & CONSTRUCT:		
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	100,000,000	
PERMANENT IMPROVEMENTS:		
PERMANENT IMPROVEMENTS	822,920,248	
TOTAL PERM IMPROVEMENTS	822,920,248	
DEBT SERVICE		
PRINCIPAL - LOAN NOTE	1,678,368	
INTEREST - LOAN NOTE	3,301,384	
TOTAL DEBT SERVICE	4,979,752	

U12-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
AID TO SUBDIVISIONS		
ALOC MUN-RESTRICTED	5,000,000	
ALOC CNTY-RESTRICTED	1,000,000	
ALOC OTHER ENTITIES	100,000	
	6,100,000	
TOTAL DIST SUBDIVISIONS		
TOTAL ENGINEERING - CONSTRUCTION	934,000,000	
 C. HIGHWAY MAINTENANCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	86,019,981	
	(3,324.96)	
OTHER PERSONAL SERVICES	3,000,000	
	89,019,981	
TOTAL PERSONAL SERVICE	(3,324.96)	
OTHER OPERATING EXPENSES	110,000,000	
PERMANENT IMPROVEMENTS:		
PERMANENT IMPROVEMENTS	150,000	
	150,000	
TOTAL PERM IMPROVEMENTS		
TOT HIGHWAY MAINTENANCE	199,169,981	
	(3,324.96)	
TOT HIGHWAY ENGINEERING	1,218,034,997	
	(4,881.96)	
 III. TOLL OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	95,000	
	(2.00)	
	95,000	
TOTAL PERSONAL SERVICE	(2.00)	
OTHER OPERATING EXPENSES	2,970,000	
	3,065,000	
TOTAL TOLL OPERATIONS	(2.00)	
	(2.00)	

U12-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. NON-FEDERAL HWY AID		
OTHER OPERATING EXPENSES	35,000,000	
TOTAL NON-FEDERAL AID - HIGHWAY FUND	35,000,000	
V. MASS TRANSIT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,330,674	
	(21.00)	
UNCLASSIFIED POSITIONS	105,000	
	(1.00)	
TOTAL PERSONAL SERVICE	1,435,674	
	(22.00)	
OTHER OPERATING EXPENSES	315,000	
AID TO SUBDIVISIONS		
ALLOC MUN-RESTRICTED	2,000,000	
ALLOC OTHER ENTITIES	31,380,000	
AID TO OTHER ENTITIES	57,270	57,270
TOTAL DIST SUBDIVISIONS	33,437,270	57,270
TOTAL MASS TRANSIT	35,187,944	57,270
	(22.00)	
VI. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	73,000,000	
TOTAL FRINGE BENEFITS	73,000,000	
TOTAL EMPLOYEE BENEFITS	73,000,000	
DEPT OF TRANSPORTATION		
TOTAL FUNDS AVAILABLE	1,401,764,666	57,270
TOTAL AUTH FTE POSITIONS	(5,191.96)	

SECTION 68B
U15-INFRASTRUCTURE BANK BOARD

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
NEW POSITIONS		
<i>DIRECTOR</i>	75,000	
	(1.00)	
OTHER PERSONAL SERVICES	25,000	
TOTAL PERSONAL SERVICE	100,000	
	(1.00)	
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	172,780	
DEBT SERVICE		
DEBT SERVICE	50,000	
TOTAL DEBT SERVICE	50,000	
SPECIAL ITEMS:		
TRANSP INFRASTRUCTURE	50,000,000	
TOTAL SPECIAL ITEMS	50,000,000	
TOTAL ADMINISTRATION	50,322,780	
	(1.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	34,620	
TOTAL FRINGE BENEFITS	34,620	
TOTAL EMPLOYEE BENEFITS	34,620	
INFRASTRUCTURE BANK BD		
TOTAL FUNDS AVAILABLE	50,357,400	
TOTAL AUTH FTE POSITIONS	(1.00)	

SECTION 68C
U20-COUNTY TRANSPORTATION FUNDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. COUNTY TRANSP FUNDS		
OTHER OPERATING EXPENSES		
OTHER OPERATING EXPENSES	7,500,000	
PERMANENT IMPROVEMENTS		
PERMANENT IMPROVEMENTS	25,000,000	
TOTAL PERM IMPROVEMENTS	25,000,000	
DISTRIBUTION TO SUBDIV		
ALLOC MUNICIPAL	4,000,000	
ALLOC CNTY-RESTRICTED	55,500,000	
TOTAL DIST SUBDIVISIONS	59,500,000	
TOT COUNTY TRANSP	92,000,000	
COUNTY TRANSP FUNDS		
TOTAL FUNDS AVAILABLE	92,000,000	

SECTION 68D
U30-DIVISION OF AERONAUTICS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	877,210	542,934
	(13.00)	(8.80)
UNCLASSIFIED POSITIONS	85,000	85,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	78,158	
TOTAL PERSONAL SERVICE	1,040,368	627,934
	(14.00)	(9.80)
OTHER OPERATING EXPENSES	2,098,202	286,106
SPECIAL ITEMS:		
AID TO SUBDIVISIONS:		
ALLOC MUN-RESTRICTED	200,000	
ALLOC CNTY-RESTRICTED	2,015,000	

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U30-DIVISION OF AERONAUTICS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC OTHER ENTITIES	250,000	
TOTAL DIST SUBDIVISIONS	<u>2,465,000</u>	
TOTAL ADMINISTRATION	5,603,570 (14.00)	914,040 (9.80)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	284,826	177,421
TOTAL FRINGE BENEFITS	<u>284,826</u>	<u>177,421</u>
TOTAL EMPLOYEE BENEFITS	<u>284,826</u>	<u>177,421</u>
DIVISION OF AERONAUTICS		
TOTAL FUNDS AVAILABLE	5,888,396	1,091,461
TOTAL AUTH FTE POSITIONS	<u>(14.00)</u>	<u>(9.80)</u>

SECTION 70A
A01-LEG DEPT-THE SENATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
SENATORS @ \$10,400	478,400 (46.00)	478,400 (46.00)
PRESIDENT OF THE SENATE	1,575	1,575
PRESIDENT PRO TEMPORE	11,000	11,000
UNCLASSIFIED POSITIONS	7,003,610 (143.00)	7,003,610 (143.00)
TOTAL PERSONAL SERVICE	7,494,585 (189.00)	7,494,585 (189.00)
OTHER OPERATING EXPENSES	1,835,609	1,835,609
SPECIAL ITEMS		
** JOINT CITIZENS & LEG COMM		
ON CHILDREN	<u>300,000</u>	<u>50,000</u>

** See note at end of Act.

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SPECIAL ITEMS	300,000	50,000
TOTAL ADMINISTRATION	9,630,194 (189.00)	9,380,194 (189.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB EMPLOYER CONTRIBUTIONS	3,183,983	3,183,983
TOTAL FRINGE BENEFITS	3,183,983	3,183,983
TOTAL EMPLOYEE BENEFITS	3,183,983	3,183,983
LEG. DEPT-THE SENATE		
TOTAL FUNDS AVAILABLE	12,814,177	12,564,177
TOTAL AUTH FTE POSITIONS	(189.00)	(189.00)

SECTION 70B
A05-LEG DEPT-HOUSE OF REPRESENTATIVES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
REPRESENTATIVES @ \$10,400	1,289,600 (124.00)	1,289,600 (124.00)
THE SPEAKER	11,000	11,000
SPEAKER PRO TEMPORE	3,600	3,600
UNCLASSIFIED POSITIONS	4,834,114 (127.00)	4,834,114 (127.00)
TOTAL PERSONAL SERVICE	6,138,314 (251.00)	6,138,314 (251.00)
OTHER OPERATING EXPENSES	10,502,627	10,502,627
TOTAL ADMINISTRATION	16,640,941 (251.00)	16,640,941 (251.00)

A05-LEG DEPT-HOUSE OF REPRESENTATIVES

	TOTAL FUNDS	GENERAL FUNDS
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	4,638,847	4,638,847
TOTAL FRINGE BENEFITS	4,638,847	4,638,847
TOTAL EMPLOYEE BENEFITS	4,638,847	4,638,847
LEG DEPT-HOUSE OF REPRESENTATIVES		
TOTAL FUNDS AVAILABLE	21,279,788	21,279,788
TOTAL AUTH FTE POSITIONS	(251.00)	(251.00)

SECTION 70C

A15-LEG DEPT-CODIFICATION OF LAWS & LEG COUNCIL

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
CODE COMMNSR & DIR (P)	139,377	139,377
	(1.00)	(1.00)
UNCLASS LEG MISC (P)	1,780,969	1,780,969
	(43.00)	(43.00)
TOTAL PERSONAL SERVICE	1,920,346	1,920,346
	(44.00)	(44.00)
OTHER OPERATING EXPENSES	500,000	500,000
SPECIAL ITEMS		
CODE SUPPLEMENTS	400,000	100,000
PHOTOCOPYING EQUIPMENT	1,000	1,000
APPROVED ACCOUNTS	45,121	45,121
COMM ON UNIFORM STATE L	1,000	1,000
TOTAL SPECIAL ITEMS	447,121	147,121
TOTAL ADMINISTRATION	2,867,467	2,567,467
	(44.00)	(44.00)

A15-LEG DEPT-CODIFICATION OF LAWS & LEG COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. DEV/PRINT STATE REGISTER		
PERSONAL SERVICE		
UNCLASS LEG MISC (P)	123,432	123,432
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	123,432	123,432
	(2.00)	(2.00)
TOTAL DEVELOP/PRINT STATE REGISTER		
	123,432	123,432
	(2.00)	(2.00)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	609,582	609,582
TOTAL FRINGE BENEFITS	609,582	609,582
TOTAL EMPLOYEE BENEFITS	609,582	609,582
LEG DEPT-CODIFICATION OF LAWS & LEG COUNCIL		
TOTAL FUNDS AVAILABLE	3,600,481	3,300,481
TOTAL AUTH FTE POSITIONS	(46.00)	(46.00)

SECTION 70D

A17-LEG DEPT-LEG PRINTING, INF TECH SYSTEMS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR (P)	110,322	110,322
	(1.00)	(1.00)
UNCLASS LEG MISC - PRNT & ITS (P)	1,404,494	1,404,494
	(32.00)	(32.00)
UNCLASS-TEMP-LEGIS PRNT	80,000	80,000

A17-LEG DEPT-LEG PRINTING, INF TECH SYSTEMS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,594,816	1,594,816
	(33.00)	(33.00)
OTHER OPERATING EXPENSES	<u>3,235,711</u>	<u>3,235,711</u>
TOTAL ADMINISTRATION	4,830,527	4,830,527
	<u>(33.00)</u>	<u>(33.00)</u>
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>461,797</u>	<u>461,797</u>
TOTAL FRINGE BENEFITS	<u>461,797</u>	<u>461,797</u>
TOTAL EMPLOYEE BENEFITS	<u>461,797</u>	<u>461,797</u>
LEG DEPT-LEG PRINTING, INF TECH SYSTEMS		
TOTAL FUNDS AVAILABLE	5,292,324	5,292,324
TOTAL AUTH FTE POSITIONS	<u>(33.00)</u>	<u>(33.00)</u>

SECTION 70E

A20-LEG DEPT-LEG AUDIT COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR (P)	94,730	94,730
	(1.00)	(1.00)
UNCLASS LEG MISC - LAC (P)	947,793	727,793
	(25.00)	(25.00)
OTHER PERSONAL SERVICES	<u>1,225</u>	<u>1,225</u>
TOTAL PERSONAL SERVICE	1,043,748	823,748
	(26.00)	(26.00)
OTHER OPERATING EXPENSES	<u>95,000</u>	<u>95,000</u>
TOTAL ADMINISTRATION	1,138,748	918,748
	<u>(26.00)</u>	<u>(26.00)</u>

OF SOUTH CAROLINA
General and Permanent Laws--2012
A20-LEG DEPT-LEG AUDIT COUNCIL

	TOTAL FUNDS	GENERAL FUNDS
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	265,130	185,130
TOTAL FRINGE BENEFITS	265,130	185,130
TOTAL EMPLOYEE BENEFITS	265,130	185,130
LEG DEPT-LEG AUDIT COUNCIL		
TOTAL FUNDS AVAILABLE	1,403,878	1,103,878
TOTAL AUTH FTE POSITIONS	(26.00)	(26.00)

SECTION 70F
A85-EDUCATION OVERSIGHT COMMITTEE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	99,600	
	(1.00)	
UNCLASS LEG MISC (P)	330,000	
	(9.00)	
OTHER PERSONAL SERVICES	130,000	
TAXABLE SUBSISTENCE	2,000	
TOTAL PERSONAL SERVICE	561,600	
	(10.00)	
** OTHER OPERATING EXPENSES	703,088	200,000
TOTAL ADMINISTRATION	1,264,688	200,000
	(10.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	130,000	

** See note at end of Act.

A85-EDUCATION OVERSIGHT COMMITTEE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FRINGE BENEFITS	130,000	
TOTAL EMPLOYEE BENEFITS	130,000	
EDUC OVERSIGHT COMM		
TOTAL FUNDS AVAILABLE	1,394,688	200,000
TOTAL AUTH FTE POSITIONS	(10.00)	
TOT LEGISLATIVE DEPT	45,785,336	43,740,648
TOTAL AUTH FTE POSITIONS	(555.00)	(545.00)
REPRESENTATIVES	(124.00)	(124.00)
SENATORS	(46.00)	(46.00)

SECTION 71

C05-ADMINISTRATIVE LAW COURT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
CHIEF JUDGE	117,281	117,281
	(1.00)	(1.00)
ASSOCIATE JUDGE	521,251	521,251
	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	1,275,877	624,877
	(38.00)	(24.00)
TOTAL PERSONAL SERVICE	1,914,409	1,263,409
	(44.00)	(30.00)
OTHER OPERATING EXPENSES	708,163	222,640
TOTAL ADMINISTRATION	2,622,572	1,486,049
	(44.00)	(30.00)

OF SOUTH CAROLINA
General and Permanent Laws--2012
C05-ADMINISTRATIVE LAW COURT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	593,192	389,475
TOTAL FRINGE BENEFITS	<u>593,192</u>	<u>389,475</u>
TOTAL EMPLOYEE BENEFITS	<u>593,192</u>	<u>389,475</u>
ADMINISTRATIVE LAW COURT		
TOTAL FUNDS AVAILABLE	3,215,764	1,875,524
TOTAL AUTH FTE POSITIONS	<u>(44.00)</u>	<u>(30.00)</u>

SECTION 72A

D05-GOVERNOR'S OFF-EXECUTIVE CONTROL OF STATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE:		
GOVERNOR	106,078	106,078
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	1,201,357	1,201,357
	<u>(26.00)</u>	<u>(26.00)</u>
TOTAL PERSONAL SERVICE	1,307,435	1,307,435
	(27.00)	(27.00)
OTHER OPERATING EXPENSES	<u>101,213</u>	<u>101,213</u>
TOTAL ADMINISTRATION	1,408,648	1,408,648
	<u>(27.00)</u>	<u>(27.00)</u>
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	432,501	432,501
TOTAL FRINGE BENEFITS	<u>432,501</u>	<u>432,501</u>
TOTAL EMPLOYEE BENEFITS	<u>432,501</u>	<u>432,501</u>

D05-GOVERNOR'S OFF-EXECUTIVE CONTROL OF STATE

	TOTAL FUNDS	GENERAL FUNDS
GOVERNOR'S OFF-EXECUTIVE CONTROL OF STATE		
TOTAL FUNDS AVAILABLE	1,841,149	1,841,149
TOTAL AUTH FTE POSITIONS	(27.00)	(27.00)

SECTION 72B**D17-GOVERNOR'S OFF-EXECUTIVE POLICY & PROGRAMS**

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATIVE SERVICES		
A. DIVISION DIRECTOR		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	18,604	18,604
	(.50)	(.50)
UNCLASSIFIED POSITIONS	44,048	44,048
	(.50)	(.50)
TOTAL PERSONAL SERVICE	62,652	62,652
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	9,597	9,597
	(1.00)	(1.00)
TOTAL DIVISION DIRECTOR	72,249	72,249
	(1.00)	(1.00)
1. SUPPORT SERVICES		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	411,936	411,936
	(19.00)	(19.00)
UNCLASSIFIED POSITIONS	40,807	40,807
	(1.50)	(1.50)
TOTAL PERSONAL SERVICE	452,743	452,743
	(20.50)	(20.50)
OTHER OPERATING EXPENSES	168,038	168,038
DISTRIBUTION TO SUBDIV:		
ALLOC OTHER ST AGENCIES	1,048,998	
	1,048,998	
TOTAL DIST SUBDIVISIONS	1,048,998	

D17-GOVERNOR'S OFF-EXECUTIVE POLICY & PROGRAMS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SUPPORT SERVICES	1,669,779 (20.50)	620,781 (20.50)
TOTAL DIVISION DIRECTOR	1,742,028 (21.50)	693,030 (21.50)
TOT ADMIN SERVICES	1,742,028 (21.50)	693,030 (21.50)
II. CHILDREN'S SERVICES		
A. CHILDREN'S SERVICES		
1. GUARDIAN AD LITEM		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,186,440 (23.00)	282,416 (11.50)
UNCLASSIFIED POSITIONS	52,543 (1.00)	22,643 (.50)
OTHER PERSONAL SERVICES	2,363,526	193,729
TOTAL PERSONAL SERVICE	3,602,509 (24.00)	498,788 (12.00)
OTHER OPERATING EXPENSES	2,760,099	45,170
TOTAL GUARDIAN AD LITEM	6,362,608 (24.00)	543,958 (12.00)
2. CHILDREN'S AFFAIRS		
PERSONAL SERVICE:		
UNCLASSIFIED POSITIONS	36,523 (1.00)	36,523 (1.00)
TOTAL PERSONAL SERVICE	36,523 (1.00)	36,523 (1.00)
OTHER OPERATING EXPENSES	90	90
SPECIAL ITEMS:		
CHILDREN'S CASE RESOLUTION	4,054	4,054
CHILDREN'S TRUST FUND	100,000	100,000
TOTAL SPECIAL ITEMS	104,054	104,054
TOTAL CHILDREN'S AFFAIRS	140,667 (1.00)	140,667 (1.00)

D17-GOVERNOR'S OFF-EXECUTIVE POLICY & PROGRAMS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
3. FOSTER CARE		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	752,058	209,620
	(17.00)	(8.00)
UNCLASSIFIED POSITIONS	69,029	32,699
	(1.00)	(.50)
OTHER PERSONAL SERVICES	70,414	8,449
TOTAL PERSONAL SERVICE	891,501	250,768
	(18.00)	(8.50)
OTHER OPERATING EXPENSES	217,766	49,924
TOTAL FOSTER CARE	1,109,267	300,692
	(18.00)	(8.50)
4. CONTINUUM OF CARE		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	2,638,581	1,248,581
	(69.21)	(38.56)
UNCLASSIFIED POSITIONS	70,119	70,119
	(1.00)	(1.00)
TEMP GRANTS EMPLOYEE	500,000	
OTHER PERSONAL SERVICES	80,000	
TOTAL PERSONAL SERVICE	3,288,700	1,318,700
	(70.21)	(39.56)
OTHER OPERATING EXPENSES	894,890	144,890
CASE SERVICES:		
CASE SERVICES	1,465,666	992,885
TOTAL CASE SRVC/PUB ASST	1,465,666	992,885
TOTAL CONTINUUM OF CARE	5,649,256	2,456,475
	(70.21)	(39.56)
TOTAL CHILDREN'S SERVICES	13,261,798	3,441,792
	(113.21)	(61.06)
TOTAL CHILDREN'S SERVICES	13,261,798	3,441,792
	(113.21)	(61.06)

D17-GOVERNOR'S OFF-EXECUTIVE POLICY & PROGRAMS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. CONSTITUENT SERVICES		
A. CONSTITUENT SERVICES		
1. VICTIMS' ASSISTANCE		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,342,130	
	(28.68)	
UNCLASSIFIED POSITIONS	76,042	
	(1.00)	
TEMP GRANTS EMPLOYEE	311,829	
OTHER PERSONAL SERVICES	251,845	
TOTAL PERSONAL SERVICE	1,981,846	
	(29.68)	
OTHER OPERATING EXPENSES	13,133,376	
SPECIAL ITEMS:		
VICTIMS RIGHTS	44,022	44,022
TOTAL SPECIAL ITEMS	44,022	44,022
DISTRIBUTION TO SUBDIV:		
ALLOC CNTY-RESTRICTED	650,000	
ALLOC OTHER STATE AGENCIES	367,479	
ALLOC OTHER ENTITIES	158,000	
TOTAL DIST SUBDIVISIONS	1,175,479	
TOTAL VICTIMS' ASSISTANCE	16,334,723	44,022
	(29.68)	
2. VETERANS' AFFAIRS		
A. VETERANS' AFFAIRS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	367,713	367,713
	(15.30)	(15.30)
UNCLASSIFIED POSITIONS	50,000	50,000
TOTAL PERSONAL SERVICE	417,713	417,713
	(15.30)	(15.30)
OTHER OPERATING EXPENSES	15,090	15,090
SPECIAL ITEMS:		
POW COMMISSION	2,080	2,080
VETERANS COUNSELING	65,279	65,279
TOTAL SPECIAL ITEMS	67,359	67,359

D17-GOVERNOR'S OFF-EXECUTIVE POLICY & PROGRAMS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SERVICES:		
CASE SERVICES	550,000	
TOTAL CASE SRVC/PUB ASST	550,000	
TOTAL VETERANS' AFFAIRS	1,050,162	500,162
	(15.30)	(15.30)
B. VETERANS' CEMETERY		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	224,461	224,461
	(8.13)	(8.13)
TOTAL PERSONAL SERVICE	224,461	224,461
	(8.13)	(8.13)
OTHER OPERATING EXPENSES	500	500
TOTAL VETERANS' CEMETERY	224,961	224,961
	(8.13)	(8.13)
TOTAL VETERANS' AFFAIRS	1,275,123	725,123
	(23.43)	(23.43)
4. OMBUDSMAN		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	200,412	60,789
	(6.26)	(2.76)
UNCLASSIFIED POSITIONS	92,594	25,000
	(2.50)	(1.50)
OTHER PERSONAL SERVICES	18,720	
TOTAL PERSONAL SERVICE	311,726	85,789
	(8.76)	(4.26)
OTHER OPERATING EXPENSES	74,560	1,629
TOTAL OMBUDSMAN	386,286	87,418
	(8.76)	(4.26)
5. DEVELOPMENTAL DISABIL		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	222,607	34,658
	(5.75)	(1.26)

D17-GOVERNOR'S OFF-EXECUTIVE POLICY & PROGRAMS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	67,053	
	(1.00)	
OTHER PERSONAL SERVICES	4,500	
TOTAL PERSONAL SERVICE	294,160	34,658
	(6.75)	(1.26)
OTHER OPERATING EXPENSES	92,342	15,342
DISTRIBUTION TO SUBDIV:		
ALLOC MUN-RESTRICTED	60,000	
ALLOC SCHOOL DIST	300,000	
ALLOC OTHER STAGENCIES	400,000	
ALLOC OTHER ENTITIES	890,000	
TOTAL DIST SUBDIVISIONS	1,650,000	
TOTAL DEVELOPMENTAL DISABILITIES	2,036,502	50,000
	(6.75)	(1.26)
6. SMALL AND MIN BUSINESS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	43,331	43,331
	(1.50)	(1.50)
UNCLASSIFIED POSITIONS	41,311	41,311
	(.50)	(.50)
TOTAL PERSONAL SERVICE	84,642	84,642
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	13,061	13,061
TOTAL SMALL AND MINORITY BUSINESS	97,703	97,703
	(2.00)	(2.00)
7. ECONOMIC OPPORTUNITY		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	674,718	
	(16.30)	
UNCLASSIFIED POSITIONS	44,423	
	(2.00)	
OTHER PERSONAL SERVICES	476,088	

D17-GOVERNOR'S OFF-EXECUTIVE POLICY & PROGRAMS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,195,229	
	(18.30)	
OTHER OPERATING EXPENSES	3,459,528	
DISTRIBUTION TO SUBDIV:		
ALLOC OTHER ENTITIES	67,959,405	
TOTAL DIST SUBDIVISIONS	67,959,405	
TOT ECONOMIC OPPORTUNITY	72,614,162	
	(18.30)	
TOT CONSTITUENT SERVICES	92,744,499	1,004,266
	(88.92)	(30.95)
TOT CONSTITUENT SERVICES	92,744,499	1,004,266
	(88.92)	(30.95)
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	4,394,538	1,210,504
TOTAL FRINGE BENEFITS	4,394,538	1,210,504
TOTAL EMPLOYEE BENEFITS	4,394,538	1,210,504
GOVERNOR'S OFF-EXECUTIVE POLICY & PROGRAMS		
TOTAL FUNDS AVAILABLE	112,142,863	6,349,592
TOTAL AUTH FTE POSITIONS	(223.63)	(113.51)

SECTION 72C**D20-GOVERNOR'S OFF-MANSION AND GROUNDS**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	58,928	58,928
	(10.00)	(10.00)

D20-GOVERNOR'S OFF-MANSION AND GROUNDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	143,757	93,757
	(4.00)	(3.50)
OTHER PERSONAL SERVICES	<u>22,583</u>	<u>22,583</u>
TOTAL PERSONAL SERVICE	225,268	175,268
	(14.00)	(13.50)
OTHER OPERATING EXPENSES	<u>202,917</u>	<u>60,500</u>
TOTAL ADMINISTRATION	428,185	235,768
	<u>(14.00)</u>	<u>(13.50)</u>
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>65,616</u>	<u>58,033</u>
TOTAL FRINGE BENEFITS	<u>65,616</u>	<u>58,033</u>
TOTAL EMPLOYEE BENEFITS	<u>65,616</u>	<u>58,033</u>
GOVERNOR'S OFF-MANSION AND GROUNDS		
TOTAL FUNDS AVAILABLE	493,801	293,801
TOTAL AUTH FTE POSITIONS	<u>(14.00)</u>	<u>(13.50)</u>

SECTION 72D

D25-OFFICE OF INSPECTOR GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. OFF OF INSPECTOR GENERAL		
NEW POSITIONS		
NEW POSITIONS ADDED BY THE BUDGET & CONTROL BD		
INSPECTOR GENERAL	98,500	98,500
	(1.00)	(1.00)
<i>AUDITOR IV</i>	<i>113,100</i>	<i>84,545</i>
	(2.00)	(1.60)
<i>ADMINISTRATIVE ASSISTANT</i>	<i>25,000</i>	<i>25,000</i>
	<u>(1.00)</u>	<u>(1.00)</u>

STATUTES AT LARGE
General and Permanent Laws--2012
D25-OFFICE OF INSPECTOR GENERAL

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	236,600	208,045
	(4.00)	(3.60)
OTHER OPERATING EXPENSES	25,073	25,073
SPECIAL ITEMS		
FRAUD HOTLINE	3,000	3,000
TOTAL SPECIAL ITEMS	3,000	3,000
TOTAL OFFICE OF INSPECTOR GENERAL	264,673	236,118
	(4.00)	(3.60)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	63,882	63,882
TOTAL FRINGE BENEFITS	63,882	63,882
TOTAL EMPLOYEE BENEFITS	63,882	63,882
OFF OF INSPECTOR GENERAL		
TOTAL FUNDS AVAILABLE	328,555	300,000
TOTAL AUTH FTE POSITIONS	(4.00)	(3.60)
TOTAL GOVERNOR'S OFFICE	114,806,368	8,784,542
TOTAL AUTH FTE POSITIONS	(268.63)	(157.61)

SECTION 73
E04-LIEUTENANT GOVERNOR'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE:		
LIEUTENANT GOVERNOR	46,545	46,545
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	281,896	281,896
	(5.00)	(5.00)

E04-LIEUTENANT GOVERNOR'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	15,749	15,749
TOTAL PERSONAL SERVICE	344,190	344,190
	(6.00)	(6.00)
OTHER OPERATING EXPENSES	<u>68,125</u>	<u>68,125</u>
TOTAL ADMINISTRATION	412,315	412,315
	<u>(6.00)</u>	<u>(6.00)</u>
II. OFFICE ON AGING		
A. SENIOR SERVICES		
ADMINISTRATION		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,823,997	749,773
	(40.00)	(21.40)
UNCLASSIFIED POSITIONS	121,945	64,325
	(1.00)	(.25)
OTHER PERSONAL SERVICES	<u>6,019</u>	<u>2,765</u>
TOTAL PERSONAL SERVICE	1,951,961	816,863
	(41.00)	(21.65)
OTHER OPERATING EXPENSES	1,192,948	127,477
SPECIAL ITEM:		
SILVER HAIRED LEGISLATURE	13,500	13,500
HOME AND COMMUNITY		
BASED SERVICES	<u>3,472,000</u>	<u>3,472,000</u>
TOTAL SPECIAL ITEMS	<u>3,485,500</u>	<u>3,485,500</u>
TOTAL SENIOR SERVICES		
ADMINISTRATION	6,630,409	4,429,840
	<u>(41.00)</u>	<u>(21.65)</u>
B. OFFICE ON AGING ASSIST		
SPECIAL ITEMS:		
ALZHEIMERS	130,000	130,000
GERIATRIC PHYSICIAN		
LOAN PROGRAM	<u>35,000</u>	<u>35,000</u>
TOTAL SPECIAL ITEMS	165,000	165,000
CASE SERVICES:		
CASE SERVICES	<u>2,190,700</u>	

E04-LIEUTENANT GOVERNOR'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
TOTAL CASE SRVC/PUB ASST	2,190,700	
DISTRIBUTION TO SUBDIV:		
ALLOC OTHER ST AGENCIES	200,000	
ALLOC OTHER ENTITIES	27,744,184	
AID TO OTHER ENTITIES	1,122,124	1,122,124
	29,066,308	1,122,124
TOTAL DIST SUBDIVISIONS		
TOTAL OFFICE ON AGING ASSISTANCE	31,422,008	1,287,124
	38,052,417	5,716,964
	(41.00)	(21.65)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	703,467	428,823
	703,467	428,823
TOTAL FRINGE BENEFITS		
	703,467	428,823
TOTAL EMPLOYEE BENEFITS	703,467	428,823
LIEUTENANT GOVERNOR'S OFF		
TOTAL FUNDS AVAILABLE	39,168,199	6,558,102
TOTAL AUTH FTE POSITIONS	(47.00)	(27.65)

SECTION 74
E08-SECRETARY OF STATE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
SECRETARY OF STATE	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,118,483	486,444
	(28.00)	(16.00)
OTHER PERSONAL SERVICES	65,000	
	1,275,490	578,451
TOTAL PERSONAL SERVICE	(29.00)	(17.00)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	556,711	
TOTAL ADMINISTRATION	1,832,201 (29.00)	578,451 (17.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	388,381	252,043
TOTAL FRINGE BENEFITS	388,381	252,043
TOTAL EMPLOYEE BENEFITS	388,381	252,043
SECRETARY OF STATE		
TOTAL FUNDS AVAILABLE	2,220,582	830,494
TOTAL AUTH FTE POSITIONS	(29.00)	(17.00)

SECTION 75
E12-COMPTROLLER GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATIVE SERVICES		
PERSONAL SERVICE		
COMPTROLLER GENERAL	92,007 (1.00)	92,007 (1.00)
CLASSIFIED POSITIONS	130,000 (2.00)	130,000 (2.00)
UNCLASSIFIED POSITIONS	145,000 (3.00)	145,000 (3.00)
OTHER PERSONAL SERVICES	14,500	2,000
TOTAL PERSONAL SERVICE	381,507 (6.00)	369,007 (6.00)
OTHER OPERATING EXPENSES	58,301	1,500
TOTAL ADMIN SERVICES	439,808 (6.00)	370,507 (6.00)

E12-COMPTROLLER GENERAL'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
II. STATEWIDE PAYROLL/ACCTS PAYABLE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	644,070	599,070
	(21.00)	(18.00)
UNCLASSIFIED POSITIONS	35,500	35,500
OTHER PERSONAL SERVICES	45,000	
TOTAL PERSONAL SERVICE	724,570	634,570
	(21.00)	(18.00)
OTHER OPERATING EXPENSES	81,052	2,000
TOTAL STATEWIDE PAYROLL/ACCTS PAYABLE	805,622	636,570
	(21.00)	(18.00)
III. STATEWIDE FINANCIAL REPORTING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	207,000	200,000
	(6.00)	(6.00)
UNCLASSIFIED POSITIONS	35,556	35,556
OTHER PERSONAL SERVICES	100,773	5,773
TOTAL PERSONAL SERVICE	343,329	241,329
	(6.00)	(6.00)
OTHER OPERATING EXPENSES	56,748	1,748
TOTAL STATEWIDE FINANCIAL REPORTING	400,077	243,077
	(6.00)	(6.00)
IV. INFO TECHNOLOGY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	130,000	30,000
	(2.00)	(1.00)
OTHER PERSONAL SERVICES	12,570	70
TOTAL PERSONAL SERVICE	142,570	30,070
	(2.00)	(1.00)
OTHER OPERATING EXPENSES	204,489	1,065

E12-COMPTROLLER GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL INFO TECHNOLOGY	347,059	31,135
	(2.00)	(1.00)
V. STATEWIDE ACCT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	285,000	285,000
	(6.00)	(4.00)
UNCLASSIFIED POSITIONS	35,556	35,556
OTHER PERSONAL SERVICES	3,000	3,000
TOTAL PERSONAL SERVICE	323,556	323,556
	(6.00)	(4.00)
OTHER OPERATING EXPENSES	35,927	1,351
TOT STATEWIDE		
ACCOUNTING SERVICES	359,483	324,907
	(6.00)	(4.00)
VI. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	503,147	409,000
TOTAL FRINGE BENEFITS	503,147	409,000
TOTAL EMPLOYEE BENEFITS	503,147	409,000
COMPTROLLER GENERAL'S OFF		
TOTAL FUNDS AVAILABLE	2,855,196	2,015,196
TOTAL AUTH FTE POSITIONS	(41.00)	(35.00)

SECTION 76
E16-STATE TREASURER'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
STATE TREASURER	92,007	92,007
	(1.00)	(1.00)

STATUTES AT LARGE
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E16-STATE TREASURER'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	62,937	62,937
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	154,944	154,944
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	14,115	14,115
TOTAL ADMINISTRATION	169,059	169,059
	(3.00)	(3.00)
 II. PROGRAMS AND SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,665,586	942,885
	(64.00)	(37.00)
UNCLASSIFIED POSITIONS	317,000	
	(3.00)	
OTHER PERSONAL SERVICES	10,000	
TOTAL PERSONAL SERVICE	2,992,586	942,885
	(67.00)	(37.00)
OTHER OPERATING EXPENSES	1,371,580	52,641
TOTAL PROGRAMS AND SRVCS	4,364,166	995,526
	(67.00)	(37.00)
 IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	987,343	368,212
TOTAL FRINGE BENEFITS	987,343	368,212
TOTAL EMPLOYEE BENEFITS	987,343	368,212
 STATE TREASURER'S OFFICE		
TOTAL FUNDS AVAILABLE	5,520,568	1,532,797
TOTAL AUTH FTE POSITIONS	(70.00)	(40.00)

SECTION 77

E19-RETIREMENT SYSTEM INVESTMENT COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	5,509,298	
	(35.00)	
OTHER PERSONAL SERVICES	166,000	
TOTAL PERSONAL SERVICE	5,675,298	
	(35.00)	
OTHER OPERATING EXPENSES	3,034,026	
TOTAL ADMINISTRATION	8,709,324	
	(35.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,443,355	
TOTAL FRINGE BENEFITS	1,443,355	
TOTAL EMPLOYEE BENEFITS	1,443,355	
RETIREMENT SYSTEM		
INVESTMENT COMMISSION		
TOTAL FUNDS AVAILABLE	10,152,679	
TOTAL AUTH FTE POSITIONS	(35.00)	

SECTION 78

E24-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
ADJUTANT GENERAL	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	881,936	522,936
	(21.70)	(12.08)

STATUTES AT LARGE
General and Permanent Laws--2012
E24-ADJUTANT GENERAL'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
OTHER PERSONAL SERVICES	126,279	111,279
TOTAL PERSONAL SERVICE	1,100,222	726,222
	(22.70)	(13.08)
OTHER OPERATING EXPENSES	503,389	127,389
SPECIAL ITEMS		
BURIAL FLAGS	1,871	1,871
FUNERAL CAISSON	100,205	100,205
CIVIL AIR PATROL	5,000	5,000
TOTAL SPECIAL ITEMS	107,076	107,076
TOTAL ADMINISTRATION	1,710,687	960,687
	(22.70)	(13.08)
II. ARMORY OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	21,424	
	(.55)	
OTHER PERSONAL SERVICES	74,000	
TOTAL PERSONAL SERVICE	95,424	
	(.55)	
OTHER OPERATING EXPENSES	4,094,078	983,414
TOTAL ARMORY OPERATIONS	4,189,502	983,414
	(.55)	
III. MILITARY PERSONNEL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	(.50)	(.50)
TOTAL PERSONAL SERVICE	(.50)	(.50)
OTHER OPERATING EXPENSES	1	1
TOTAL MILITARY PERSONNEL	1	1
	(.50)	(.50)
V. BUILDINGS AND GROUNDS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	249,723	108,228
	(13.75)	(8.25)

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E24-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	7,139	3,239
TOTAL PERSONAL SERVICE	256,862	111,467
	(13.75)	(8.25)
OTHER OPERATING EXPENSES	69,931	27,793
TOT BUILDINGS & GROUNDS	326,793	139,260
	(13.75)	(8.25)
VI. ARMY CONTRACT SUPP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,088,589	11,840
	(10.75)	(.25)
OTHER PERSONAL SERVICES	3,925,954	
TOTAL PERSONAL SERVICE	5,014,543	11,840
	(10.75)	(.25)
OTHER OPERATING EXPENSES	18,964,985	73,300
TOT ARMY CONTRACT SUPP	23,979,528	85,140
	(10.75)	(.25)
VII. ENTERPRISE OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	98,857	
	(2.00)	
OTHER PERSONAL SERVICES	839,436	
TOTAL PERSONAL SERVICE	938,293	
	(2.00)	
OTHER OPERATING EXPENSES	3,825,000	
TOT ENTERPRISE OPERATIONS	4,763,293	
	(2.00)	
VIII. MCENTIRE ANG BASE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	935,489	55,822
	(23.75)	(2.81)
OTHER PERSONAL SERVICES	1,243,831	56,814
TOTAL PERSONAL SERVICE	2,179,320	112,636
	(23.75)	(2.81)

STATUTES AT LARGE
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E24-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	4,079,885	322,951
TOTAL MCENTIRE ANG BASE	6,259,205 (23.75)	435,587 (2.81)
IX. EMERG PREPAREDNESS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,332,561 (58.00)	703,697 (21.25)
OTHER PERSONAL SERVICES	330,122	10,000
TOTAL PERSONAL SERVICE	2,662,683 (58.00)	713,697 (21.25)
OTHER OPERATING EXPENSES	4,047,452	615,999
AID TO SUBDIVISIONS		
ALLOC-MUNICIPALITIES	4,500,000	
ALLOC CNTY-RESTRICTED	7,990,342	36,410
ALLOC OTHER ST AGENCIES	693,766	
ALLOC OTHER ENTITIES	60,000	
TOTAL DIST SUBDIVISIONS	13,244,108	36,410
TOT EMERG PREPAREDNESS	19,954,243 (58.00)	1,366,106 (21.25)
X. STATE GUARD		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	68,385 (2.50)	68,385 (2.50)
OTHER PERSONAL SERVICES	11,551	11,551
TOTAL PERSONAL SERVICE	79,936 (2.50)	79,936 (2.50)
OTHER OPERATING EXPENSES	43,064	43,064
TOTAL STATE GUARD	123,000 (2.50)	123,000 (2.50)
XI. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	5,277,795	770,811

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FRINGE BENEFITS	<u>5,277,795</u>	<u>770,811</u>
TOTAL EMPLOYEE BENEFITS	<u>5,277,795</u>	<u>770,811</u>
ADJUTANT GENERAL'S OFFICE		
TOTAL FUNDS AVAILABLE	66,584,047	4,864,006
TOTAL AUTH FTE POSITIONS	<u>(134.50)</u>	<u>(48.64)</u>

SECTION 79
E28-ELECTION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION:		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	84,375	84,375
	(1.00)	(1.00)
CLASSIFIED POSITIONS	98,735	34,938
	<u>(6.50)</u>	<u>(4.00)</u>
TOTAL PERSONAL SERVICE	183,110	119,313
	(7.50)	(5.00)
OTHER OPERATING EXPENSES	<u>318,101</u>	<u>102,198</u>
TOTAL ADMINISTRATION	501,211	221,511
	<u>(7.50)</u>	<u>(5.00)</u>
II. VOTER SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	238,481	238,481
	<u>(9.00)</u>	<u>(9.00)</u>
TOTAL PERSONAL SERVICE	238,481	238,481
	(9.00)	(9.00)
OTHER OPERATING EXPENSES	<u>317,919</u>	<u>317,919</u>
TOTAL VOTER SERVICES	556,400	556,400
	<u>(9.00)</u>	<u>(9.00)</u>

STATUTES AT LARGE
General and Permanent Laws--2012
E28-ELECTION COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
III. PUBLIC INFO/TRAINING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	19,246	19,246
	(3.00)	(3.00)
	19,246	19,246
TOTAL PERSONAL SERVICE	19,246	19,246
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	35,000	
	54,246	19,246
TOTAL PUBLIC INFORMATION/TRAINING	54,246	19,246
	(3.00)	(3.00)
IV. DISTRIBUTION TO SUBDIV		
AID CNTY-LOCAL REGIS EXP	533,000	533,000
	533,000	533,000
TOTAL DIST SUBDIVISIONS	533,000	533,000
	533,000	533,000
TOTAL DISTRIBUTION TO SUBDIVISIONS	533,000	533,000
V. STATEWIDE/SPECIAL PRIM		
SPECIAL ITEMS:		
STATEWIDE PRIM/GENERAL ELECTION	3,000,000	3,000,000
SPECIAL PRIMARIES	100,000	
	3,100,000	3,000,000
TOTAL SPECIAL ITEMS	3,100,000	3,000,000
	3,100,000	3,000,000
TOTAL STATEWIDE/SPECIAL PRIMARIES	3,100,000	3,000,000
	3,100,000	3,000,000
VII.EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	237,542	211,542
	237,542	211,542
TOTAL FRINGE BENEFITS	237,542	211,542
	237,542	211,542
TOTAL EMPLOYEE BENEFITS	237,542	211,542
	237,542	211,542

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	TOTAL FUNDS	GENERAL FUNDS
ELECTION COMMISSION		
TOTAL FUNDS AVAILABLE	4,982,399	4,541,699
TOTAL AUTH FTE POSITIONS	(19.50)	(17.00)

SECTION 80A
F03-BUDGET AND CONTROL BOARD

	TOTAL FUNDS	GENERAL FUNDS
I. OFFICE OF EXECUTIVE DIR		
A. BOARD ADMINISTRATION		
PERSONAL SERVICE:		
EXECUTIVE DIRECTOR	173,380	173,380
	(1.00)	(1.00)
CLASSIFIED POSITIONS	108,293	45,351
	(3.04)	(.90)
UNCLASSIFIED POSITIONS	226,205	79,577
	(2.00)	(.60)
OTHER PERSONAL SERVICES	20,560	20,560
TOTAL PERSONAL SERVICE	528,438	318,868
	(6.04)	(2.50)
OTHER OPERATING EXPENSES	120,425	25,390
TOT BOARD ADMINISTRATION	648,863	344,258
	(6.04)	(2.50)
B. GENERAL COUNSEL		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	126,000	
	(3.00)	
UNCLASSIFIED POSITIONS	636,500	
	(6.00)	
TOTAL PERSONAL SERVICE	762,500	
	(9.00)	
OTHER OPERATING EXPENSES	137,500	

STATUTES AT LARGE
General and Permanent Laws--2012
F03-BUDGET AND CONTROL BOARD

	TOTAL FUNDS	GENERAL FUNDS
TOTAL GENERAL COUNSEL	900,000	
	(9.00)	
<hr style="border-top: 3px double #000;"/>		
TOTAL OFFICE OF EXECUTIVE DIRECTOR	1,548,863	344,258
	(15.04)	(2.50)
<hr style="border-top: 3px double #000;"/>		
II. OPERATIONS AND EXECUTIVE TRAINING		
A. AGENCY SUPPORT		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	140,971	46,005
	(5.50)	(2.35)
UNCLASSIFIED POSITIONS	153,800	34,090
	(1.00)	(.30)
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	294,771	80,095
	(6.50)	(2.65)
OTHER OPERATING EXPENSES	65,977	47,834
<hr style="border-top: 1px solid black;"/>		
TOTAL AGENCY SUPPORT	360,748	127,929
	(6.50)	(2.65)
<hr style="border-top: 3px double #000;"/>		
B. INTERNAL OPERATIONS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,279,406	404,831
	(33.65)	(9.24)
UNCLASSIFIED POSITIONS	351,151	104,498
	(3.01)	(.90)
OTHER PERSONAL SERVICES	102,872	19,004
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	1,733,429	528,333
	(36.66)	(10.14)
OTHER OPERATING EXPENSES	869,749	585,948
SPECIAL ITEMS:		
ETV COVERAGE	513,269	513,269
<hr style="border-top: 1px solid black;"/>		
TOTAL SPECIAL ITEMS	513,269	513,269
<hr style="border-top: 1px solid black;"/>		
TOT INTERNAL OPERATIONS	3,116,447	1,627,550
	(36.66)	(10.14)
<hr style="border-top: 3px double #000;"/>		

OF SOUTH CAROLINA
General and Permanent Laws--2012
F03-BUDGET AND CONTROL BOARD

	TOTAL FUNDS	GENERAL FUNDS
TOTAL OPERATIONS AND EXECUTIVE TRAINING	3,477,195 (43.16)	1,755,479 (12.79)
<hr/>		
III. INTERNAL AUDIT		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	303,940 (6.00)	67,178 (1.80)
<hr/>		
TOTAL PERSONAL SERVICE	303,940 (6.00)	67,178 (1.80)
OTHER OPERATING EXPENSES	51,015	1,270
<hr/>		
TOT INTERNAL AUDIT AND PERFORMANCE REVIEW	354,955 (6.00)	68,448 (1.80)
<hr/>		
IV. BUD AND ANALYSES DIV		
A. OFFICE OF STATE BUDGET		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,323,292 (21.83)	1,323,292 (21.83)
UNCLASSIFIED POSITIONS	235,000 (3.99)	235,000 (3.99)
OTHER PERSONAL SERVICES	10,865	10,865
<hr/>		
TOTAL PERSONAL SERVICE	1,569,157 (25.82)	1,569,157 (25.82)
OTHER OPERATING EXPENSES	208,885	208,885
SPECIAL ITEM:		
APP BUDGET MODULE (NR)	2,500,000	2,500,000
<hr/>		
TOT NON-RECURRING APPRO	2,500,000	2,500,000
<hr/>		
TOT OFF OF STATE BUDGET	4,278,042 (25.82)	4,278,042 (25.82)
<hr/>		
B. OFFICE OF RESEARCH & STATISTICS		
1. ADMINISTRATION		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	406,805 (8.00)	183,833 (2.70)

STATUTES AT LARGE
General and Permanent Laws--2012
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	122,170	85,519
	(1.00)	(.70)
OTHER PERSONAL SERVICES	43,000	
TOTAL PERSONAL SERVICE	571,975	269,352
	(9.00)	(3.40)
OTHER OPERATING EXPENSES	121,371	28,083
TOTAL ADMINISTRATION	693,346	297,435
	(9.00)	(3.40)
2. ECONOMIC RESEARCH		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	192,495	192,495
	(4.00)	(4.00)
UNCLASSIFIED POSITIONS	196,833	196,833
	(1.00)	(1.00)
TOTAL PERSONAL SERVICE	389,328	389,328
	(5.00)	(5.00)
OTHER OPERATING EXPENSES	34,730	34,730
TOTAL ECONOMIC RESEARCH	424,058	424,058
	(5.00)	(5.00)
3. HEALTH AND DEMO		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,603,662	267,737
	(22.00)	(5.00)
OTHER PERSONAL SERVICES	490,964	
TOTAL PERSONAL SERVICE	2,094,626	267,737
	(22.00)	(5.00)
OTHER OPERATING EXPENSES	1,192,328	150,168
TOTAL HEALTH AND DEMOGRAPHIC STATISTICS	3,286,954	417,905
	(22.00)	(5.00)
4. DIGITAL CARTOGRAPHY		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	91,871	91,871
	(3.00)	(3.00)

OF SOUTH CAROLINA
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	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	91,871	91,871
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	63,100	63,100
TOT DIGITAL CARTOGRAPHY	154,971	154,971
	(3.00)	(3.00)
5. GEODETIC & MAP SURVEY		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	468,411	404,833
	(9.00)	(8.50)
OTHER PERSONAL SERVICES	61,563	
TOTAL PERSONAL SERVICE	529,974	404,833
	(9.00)	(8.50)
OTHER OPERATING EXPENSES	297,376	50,436
SPECIAL ITEMS:		
MAPPING	195,831	195,831
	(1.00)	(1.00)
TOTAL SPECIAL ITEMS	195,831	195,831
	(1.00)	(1.00)
TOTAL GEODETIC AND MAPPING SURVEY	1,023,181	651,100
	(10.00)	(9.50)
6. SUCCESSFUL CHILDREN'S PROJECT		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	66,000	
	(2.00)	
UNCLASSIFIED POSITIONS	80,238	
	(1.00)	
OTHER PERSONAL SERVICES	47,470	
TOTAL PERSONAL SERVICE	193,708	
	(3.00)	
OTHER OPERATING EXPENSES	98,292	

STATUTES AT LARGE
General and Permanent Laws--2012
F03-BUDGET AND CONTROL BOARD

	TOTAL FUNDS	GENERAL FUNDS
TOTAL SUCCESSFUL CHILDREN'S PROJECT	292,000 (3.00)	
<hr style="border-top: 3px double #000;"/>		
TOT OFFICE OF RESEARCH & STATISTICS	10,152,552 (77.82)	6,223,511 (51.72)
<hr style="border-top: 3px double #000;"/>		
C. BD OF ECON ADVISORS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	294,609 (4.00)	294,609 (4.00)
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	294,609 (4.00)	294,609 (4.00)
OTHER OPERATING EXPENSES	26,334	26,334
SPECIAL ITEMS:		
CHAIRMAN'S ALLOWANCE	10,000	10,000
APPOINTEE ALLOWANCE	16,000	16,000
<hr style="border-top: 1px solid black;"/>		
TOTAL SPECIAL ITEMS	26,000	26,000
<hr style="border-top: 1px solid black;"/>		
TOTAL BOARD OF ECONOMIC ADVISORS	346,943 (4.00)	346,943 (4.00)
<hr style="border-top: 3px double #000;"/>		
D. OFF OF HUMAN RESOURCES		
1. ADMINISTRATION		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	207,662 (4.00)	207,662 (4.00)
UNCLASSIFIED POSITIONS	116,984 (1.00)	116,984 (1.00)
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	324,646 (5.00)	324,646 (5.00)
OTHER OPERATING EXPENSES	56,500	56,500
<hr style="border-top: 1px solid black;"/>		
TOTAL ADMINISTRATION	381,146 (5.00)	381,146 (5.00)
<hr style="border-top: 3px double #000;"/>		

OF SOUTH CAROLINA
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	TOTAL FUNDS	GENERAL FUNDS
2. HUMAN RES CONSULT		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,011,681	1,011,681
	(19.17)	(19.17)
OTHER PERSONAL SERVICES	3,000	3,000
TOTAL PERSONAL SERVICE	1,014,681	1,014,681
	(19.17)	(19.17)
OTHER OPERATING EXPENSES	366,603	366,603
TOTAL HUMAN RESOURCE CONSULTING	1,381,284	1,381,284
	(19.17)	(19.17)
3. HUMAN RESOURCE DEVELOPMENT SERVICES		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	370,027	87,800
	(9.25)	(3.00)
UNCLASSIFIED POSITIONS	98,715	98,715
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	1,122,750	
TOTAL PERSONAL SERVICE	1,591,492	186,515
	(10.25)	(4.00)
OTHER OPERATING EXPENSES	215,237	30,237
TOTAL HUMAN RESOURCE DEVELOPMENT SERVICES	1,806,729	216,752
	(10.25)	(4.00)
TOT OFF OF HUMAN RESOURC	3,569,159	1,979,182
	(34.42)	(28.17)
E. CONFED RELIC ROOM & MILITARY MUSEUM		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	219,000	219,000
	(7.00)	(7.00)
UNCLASSIFIED POSITIONS	77,000	77,000
	(1.00)	(1.00)

STATUTES AT LARGE
General and Permanent Laws--2012
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	10,000	10,000
TOTAL PERSONAL SERVICE	306,000	306,000
	(8.00)	(8.00)
OTHER OPERATING EXPENSES	428,882	370,782
TOTAL SC CONFEDERATE RELIC ROOM AND MILITA	734,882	676,782
	(8.00)	(8.00)
TOTAL BUDGET AND ANALYSES DIVISION	14,803,536	9,226,418
	(124.24)	(91.89)
V. DIV OF GENERAL SRVCS		
A. BUSINESS OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	668,653	
	(13.00)	
UNCLASSIFIED POSITIONS	120,154	
	(2.00)	
OTHER PERSONAL SERVICES	75,000	
TOTAL PERSONAL SERVICE	863,807	
	(15.00)	
OTHER OPERATING EXPENSES	450,382	
TOTAL BUSINESS OPERATIONS	1,314,189	
	(15.00)	
B. FACILITIES MANAGEMENT		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	4,050,702	
	(129.88)	
UNCLASSIFIED POSITIONS	95,000	
	(1.00)	
OTHER PERSONAL SERVICES	189,986	
TOTAL PERSONAL SERVICE	4,335,688	
	(130.88)	
OTHER OPERATING EXPENSES	14,461,082	
SPECIAL ITEMS:		
CAPITAL COMPLEX RENT	719,781	719,781

OF SOUTH CAROLINA
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
STATE HOUSE MAINT & OPER	658,000	658,000
MANSION & GROUNDS	126,000	126,000
TOTAL SPECIAL ITEMS	1,503,781	1,503,781
PERMANENT IMPROVEMENTS:		
PERMANENT IMPROVEMENTS	3,000,000	
TOTAL PERM IMPROVEMENTS	3,000,000	
DEBT SERVICE		
PRINCIPAL - LOAN NOTE	227,668	
INTEREST - LOAN NOTE	7,496	
TOTAL DEBT SERVICE	235,164	
TOTAL FACILITIES MGMT	23,535,715	1,503,781
	(130.88)	
=====		
C. AGENCY SERVICES		
1. SURPLUS PROPERTY		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	606,281	
	(21.35)	
UNCLASSIFIED POSITIONS	33,200	
	(.23)	
OTHER PERSONAL SERVICES	122,650	
TOTAL PERSONAL SERVICE	762,131	
	(21.58)	
OTHER OPERATING EXPENSES	643,089	
TOTAL SURPLUS PROPERTY	1,405,220	
	(21.58)	
=====		
2. INTRA STATE MAIL		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	232,166	
	(9.00)	
UNCLASSIFIED POSITIONS		
	(.06)	
OTHER PERSONAL SERVICES	320,929	
TOTAL PERSONAL SERVICE	553,095	
	(9.06)	

STATUTES AT LARGE
General and Permanent Laws--2012
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	428,416	
TOTAL INTRA STATE MAIL	981,511	
	(9.06)	
<hr/>		
3. PARKING		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	64,290	
	(3.25)	
UNCLASSIFIED POSITIONS		
	(.02)	
TOTAL PERSONAL SERVICE	64,290	
	(3.27)	
OTHER OPERATING EXPENSES	201,190	
TOTAL PARKING	265,480	
	(3.27)	
<hr/>		
5. STATE FLEET MGMT		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,228,708	
	(32.97)	
UNCLASSIFIED POSITIONS	69,521	
	(.65)	
OTHER PERSONAL SERVICES	91,000	
TOTAL PERSONAL SERVICE	1,389,229	
	(33.62)	
OTHER OPERATING EXPENSES	18,279,993	
DEBT SERVICE:		
PRINCIPAL	2,100,000	
INTEREST	82,303	
TOTAL DEBT SERVICE	2,182,303	
TOT STATE FLEET MGMT	21,851,525	
	(33.62)	
<hr/>		
TOTAL AGENCY SERVICES	24,503,736	
	(67.53)	
<hr/>		

OF SOUTH CAROLINA
General and Permanent Laws--2012
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
D. STATE BUILDING & PROPERTY SERVICES		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	273,336	
	(8.00)	
UNCLASSIFIED POSITIONS	84,000	
	(1.56)	
OTHER PERSONAL SERVICES	10,000	
TOTAL PERSONAL SERVICE	367,336	
	(9.56)	
OTHER OPERATING EXPENSES	232,110	
TOTAL STATE BUILDING & PROPERTY SERVICES	599,446	
	(9.56)	
TOTAL DIVISION OF GENERAL SERVICES	49,953,086	1,503,781
	(222.97)	
VI. PROCUREMENT SERVICES DIVISION		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	3,046,222	869,313
	(61.99)	(19.99)
UNCLASSIFIED POSITIONS	170,438	115,776
	(1.50)	(1.00)
OTHER PERSONAL SERVICES	95,931	36,564
TOTAL PERSONAL SERVICE	3,312,591	1,021,653
	(63.49)	(20.99)
OTHER OPERATING EXPENSES	838,820	163,799
TOTAL PROCUREMENT SERVICES DIVISION	4,151,411	1,185,452
	(63.49)	(20.99)
VII. INSURANCE AND GRANTS DIVISION		
A. OFFICE OF INSURANCE RESERVE FUND		

STATUTES AT LARGE
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	2,829,636	
	(57.75)	
UNCLASSIFIED POSITIONS	278,106	
	(2.35)	
OTHER PERSONAL SERVICES	18,360	
	3,126,102	
TOTAL PERSONAL SERVICE	(60.10)	
OTHER OPERATING EXPENSES	3,409,918	
	6,536,020	
TOT OFFICE OF INSURANCE RESERVE FUND	(60.10)	
	(60.10)	
B. EMPLOYEE INSURANCE		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	4,694,833	
	(86.98)	
UNCLASSIFIED POSITIONS	328,057	
	(2.45)	
OTHER PERSONAL SERVICES	240,000	
	5,262,890	
TOTAL PERSONAL SERVICE	(89.43)	
OTHER OPERATING EXPENSES	4,162,981	
SPECIAL ITEMS:		
ADOPTION ASSISTANCE PROG	300,000	
	300,000	
TOTAL SPECIAL ITEMS	9,725,871	
TOT EMPLOYEE INSURANCE	(89.43)	
	(89.43)	
C. OFF OF LOCAL GOVT		
1. ADMINISTRATION		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	35,000	
	(1.00)	
UNCLASSIFIED POSITIONS	15,000	
	(1.50)	(1.50)
	(1.50)	(1.50)

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	50,000	
	(2.50)	(1.50)
OTHER OPERATING EXPENSES	10,000	
SPECIAL ITEMS:		
TOBACCO SETTLEMT LOCAL		
GOVERNMENT FUND	1,330,133	
LOCAL GOVT GRANTS PROG	1,360,000	1,360,000
TOTAL SPECIAL ITEMS	<u>2,690,133</u>	<u>1,360,000</u>
TOTAL ADMINISTRATION	2,750,133	1,360,000
	(2.50)	(1.50)
2. STATE REVOLVING FUND		
A. LOAN OPERATIONS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	430,000	
	(5.80)	
UNCLASSIFIED POSITIONS		
	(1.00)	
TOTAL PERSONAL SERVICE	430,000	
	(6.80)	
OTHER OPERATING EXPENSES	175,000	
TOTAL LOAN OPERATIONS	<u>605,000</u>	
	(6.80)	
B: LOANS		
SPECIAL ITEMS:		
LOANS	878,385	878,385
TOTAL SPECIAL ITEMS	<u>878,385</u>	<u>878,385</u>
TOTAL LOANS	<u>878,385</u>	<u>878,385</u>
TOT STATE REVOLVING FUND	1,483,385	878,385
	(6.80)	
3. SC RURAL INFRA		
BANK TRUST FUND		
SPECIAL ITEMS:		
SC RURAL INFRA FUND	15,000	15,000
TOTAL SPECIAL ITEMS	<u>15,000</u>	<u>15,000</u>

STATUTES AT LARGE
General and Permanent Laws--2012
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SC RURAL INFRA BANK TRUST FUND	15,000	15,000
<hr/>		
TOTAL OFFICE OF LOCAL GOVERNMENT	4,248,518	2,253,385
	(9.30)	(1.50)
<hr/>		
D. ENERGY OFFICE		
1. ENERGY PROGRAM		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	104,321	
	(13.95)	
UNCLASSIFIED POSITIONS	7,000	
	(.60)	
<hr/>		
TOTAL PERSONAL SERVICE	111,321	
	(14.55)	
OTHER OPERATING EXPENSES	386,350	
DISTRIBUTION TO SUBDIV		
ALLOC CNTY-RESTRICTED	700,000	
ALLOC OTHER ST AGENCIES	100,000	
ALLOC OTHER ENTITIES	200,000	
<hr/>		
TOTAL DIST SUBDIVISIONS	1,000,000	
<hr/>		
TOTAL ENERGY PROGRAM	1,497,671	
	(14.55)	
<hr/>		
2. RADIOACTIVE WASTE		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	121,689	
	(1.65)	
UNCLASSIFIED POSITIONS		
	(.50)	
OTHER PERSONAL SERVICES	33,104	
<hr/>		
TOTAL PERSONAL SERVICE	154,793	
	(2.15)	
OTHER OPERATING EXPENSES	150,000	
<hr/>		
TOTAL RADIOACTIVE WASTE	304,793	
	(2.15)	
<hr/>		

OF SOUTH CAROLINA
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL ENERGY OFFICE	1,802,464	
	(16.70)	
<hr style="border-top: 3px double #000;"/>		
VIII. DIV OF STATE		
INFORMATION TECHNOLOGY		
A. SUPPORT SERVICES		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,621,345	
	(36.00)	
UNCLASSIFIED POSITIONS	245,206	
	(2.00)	
OTHER PERSONAL SERVICES	41,602	
	<hr style="border-top: 1px solid black;"/>	
TOTAL PERSONAL SERVICE	1,908,153	
	(38.00)	
OTHER OPERATING EXPENSES	1,500,000	
	<hr style="border-top: 1px solid black;"/>	
TOTAL SUPPORT SERVICES	3,408,153	
	(38.00)	
<hr style="border-top: 3px double #000;"/>		
B. DSIT OPERATIONS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	6,809,173	
	(168.00)	
UNCLASSIFIED POSITIONS	120,788	
	(1.00)	
OTHER PERSONAL SERVICES	696,502	
	<hr style="border-top: 1px solid black;"/>	
TOTAL PERSONAL SERVICE	7,626,463	
	(169.00)	
OTHER OPERATING EXPENSES	27,730,573	
SPECIAL ITEMS:		
SERVICE CONTRACT 800MHZ	2,238,247	1,238,247
SCHOOL TECHNOLOGY	21,960,000	
	<hr style="border-top: 1px solid black;"/>	
TOTAL SPECIAL ITEMS	24,198,247	1,238,247
TOTAL DSIT OPERATIONS	59,555,283	1,238,247
	(169.00)	
<hr style="border-top: 3px double #000;"/>		
C. SC ENTERPRISE		
INFORMATION SYSTEM		
PERSONAL SERVICE:		

STATUTES AT LARGE
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	6,539,465	3,922,868
	(110.75)	(75.64)
UNCLASSIFIED POSITIONS	103,049	100,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	630,084	200,000
TOTAL PERSONAL SERVICE	7,272,598	4,222,868
	(111.75)	(76.64)
OTHER OPERATING EXPENSES	13,687,335	9,550,706
TOTAL SC ENTERPRISE INFORMATION SYSTEM	20,959,933	13,773,574
	(111.75)	(76.64)
TOTAL DIVISION OF STATE INFORMATION TECHNOLOG	106,236,242	17,265,206
	(494.28)	(78.14)
IX. SC RETIREMENT SYSTEMS PERSONAL SERVICE:		
CLASSIFIED POSITIONS	8,680,777	
	(182.00)	
UNCLASSIFIED POSITIONS	947,331	
	(10.00)	
OTHER PERSONAL SERVICES	272,829	
TOTAL PERSONAL SERVICE	9,900,937	
	(192.00)	
OTHER OPERATING EXPENSES	7,300,753	
TOT SC RETIREMENT SYSTEMS	17,201,690	
	(192.00)	
X. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	18,153,711	3,380,814
TOTAL FRINGE BENEFITS	18,153,711	3,380,814
TOTAL EMPLOYEE BENEFITS	18,153,711	3,380,814

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
BUDGET & CONTROL BOARD		
TOTAL FUNDS AVAILABLE	215,880,689	34,729,856
TOTAL AUTH FTE POSITIONS	<u>(1,161.18)</u>	<u>(208.11)</u>

SECTION 80B
F27-B & C-AUDITOR'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
STATE AUDITOR		
	(1.00)	(1.00)
CLASSIFIED POSITIONS	149,984	149,984
	<u>(3.00)</u>	<u>(3.00)</u>
TOTAL PERSONAL SERVICE	149,984	149,984
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	<u>1,000</u>	<u>1,000</u>
TOTAL ADMINISTRATION	150,984	150,984
	<u>(4.00)</u>	<u>(4.00)</u>
II. AUDITS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,103,600	1,287,719
	(32.00)	(29.00)
<i>AUDITOR III</i>	(21.00)	
UNCLASSIFIED POSITIONS	108,471	108,471
	<u>(2.00)</u>	<u>(2.00)</u>
TOTAL PERSONAL SERVICE	2,212,071	1,396,190
	(55.00)	(31.00)
OTHER OPERATING EXPENSES	<u>1,539,944</u>	<u>183,596</u>
TOTAL AUDITS	3,752,015	1,579,786
	<u>(55.00)</u>	<u>(31.00)</u>

STATUTES AT LARGE
General and Permanent Laws--2012
F27-B & C-AUDITOR'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	793,536	494,687
TOTAL FRINGE BENEFITS	<u>793,536</u>	<u>494,687</u>
TOTAL EMPLOYEE BENEFITS	<u>793,536</u>	<u>494,687</u>
B & C-AUDITOR'S OFFICE		
TOTAL FUNDS AVAILABLE	4,696,535	2,225,457
TOTAL AUTH FTE POSITIONS	<u>(59.00)</u>	<u>(35.00)</u>

SECTION 80C
F30-B & C-EMPLOYEE BENEFITS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. STATE EMPLOYER CONTRIB		
UNEMPLOYMENT COMP INS	1,895	1,895
STATE RETIREMT-MILITARY & NON-MEMBER SRV	77,014	77,014
RETIREMENT SPPL-STATE EMP	623,357	623,357
RETIRE SUPPLEMENT-PUBLIC SCHOOL EMP	980,600	980,600
RETIRE-POLICE INSURANCE AND ANNUITY FUND	11,041	11,041
RETIREMENT SPPL-POL OFF	53,178	53,178
PENSIONS-RET NATL GUARD	<u>4,539,066</u>	<u>4,539,066</u>
TOTAL FRINGE BENEFITS	<u>6,286,151</u>	<u>6,286,151</u>
TOTAL STATE EMPLOYER CONTRIBUTIONS	<u>6,286,151</u>	<u>6,286,151</u>
II. STATE EMP BENEFITS		
B. BASE PAY INCREASE PERSONAL SERVICE EMPLOYEE PAY PLAN		
	<u>43,032,091</u>	<u>43,032,091</u>

OF SOUTH CAROLINA
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F30-B & C-EMPLOYEE BENEFITS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	43,032,091	43,032,091
TOTAL BASE PAY INCREASE	<u>43,032,091</u>	<u>43,032,091</u>
C. RATE INCREASES		
HLTH INSURANCE-EMPLOYER CONTRIBUTIONS	51,528,219	51,528,219
ST RETIRE-STATE EMPLOYEES RETIRE-POLICE INSURANCE AND ANNUITY FUN	31,000,000	31,000,000
OPEB TRUST FUND PAYMENT	<u>985,552</u>	<u>985,552</u>
TOTAL FRINGE BENEFITS	<u>2,375,300</u>	<u>2,375,300</u>
TOTAL RATE INCREASE	<u>85,889,071</u>	<u>85,889,071</u>
TOT STATE EMPLOY BENEFITS	<u>128,921,162</u>	<u>128,921,162</u>
B & C-EMPLOYEE BENEFITS		
TOTAL FUNDS AVAILABLE	<u>135,207,313</u>	<u>135,207,313</u>

SECTION 80D
F31-CAPITAL RESERVE FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. RESERVE FUND		
SPECIAL ITEM		
CAPITAL RESERVE FUND	112,656,555	112,656,555
TOTAL SPECIAL ITEMS	<u>112,656,555</u>	<u>112,656,555</u>
TOTAL RESERVE FUNDS	<u>112,656,555</u>	<u>112,656,555</u>
CAPITAL RESERVE FUND		
TOTAL FUNDS AVAILABLE	<u>112,656,555</u>	<u>112,656,555</u>

STATUTES AT LARGE
General and Permanent Laws--2012
F31-CAPITAL RESERVE FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT BUDGET & CONTROL BD	<u>468,441,092</u>	<u>284,819,181</u>
TOTAL AUTH FTE POSITIONS	<u>(1,220.18)</u>	<u>(243.11)</u>

SECTION 81
R44-DEPARTMENT OF REVENUE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMIN & PROGRAM SUPPORT		
PERSONAL SERVICE		
DIRECTOR	130,063	130,063
	(1.00)	(1.00)
CLASSIFIED POSITIONS	270,245	270,245
	(10.00)	(10.00)
UNCLASSIFIED POSITIONS	123,375	123,375
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	523,683	523,683
	(13.00)	(13.00)
OTHER OPERATING EXPENSES	<u>35,000</u>	<u>35,000</u>
TOT ADMINISTRATIVE AND PROGRAM SUPPORT	558,683	558,683
	<u>(13.00)</u>	<u>(13.00)</u>
II. PROGRAMS AND SRVCS		
A. SUPPORT SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,574,682	4,900,000
	(128.00)	(119.00)
NEW POSITIONS ADDED BY THE BUDGET & CONTROL BOARD		
<i>INFO TECH MANAGER</i>	(1.00)	
<i>SR INFO RESOURCE CONSULTANT</i>	(5.00)	
<i>SR APPLICANT ANALYST</i>	(5.00)	

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
<i>SR SOFTWARE ENGINEER</i>		
	(5.00)	
<i>PROJECT MGR II</i>		
	(1.00)	
<i>SR APPLICANT ANALYST II</i>		
	(2.00)	
<i>APPL ANALYST II</i>		
	(2.00)	
<i>APPL ANALYST I</i>		
	(4.00)	
<i>INFO TECH SYST ARCH</i>		
	(2.00)	
<i>INFO RESO CONSULT I</i>		
	(1.00)	
<i>INFO RES CONSULT</i>		
	(1.00)	
OTHER PERSONAL SERVICES	150,000	100,000
TOTAL PERSONAL SERVICE	6,724,682	5,000,000
	(157.00)	(119.00)
OTHER OPERATING EXPENSES	22,848,103	1,172,074
TOTAL SUPPORT SERVICES	29,572,785	6,172,074
	(157.00)	(119.00)
B. REVENUE & REGULATORY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	23,005,318	22,635,964
	(609.50)	(595.50)
OTHER PERSONAL SERVICES	1,000,000	550,000
TOTAL PERSONAL SERVICE	24,005,318	23,185,964
	(609.50)	(595.50)
OTHER OPERATING EXPENSES	2,440,125	1,681,517
TOT REVENUE & REGULATORY	26,445,443	24,867,481
	(609.50)	(595.50)
C. LEGAL, POLICY & LEGIS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	505,992	505,992
	(12.00)	(12.00)

STATUTES AT LARGE
General and Permanent Laws--2012
R44-DEPARTMENT OF REVENUE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	505,992	505,992
	(12.00)	(12.00)
OTHER OPERATING EXPENSES	<u>80,000</u>	<u>80,000</u>
TOTAL LEGAL, POLICY & LEGISLATIVE	585,992	585,992
	<u>(12.00)</u>	<u>(12.00)</u>
TOT PROGRAMS AND SRVCS	56,604,220	31,625,547
	<u>(778.50)</u>	<u>(726.50)</u>
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	<u>10,385,888</u>	<u>9,482,468</u>
TOTAL FRINGE BENEFITS	<u>10,385,888</u>	<u>9,482,468</u>
TOTAL EMPLOYEE BENEFITS	<u>10,385,888</u>	<u>9,482,468</u>
DEPARTMENT OF REVENUE		
TOTAL FUNDS AVAILABLE	67,548,791	41,666,698
TOTAL AUTH FTE POSITIONS	<u>(791.50)</u>	<u>(739.50)</u>

SECTION 82
R52-STATE ETHICS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	67,978	67,978
	(1.00)	(1.00)
CLASSIFIED POSITIONS	344,402	116,354
	(9.00)	(6.00)
OTHER PERSONAL SERVICES	<u>18,187</u>	<u>3,187</u>
TOTAL PERSONAL SERVICE	430,567	187,519
	(10.00)	(7.00)
OTHER OPERATING EXPENSES	<u>255,800</u>	<u>25,800</u>

OF SOUTH CAROLINA
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R52-STATE ETHICS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL ADMINISTRATION	686,367 (10.00)	213,319 (7.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	118,039	73,579
TOTAL FRINGE BENEFITS	118,039	73,579
TOTAL EMPLOYEE BENEFITS	118,039	73,579
STATE ETHICS COMMISSION		
TOTAL FUNDS AVAILABLE	804,406	286,898
TOTAL AUTH FTE POSITIONS	(10.00)	(7.00)

SECTION 83
S60-PROCUREMENT REVIEW PANEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	75,175 (2.00)	75,175 (2.00)
OTHER PERSONAL SERVICES	469	469
TOTAL PERSONAL SERVICE	75,644 (2.00)	75,644 (2.00)
OTHER OPERATING EXPENSES	17,269	14,735
TOTAL ADMINISTRATION	92,913 (2.00)	90,379 (2.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	21,551	21,551
TOTAL FRINGE BENEFITS	21,551	21,551

STATUTES AT LARGE
General and Permanent Laws--2012
S60-PROCUREMENT REVIEW PANEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL EMPLOYEE BENEFITS	21,551	21,551
PROCUREMENT REVIEW PANEL		
TOTAL FUNDS AVAILABLE	114,464	111,930
TOTAL AUTH FTE POSITIONS	(2.00)	(2.00)

SECTION 84
V04-DEBT SERVICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. GENERAL OBLIGATION BONDS (G.O.) BONDS SUBJECT TO DEBT SERVICE LIMITATION:		
CAPITAL IMPROVE BONDS	54,343,728	54,343,728
AIR CARRIER HUB BONDS	4,308,400	4,308,400
STATE SCHOOL FACILITIES BONDS	68,016,925	68,016,925
ECONOMIC DEVELOP BONDS	35,775,280	35,775,280
RESEARCH UNIVBONDS	24,220,344	24,220,344
TOTAL DEBT SERVICE	186,664,677	186,664,677
TOT GEN OBLIGATION BONDS	186,664,677	186,664,677
II. SPEC BONDS/ STOCKS/OTHER LONG TERM OBLIGATIONS		
INT PAYMT-CLEMSON STOCK	3,513	3,513
RICHARD B RUSSELL	550,000	550,000
INT PAYMT-AGRI COLLEGE STK	11,508	11,508
TOTAL DEBT SERVICE	565,021	565,021
TOT SPECIAL BONDS & STOCKS	565,021	565,021

	TOTAL FUNDS	GENERAL FUNDS
DEBT SERVICE		
TOTAL FUNDS AVAILABLE	187,229,698	187,229,698

SECTION 86
X22-AID TO SUBDIVISIONS - STATE TREASURER

	TOTAL FUNDS	GENERAL FUNDS
I. AID TO SUBDIVISIONS		
DISTRIBUTION TO SUBDIV:		
AID - LOCAL GOV'T FUND	182,619,411	182,619,411
AID TO FIRE DISTRICTS	13,496,453	13,496,453
AID PLANNING DISTRICTS	556,253	556,253
AID TO COUNTY VETERANS' OFFICES	247,507	247,507
TOTAL DIST SUBDIVISIONS	196,919,624	196,919,624
TOTAL AID TO SUBDIV- FORMULA FUNDED	196,919,624	196,919,624
II. AID TO SUBDIV CATEGOR		
CATEGOR GRANTS COUNTIES		
DISTRIBUTION TO SUBDIV		
AID CNTY-CLERKS OF COURT	72,450	72,450
AID CNTY-PROBATE JUDGES	72,450	72,450
AID CNTY-SHERIFFS	72,450	72,450
AID CNTY-REGISTER OF DEEDS	29,925	29,925
AID CNTY-CORONERS	72,450	72,450
AID CNTY-AUDITORS	1,252,316	1,252,316
AID CNTY-TREASURERS	1,252,315	1,252,315
TOTAL DIST SUBDIVISIONS	2,824,356	2,824,356
TOT AID TO SUBDIVISIONS - CATEGORICAL GRANT	2,824,356	2,824,356

X22-AID TO SUBDIVISIONS - STATE TREASURER

	TOTAL FUNDS	GENERAL FUNDS
AID TO SUBDIVISIONS-STATE TREASURER		
TOTAL FUNDS AVAILABLE	199,743,980	199,743,980

SECTION 86A

X44-AID TO SUBDIVISIONS - DEPARTMENT OF REVENUE

	TOTAL FUNDS	GENERAL FUNDS
I. AID TO SUBDIVISIONS- DEPARTMENT OF REVENUE DISTRIBUTION TO SUBDIV: AID TO CNTYS-HOMESTEAD EXEMPTION FUND		
	108,787,514	108,787,514
AID TO SUBDIVISIONS- DEPARTMENT OF REVENUE		
TOTAL FUNDS AVAILABLE	108,787,514	108,787,514

SECTION 87
RECAPITULATION

AGENCY	TOTAL FUNDS	GENERAL FUNDS
H63 DEPARTMENT OF EDUCATION	3,670,442,360	2,119,081,545
H66 LOTTERY EXPENDITURE ACCOUNT	284,735,117	
H71 WIL LOU GRAY OPPORTUNITY SCH	6,103,361	4,913,040
H75 SCH FOR THE DEAF AND THE BLIND	25,743,643	17,018,069
L12 JOHN DE LA HOWE SCHOOL	5,085,981	4,251,242
H03 COMM ON HIGHER EDUCATION	119,280,326	107,896,556
H06 HIGHER EDUC TUITION GRANT	25,943,951	21,995,826
H09 THE CITADEL	134,390,685	8,494,888
H12 CLEMSON UNIV (EDUC & GEN)	773,341,778	59,746,916
H15 UNIVERSITY OF CHARLESTON	222,595,776	18,111,904
H17 COASTAL CAROLINA UNIVERSITY	180,802,642	8,591,599
H18 FRANCIS MARION UNIVERSITY	54,577,489	10,837,363
H21 LANDER UNIVERSITY	40,457,644	5,856,128
H24 SOUTH CAROLINA STATE UNIV	145,135,675	11,378,373
H27 UNIV OF SOUTH CAROLINA	944,036,034	99,324,550
H29 U S C - AIKEN CAMPUS	52,328,926	5,924,243

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RECAPITULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
H34 U S C - UPSTATE	87,830,337	7,799,843
H36 U S C - BEAUFORT CAMPUS	24,490,597	1,360,802
H37 U S C - LANCASTER CAMPUS	18,378,210	1,468,791
H38 U S C - SALKEHATCHIE CAMPUS	13,164,271	1,251,387
H39 U S C - SUMTER CAMPUS	14,806,758	2,330,655
H40 U S C - UNION CAMPUS	6,649,425	570,069
H47 WINTHROP UNIVERSITY	145,471,827	12,456,146
H51 MEDICAL UNIV OF SOUTH CA	651,439,356	51,644,480
H53 AREA HEALTH EDUCA CONSORTI	11,917,052	8,978,368
H59 TECH & COMPREHENSIVE EDUC	663,468,531	118,644,294
H67 EDUCATIONAL TELEVISION COMM	18,875,000	
H73 VOCATIONAL REHABILITATION	146,773,957	12,184,005
J02 DEPT OF HEALTH AND HUMAN SRVC	5,938,305,336	1,093,753,004
J04 DEPT OF HEALTH AND ENVIRON	573,687,916	93,647,984
J12 DEPT OF MENTAL HEALTH	387,145,788	151,669,318
J16 DEPT OF DISABILITIES AND SPECI	568,448,265	174,402,648
J20 DEPT OF ALCOHOL & OTHER DRUG	32,298,130	6,255,633
L04 DEPARTMENT OF SOCIAL SERVICES	2,136,272,717	119,895,834
L24 COMMISSION FOR THE BLIND	10,271,471	2,468,925
H79 DEPT OF ARCHIVES AND HISTORY	4,392,677	2,200,936
H87 STATE LIBRARY	11,720,889	8,802,743
H91 ARTS COMMISSION	3,446,946	1,937,598
H95 STATE MUSEUM COMMISSION	4,682,354	2,710,444
L32 HOUSING FINANCE AND DEVELOP	179,176,617	
P12 FORESTRY COMMISSION	23,174,753	12,432,480
P16 DEPARTMENT OF AGRICULTURE	12,993,676	4,900,150
P20 CLEMSON UNIV (PUBLIC SRVC ACT)	65,910,976	27,995,827
P21 SC STATE UNIV (PUBLIC SRVC ACT)	6,334,038	2,281,862
P24 DEPT OF NATURAL RESOURCES	78,134,017	15,754,782
P26 SEA GRANT CONSORTIUM	6,048,009	428,223
P28 DEPT OF PARKS, REC & TOUR	70,192,570	29,651,597
P32 DEPARTMENT OF COMMERCE	86,147,243	25,409,228
P34 JOBS-ECONOMIC DEVELOP AUTH	461,150	
P36 PATRIOTS POINT DEVELOP AUTH	8,547,262	
P40 S. C. CONSERVATION BANK	7,523,899	
B04 JUDICIAL DEPARTMENT	67,819,555	43,486,162
E20 ATTORNEY GENERAL'S OFFICE	20,861,270	7,378,976
E21 PROSECUTION COORD COMM	20,178,747	11,553,409
E23 COMM ON INDIGENT DEFENSE	31,238,550	17,812,898
D10 GOVERNOR'S OFF-STATE LAW ENFOR	88,947,504	33,137,465
K05 DEPARTMENT OF PUBLIC SAFETY	154,941,120	67,855,207
N20 LAW ENFORCE TRAINING COUNCIL	13,902,966	1,182,966
N04 DEPARTMENT OF CORRECTIONS	413,262,171	357,161,299
N08 DEPT OF PROB, PAROLE & PARDON	52,174,552	20,951,060
N12 DEPARTMENT OF JUVENILE JUSTICE	117,792,786	90,126,541
L36 HUMAN AFFAIRS COMMISSION	1,888,627	1,260,524
L46 STATE COMMISSION FOR MINORITY	640,492	378,678
R04 PUBLIC SERVICE COMMISSION	4,636,308	

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RECAPITULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
R06 OFFICE OF REGULATORY STAFF	11,118,806	
R08 WORKERS' COMPENSATION COMM	4,998,685	1,763,619
R12 STATE ACCIDENT FUND	5,799,811	
R14 PATIENTS' COMPENSATION FUND	996,001	
R16 SECOND INJURY FUND	1,796,474	
R20 DEPARTMENT OF INSURANCE	18,438,093	3,557,339
R23 BOARD OF FINANCIAL INSTITUTION	3,775,875	
R28 DEPARTMENT OF CONSUMER AFFAIRS	2,514,242	697,382
R36 DEPT OF LABOR, LICENSING & REG	40,947,975	1,246,103
R40 DEPARTMENT OF MOTOR VEHICLES	85,000,000	
R60 DEPT OF EMPLOYMENT & WORK	231,108,488	31,138,844
U12 DEPT OF TRANSPORTATION	1,401,764,666	57,270
U15 INFRASTRUCTURE BANK BOARD	50,357,400	
U20 COUNTY TRANSPORTATION FUNDS	92,000,000	
U30 DIVISION OF AERONAUTICS	5,888,396	1,091,461
A01 LEG DEPT-THE SENATE	12,814,177	12,564,177
A05 LEG DEPT-HOUSE OF REPRESENTAT	21,279,788	21,279,788
A15 LEG DEPT-CODIFICATION OF LAWS	3,600,481	3,300,481
A17 LEG DEPT-LEG PRINTING, ITS	5,292,324	5,292,324
A20 LEG DEPT-LEG AUDIT COUNCIL	1,403,878	1,103,878
A85 EDUCATION OVERSIGHT COMMITTEE	1,394,688	200,000
C05 ADMINISTRATIVE LAW COURT	3,215,764	1,875,524
D05 GOVERNOR'S OFF-EXECUTIVE CONTR	1,841,149	1,841,149
D17 GOVERNOR'S OFF-EXECUTIVE POLIC	112,142,863	6,349,592
D20 GOVERNOR'S OFF-MANSION & GRDS	493,801	293,801
D25 OFFICE OF INSPECTOR GENERAL	328,555	300,000
E04 LIEUTENANT GOVERNOR'S OFFICE	39,168,199	6,558,102
E08 SECRETARY OF STATE	2,220,582	830,494
E12 COMPTROLLER GENERAL'S OFFICE	2,855,196	2,015,196
E16 STATE TREASURER'S OFFICE	5,520,568	1,532,797
E19 RETIREMENT SYSTEM INVEST COMM	10,152,679	
E24 ADJUTANT GENERAL'S OFFICE	66,584,047	4,864,006
E28 ELECTION COMMISSION	4,982,399	4,541,699
F03 BUDGET AND CONTROL BOARD	215,880,689	34,729,856
F27 B & C-AUDITOR'S OFFICE	4,696,535	2,225,457
F30 B & C-EMPLOYEE BENEFITS	135,207,313	135,207,313
F31 CAPITAL RESERVE FUND	112,656,555	112,656,555
R44 DEPARTMENT OF REVENUE	67,548,791	41,666,698
R52 STATE ETHICS COMMISSION	804,406	286,898
S60 PROCUREMENT REVIEW PANEL	114,464	111,930
V04 DEBT SERVICE	187,229,698	187,229,698
X22 AID TO SUBDIV-STATE TREAS	199,743,980	199,743,980
X44 AID TO SUBDIV-DEPT OF REV	108,787,514	108,787,514

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RECAPITULATION

	TOTAL FUNDS	GENERAL FUNDS
GRAND TOTAL	22,976,334,051	6,087,936,408
SOURCE OF FUNDS		
GENERAL FUNDS	6,087,936,408	
FEDERAL FUNDS	8,669,288,844	
EARMARKED FUNDS	4,949,344,035	
RESTRICTED FUNDS	3,269,764,764	
TOTAL FUNDS	22,976,334,051	

SECTION 88
REVENUE

ESTIMATE OF GENERAL, SCHOOL, TRANSPORTATION,
EDUCATION IMPROVEMENT ACT AND EDUCATION
LOTTERY REVENUES
FISCAL YEAR 2012-2013

REGULAR SOURCES:

Retail Sales Tax	2,466,430,613
Income Tax (Total)	2,922,568,738
Individual	2,732,202,909
Corporation	<u>190,365,829</u>
 Total Income and Sales Tax	 <u>5,388,999,351</u>

All Other Revenue

Admissions Tax	27,765,424
Aircraft Tax	4,014,377
Alcoholic Liquor Tax	62,138,620
Bank Tax	16,639,978
Beer and Wine Tax	105,547,794
Business License Tax	23,811,376
Coin-Operated Device Tax	1,746,052
Corporation License Tax	94,479,543
Departmental Revenue	36,590,056
Documentary Tax	22,571,698
Earned on Investments	29,000,000
Estate & Gift Tax	5,000

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Insurance Tax	196,999,264
Motor Transport Fees	5,000
Motor Vehicle Licenses	15,980,088
Private Car Lines Tax	4,092,317
Public Service Authority	19,792,150
Retailers' License Tax	966,428
Savings & Loan Association Tax	1,811,348
Workers' Compensation Insurance Tax	<u>12,025,746</u>
 Total All Other Revenue	 <u>675,982,259</u>
 Total Regular Sources	 <u>6,064,981,610</u>
 MISCELLANEOUS SOURCES:	
Circuit & Family Court Fines	9,951,395
Debt Service Reimbursement	112,780
Indirect Cost Recoveries	11,061,222
Parole & Probation Supervision Fees	3,392,808
Unclaimed Property Fund Transfer	<u>15,000,000</u>
 Total Miscellaneous Sources	 <u>39,518,205</u>
Total Regular and Miscellaneous Revenue	6,104,499,815
 Other Sources:	
Nonrecurring Operating Transfers	<u>(16,563,407)</u>
 Total Other Sources	 (16,563,407)
 General Fund Revenue	 6,087,936,408
Department of Transportation Revenue	1,401,707,396
Education Improvement Act	
FY 2011-12	616,797,653
FY 2010-11 Estimated Surplus	<u>27,719,814</u>
Total Education Improvement Act	644,517,467
Education Lottery Revenue	284,735,117

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Revenue Earmarked for Tax Relief Trust Funds	<u>549,161,002</u>
Total All Sources of Revenues	<u>8,968,057,390</u>

END OF PART IA

PART IB**OPERATION OF STATE GOVERNMENT****SECTION 1 - H63-DEPARTMENT OF EDUCATION**

1.1. (SDE: Appropriation Transfer Prohibition) The amounts appropriated herein for aid to subdivisions, allocations to school districts, or special line items shall not be transferred and must be expended in accordance with the intent of the appropriation, except that the department may transfer funds that are deducted and retained from a school district's transportation allocation to reimburse the department for the cost of unauthorized mileage. This transfer must be agreed upon by both the school district and the department. Those funds may be transferred into the department's school bus transportation operating account.

1.2. (SDE: DHEC - Comprehensive Health Assessment) All school districts shall participate, to the fullest extent possible, in the Medicaid program by seeking appropriate reimbursement for services and administration of health and social services. Reimbursements to the school districts shall not be used to supplant funds currently being spent on health and social services.

1.3. (SDE: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act to include an inflation factor projected by the Division of Budget and Analyses to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year has been determined to be \$2,012. In Fiscal Year 2012-13, the total pupil count is projected to be 693,431. The average per pupil funding is projected to be \$4,981 state, \$1,278 federal, and \$5,511 local. This is an average total funding level of \$11,770 excluding revenues of local bond issues. For Fiscal Year 2012-13 the South Carolina Public Charter School District shall receive and distribute state EFA funds to the charter school as determined by one hundred percent of the current year's base student cost, as funded by the General Assembly multiplied by the weighted students pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

The Budget and Control Board, Office of Research and Statistics, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues,

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excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Budget and Control Board, Office of Research and Statistics, shall also post on their website the 135-day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Budget and Control Board, Office of Research and Statistics, including the projected numbers and the exact numbers.

1.4. (SDE: EFA - Formula) The amount appropriated in Part IA, Section 1 for "Education Finance Act" shall be the maximum paid under the provisions of Act 163 of 1977 (the South Carolina Education Finance Act of 1977) to the aggregate of all recipients. The South Carolina Education Department shall develop formulas to determine the state and required local funding as stipulated in the South Carolina Education Finance Act of 1977. Such formulas shall require the approval of the State Board of Education and the Budget and Control Board. After computing the EFA allocations for all districts, the department shall determine whether any districts' minimum required local revenue exceeds the districts' total EFA Foundation Program. When such instance is found, the department shall adjust the index of taxing ability to reflect a local effort equal to the cost of the districts' EFA Foundation Program. The districts' weighted pupil units are to be included in determination of the funds needed for implementation of the Education Finance Act statewide.

In the event that the formulas as devised by the Department of Education and approved by the State Board of Education and the Budget and Control Board should provide for distribution to the various school districts totaling more than the amount appropriated for such purposes, subject to the provisions of this proviso, the Department of Education shall reduce each school district entitlement by an equal amount per weighted pupil so as to bring the total disbursements into conformity with the total funds appropriated for this purpose. If a reduction is required in the state's contribution, the required local funding shall be reduced by the proportionate share of local funds per weighted pupil unit. The Department of Education shall continually monitor the distribution of funds under the provisions of the Education

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Finance Act and shall make periodic adjustments to disbursements to ensure the aggregate of such disbursements do not exceed the appropriated funds.

Local districts shall not be mandated or required to inflate the base number in their respective salary schedules by any percentage greater than the percentage by which the appropriated base student cost exceeds the appropriated base student cost of the prior fiscal year.

1.5. (SDE: Employer Contributions/Allocations) It is the intent of the General Assembly that the appropriation contained herein for "Public School Employee Benefits" shall not be utilized to provide employer contributions for any portion of a school district employee's salary that is federally funded.

State funds allocated for school district employer contributions must be allocated by the formula and must be used first by each district to cover the cost of fringe benefits for personnel required by the Defined Program, food service personnel and other personnel required by law. Once a district has expended all state allocated funds for fringe benefits, the district may utilize food service revenues to fund a proportionate share of fringe benefits costs for food service personnel.

The Department of Juvenile Justice and the Department of Corrections' school districts must be allocated funds under the fringe benefits program in accordance with criteria established for all school districts.

1.6. (SDE: Employer Contributions/Obligations) In order to finalize each school district's allocations of Employer Contributions funds for retiree insurance from the prior fiscal year, the Department of Education is authorized to adjust a school district's allocation in the current fiscal year accordingly to reflect actual payroll and payments to the Retirement System from the prior fiscal year. In the event the Department of Education is notified that an educational subdivision has failed to remit proper payments to cover Employee Fringe Benefit obligations, the Department of Education is directed to withhold the educational subdivision's state funds until such obligations are met.

1.7. (SDE: Governor's School for Science & Math) Any unexpended balance on June 30 of the prior fiscal year of funds appropriated to or generated by the Governor's School for Science and Mathematics may be carried forward and expended in the current fiscal year pursuant to the direction of the board of trustees of the school.

1.8. (SDE: Educational Responsibility/Foster Care) The responsibility for providing a free and appropriate public education program for all children including disabled students is vested in the

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public school district wherein a child of lawful school age resides in a foster home, group home, orphanage, or a state operated health care facility including a facility for treatment of mental illness or chemical dependence and habilitation centers for persons with intellectual disabilities or persons with related conditions located within the jurisdiction of the school district or alternative residences. The districts concerned may agree upon acceptable local cost reimbursement. If no agreement is reached, districts providing education shall receive from the district where the child last resided before placement in a facility an additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. If a child from out of state is residing in a facility owned and/or operated by a for profit entity, the district providing educational services shall be reimbursed by the for profit entity the local district's local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. This also applies to John de la Howe School who also has the authority to seek reimbursement in any situation that the school district has participation in the placement of the student. John de la Howe School shall be reimbursed the local district's local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. Participation will be evidenced by a written agreement from the IEP team or 504 team, written referral, or the school district initiating the placement process. School districts providing the education shall notify the nonresident district in writing within forty-five calendar days that a student from the nonresident district is receiving education services pursuant to the provisions of the proviso. The notice shall also contain the student's name, date of birth, and disabling condition if available. If appropriate financial arrangements cannot be effected between institutions of the state, including independent school districts under the authority of the Department of Disabilities and Special Needs, and school districts, institutions receiving educational appropriations shall pay the local base student cost multiplied by the appropriate pupil weighting. Children residing in institutions of state agencies shall be educated with nondisabled children in the public school districts if appropriate to their educational needs. Such institutions shall determine, on an individual basis, which children residing in the institution might be eligible to

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receive appropriate educational services in a public school setting. Once these children are identified, the institution shall convene an IEP meeting with officials of the public school district in which the institution is located. If it is determined by the committee that the least restrictive environment in which to implement the child's IEP is a public school setting, then the school district in which the institution is located must provide the educational services. However, that school district may enter into contractual agreements with any other school district having schools located within a forty-five mile radius of the institution. The cost for educating such children shall be allocated in the following manner: the school district where the child last resided before being placed in an institution shall pay to the school district providing the educational services an amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act; the school district providing the educational services shall be able to count the child for all funding sources, both state and federal. The institution and school district, through contractual agreements, will address the special education and related services to be provided to students. Should the school district wherein the institution is located determine that the child cannot be appropriately served in a public school setting, then the institution may request a due process hearing pursuant to the procedures provided for in the Individuals with Disabilities Education Act.

The agreed upon acceptable local cost reimbursement or the additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to out-of-district students, shall be paid within sixty days of billing, provided the billing district has provided a copy of the invoice to both the Superintendent and the finance office of the district being invoiced. Should the district not pay within sixty days, the billing district can seek relief from the Department of Education. The department shall withhold EFA funding equal to the billing from the district refusing to pay and submit the funding (equal to the invoice) to the billing school district.

The agency placing a child in any situation that requires changing school districts, must work with the schools to assure that all required school records, including confidential records, are transferred from the sending to the receiving school within three working days. School records to be transferred should include grade transcripts, state birth certificate, certificate of immunization, social security card, attendance

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records, discipline records, IEP's, psychological reports (or notation in the school records that a psychological report on the child is available at the school district office) and any other records necessary for the appropriate placement of the child in the new school. School districts must release all records upon presentation of a court order or appropriate permission for confidential release. If evaluation or placement is pending, the receiving school district is responsible to secure information and to complete the placement. The receiving school will maintain appropriate confidentiality of all records received on a child.

1.9. (SDE: Disabled/Preschool Children) The state funding for free appropriate public education provided for the three and four-year-old disabled children served under Act 86 of 1993, shall be distributed based on the district's index of taxpaying ability as defined in Section 59-20-20(3). Five-year-old disabled children shall continue to be funded under the Education Finance Act of 1977.

1.10. (SDE: Instruction in Juvenile Detention Centers) It shall be the responsibility of the school district where a local juvenile detention center is located to provide adequate teaching staff and to ensure compliance with the educational requirements of this State. Students housed in local detention centers are to be included in the average daily membership count of students for that district and reimbursement by the Department of Education made accordingly.

1.11. (SDE: Revenue Authorization) The State Department of Education is hereby authorized to collect, expend, and carry forward revenues in the following areas to offset the cost of providing such services: the sale of publications, manuals and forms, the sale of Apple Tags, royalties, contributions, donations, foundation funds, special grants and contracts, brochures, photo copies, listings and labels, Directory of South Carolina Schools, student health record cards, items to be recycled, and high school diplomas and certificates; the collection of out-of-state and in-state investigation fees, registration fees for non-SDE employees, recurring facility inspection fees, teacher certification fees; the handling of audio-visual film; the provision of contract computer services to school districts and other state agencies, joint broadcast service to school districts, and education-related statistics through agreement with the National Center for Education Statistics; the lease or sale of programs of television, audio or microcomputer software; the lease or sale of virtual courses to other states; the collection of damage fees for instructional materials and the sale of

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unusable instructional materials; sale of fuel; use and repair of transportation equipment; fees for Medicaid reimbursable transportation; the receipt of insurance and warranty payments on Department of Education equipment and the sale of used school buses and support equipment. The Department of Education is authorized to collect revenue for deposit into the State General Fund for testing material purchases and test rescoring fees. The Department of Education is authorized to expend revenue collected for lost and damaged instructional materials and the sale of unusable instructional materials for the purpose of contracting for the purchase and maintenance of a statewide textbook inventory management system, provided that schools' newly-adopted instructional materials needs are met first.

1.12. (SDE: School District Bank Accounts) Each school district in this State, upon the approval of the district's governing body, may maintain its own bank account for the purpose of making disbursement of school district funds as necessary to conduct school district business and each county treasurer is hereby authorized to transfer such amount as needed, upon receipt of a written order certified by the district governing body or their designee. Such order shall contain a statement that such amount is for immediate disbursement for the payment of correct and legal obligation of the school district.

1.13. (SDE: School Lunch Program Aid) The amount appropriated herein for School Lunch Program Aid shall be divided among the District and/or County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in each district during the prior school year. The travel expenses of the District and/or County School Lunch Supervisor shall be paid from this appropriation at the prevailing rate of mileage allowed by the State. These funds may be used as an aid in improving the School Lunch Program. These funds may not be used to supplement the salaries of school lunch supervisors. In the absence of a County Board of Education in multi-district counties, the funds will be divided among the school districts of the county on the basis of the number of schools participating in the School Lunch Program in each district during the prior school year.

1.14. (SDE: Teachers/Temporary Certificates) Of the funds provided for teacher salaries funds may be used to pay salaries for those teachers holding temporary certificates which shall remain valid for the current school year if the local board of education so requests. The State Department of Education shall submit to the General

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Assembly by March first of the current fiscal year a report showing by district the number of temporary certificates by category; including an enumeration of the certificates carried forward from the previous year. No temporary certificate shall be continued more than twice.

1.15. (SDE: Travel/Outside of Continental U.S.) School District allocations from General Funds, lottery, and EIA funds shall not be used for travel outside of the continental United States. The International Baccalaureate Program shall be exempt from this restriction.

1.16. (SDE: Year End Closeout) The State Department of Education is authorized to expend federal and earmarked funds (not including state or EIA funds) in the current fiscal year for expenditures incurred in the prior year; however, state funds appropriated in Part IA, Section 1, XIV, Aid to School Districts, for the Children's Case Resolution System or private placements for services provided to children with disabilities may be used for those expenditures in prior fiscal years. The department is also authorized to use appropriated funds to pay for textbooks shipped in the fourth quarter of the prior fiscal year.

1.17. (SDE: Transportation Collaboration) The Department of Education School Bus Maintenance Shops shall be permitted, on a cost reimbursable-plus basis, to deliver transportation maintenance and services to vehicles owned or operated by public agencies in South Carolina.

School buses operated by school districts, other governmental agencies or head start agencies for the purpose of transporting students for school or school related activities shall not be subject to state motor fuel taxes. Further, that school districts, other governmental agencies or head start agencies may purchase this fuel, on a cost reimbursable-plus basis, from the Department of Education School Bus Maintenance Shops.

1.18. DELETED

1.19. (SDE: Defined Program Personnel Requirements) Administrative positions requiring State Board of Education teacher or administrator certification, may be filled either by an individual receiving a W-2 from the hiring school district, or in the case of a charter school authorized under title 59, Chapter 49, an individual employed by an entity under contract with the school district may fill such a position. However, if such a position in a charter school is filled by an individual that does not receive a W-2 from the hiring school

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district, the total compensation for the individual shall not exceed the total compensation of the highest paid individual in a similar position at a school district of the same or lesser size of the charter school in the state of South Carolina. If such total compensation does exceed that amount, the school's EFA and/or EIA allocation shall be reduced by the amount which such compensation exceeds that amount specified in the previous sentence. Compliance with this requirement will be made part of the single audit process of local public school districts as monitored by the State Department of Education.

1.20. (SDE: School Bus Insurance) The Department of Education shall maintain comprehensive and collision insurance or self-insure state-owned buses. In no event shall the department charge local school districts for damages to the buses which are commonly covered by insurance.

1.21. (SDE: Teacher Data Collection) Of the non-program funds appropriated to the Department of Education, it and the Commission on Higher Education shall share data about the teaching profession in South Carolina. The data sharing should ensure (1) a systematic report on teacher supply and demand information and (2) data to determine classes being taught by public school teachers out of field of their preparation. The data collection should include but not be limited to: classes/subjects taught, number of students taught, percentage of teacher education graduates from South Carolina colleges/universities who go into teaching, percentage of teacher education graduates who teach in public schools in South Carolina, percentage of new teachers who leave the South Carolina teaching profession in the first three years of public school teaching due to unsuccessful evaluations, percentage of new teachers who leave the profession in the first three years of public school teaching in South Carolina who have successful evaluations, turnover rate of teachers and certification areas with highest vacancies. All database items should be set up so that it can be disaggregated by ethnicity, gender, geographic location, etc.

1.22. (SDE: School Building Aid) Of the funds appropriated in Part IA for School Building Aid, \$500,000 shall be allocated on a K-12 per pupil basis to Multi-District Area Vocational Schools.

1.23. (SDE: Assessment) For the current fiscal year PSAT/PLAN shall be suspended and savings generated from suspension of PSAT/PLAN Reimbursement shall be allocated to the Education Finance Act. The department is authorized to carry forward into the current fiscal year, prior year state assessment funds for the purpose of paying for state assessment activities not completed by the end of the

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fiscal year including the scoring of the spring statewide accountability assessment.

1.24. DELETED

1.25. (SDE: School Bus Driver CDL) From funds provided in Part IA, Section 1, X.B., local school districts shall request a criminal record history from the South Carolina Law Enforcement Division for past conviction of any crime before the initial employment of a school bus driver or school bus aide. The Department of Education and the school districts shall be treated as a charitable organization for purposes of the fee charged for the criminal records search.

1.26. DELETED

1.27. (SDE: School Bus Purchase) Any procurement of school buses with funds appropriated in this act or any other appropriation bill must meet specifications developed by the School Bus Specification Committee as established by the State Superintendent of Education. The School Bus Specifications Committee shall allow for input from all school bus chassis and body manufacturers. However, if it is safe, more economical, and in the public interest, the department may use the school bus specifications of Georgia or North Carolina in the procurement of school buses.

1.28. (SDE: Buses, Parts, and/or Fuel) Funds appropriated for other operating in program X.B. - Bus Shops and funds appropriated in X.C. - Buses may be used to purchase buses, fuel, parts, or other school bus related items. All funds appropriated for bus fuel, parts/supplies, maintenance, and bus purchases may be carried forward from the prior fiscal year and expended in the current fiscal year to support bus transportation services.

1.29. (SDE: Mitford Transportation Costs) Transportation costs for the transporting of students from the Mitford area of Fairfield County to schools in the Great Falls area of Chester County is not the responsibility of and shall not be borne by the Chester County School District. These transportation costs shall continue to be the responsibility of the State Department of Education.

1.30. DELETED

1.31. (SDE: Status Offenders/John de la Howe) The funds appropriated for the Status Offender Program shall be distributed to John de la Howe School to expand residential programs to include court ordered status offenders. Components of such a program shall include collaboration between the home school district and the

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residential school and treatment or related services to the families of students in placement.

1.32. (SDE: Governor's School Leave Policy) The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their respective board of directors. This policy shall address their respective school calendars in order to comply with the instructional needs of students attending both special schools.

1.33. DELETED

1.34. (SDE: School Facilities Management System) School Districts may use capital improvement bond funds, lapsed funds or any other unexpended appropriated funds or revenues to access the Department of Education's School Facilities Management System database.

1.35. (SDE: School Board Meetings) Of the funds appropriated through the Department of Education for technology related expenses, school districts that have a web site shall place a notice of a regularly scheduled school board meeting twenty-four hours in advance of such meeting. The notice shall include the date, time, and agenda for the board meeting. The school district shall place the minutes of the board meeting on their web site within ten days of the next regularly scheduled board meeting.

1.36. DELETED

1.37. (SDE: Proviso Allocations) In the event an official General Fund revenue shortfall is declared by the Board of Economic Advisors, the Department of Education may reduce any allocation in Section 1 specifically designated by proviso in accordance with the lower Board of Economic Advisors revenue estimate as directed by the Office of State Budget, except the additional EFA allocation to the South Carolina Public Charter School District. The reduction may not be greater than the total percentage of reduction of the Section 1 appropriation. Should the department hold back funds in excess of the total percentage reduction those funds must be allocated per the proviso. No allocation for teacher salaries shall be reduced as a result of this proviso.

1.38. (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and

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funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with exceptional needs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district's per pupil expenditures must be utilized within the InSite categories of instruction, instructional support, and non-instruction pupil services. No portion of the seventy-five percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by InSite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and non-instruction pupil services for the current school year ending June 30. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"InSite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or non-essential programs have

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been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. Formative assessments for grades one, two, and nine, the foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be

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redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.

1.39. (SDE: Medical Examination and Security Reimbursement/Expenditures) From funds authorized in Part IA, Section 1, X.B. Other Operating Expenses, the Department of Education may directly pay, or reimburse employees, for the cost of a medical examination as required in Part 391, Subpart E of the Federal Motor Carrier Safety Regulations, for employees that are required to operate a state vehicle transporting hazardous materials and that are required to undergo a national security background check because of the required Hazmat endorsement to their CDL.

1.40. (SDE: Budget Reduction) In compensating for any reduction in funding, local districts must give priority to preserving classroom teachers and operations. Funding reductions should first be applied to administrative and non-classroom expenses before classroom expenses are affected.

1.41. (SDE: Governor's School for the Arts and Humanities Carry Forward) Any unexpended balance on June 30 of the prior fiscal year of funds appropriated to or generated by the Governor's School for the Arts and Humanities may be carried forward and expended in the current fiscal year pursuant to the discretion of the Board of Trustees of the School.

1.42. (SDE: Governor's Schools' Fees) The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to charge, collect, expend, and carry forward student fees as approved by

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their respective Board of Directors. The purpose and amount of any such fees will be to maintain program quality in both academics and residential support. No student will be denied admittance or participation due to financial inability to pay. The respective Board of Directors shall promulgate administrative policy governing the collection of all student fees. Both schools shall conspicuously publish a fee schedule on their respective websites.

1.43. (SDE: School District Furlough) Should there be a midyear reduction in state funding to the districts, school districts may institute employee furlough programs for district-level and school-level professional staff. Before any of these employees may be furloughed, the chairman of the governing body of the school district must certify that all fund flexibility provided by the General Assembly has been utilized by the district and that the furlough is necessary to avoid a year-end deficit and a reduction in force. The certification must include a detailed report by the superintendent of the specific action taken by the district to avoid a year-end deficit. The certification and report must be in writing and delivered to the State Superintendent of Education and a copy must be forwarded to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

The local school district board of trustees may implement a furlough of personnel once certification to the State Superintendent documents all funding flexibility has been exhausted and continued year-end deficits exist. Local school boards of trustees shall have the authority to authorize furloughs of these employees in the manner in which it sees fit. However, instructional personnel may be furloughed for up to five non-instructional days if not prohibited by an applicable employment contract with the district and provided district administrators are furloughed for twice the number of days. District administrators may only be furloughed on non-instructional days and may not be furloughed for a period exceeding ten days. District administrators shall be defined by the Department of Education using the Professional Certified Staff (PCS) System. For individuals not coded in PCS, the determination shall be made based upon whether the individual performs the functions outlined in position codes identified by the department as administration. Educators who would have received a year's experience credit had a furlough not been implemented, shall not have their experience credit negatively impacted because of a furlough implementation.

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During any furlough, affected employees shall be entitled to participate in the same benefits as otherwise available to them except for receiving their salaries. As to those benefits that require employer and employee contributions, including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the district will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. Placement of an employee on furlough under this provision does not constitute a grievance or appeal under any employee grievance procedure. The district may allocate the employee's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs.

Each local school district must prominently post on the district's internet website and make available for public viewing and downloading the most recent version of the school district's policy manual and administrative rule manual.

This proviso shall not abrogate the terms of any contract between any school district and its employees.

1.44. DELETED

1.45. (SDE: School Lunch/Attendance Supervisors) For those counties in which an entity other than the school district administers the school lunch supervisor and/or attendance supervisor programs, the school districts in that county shall transfer to the entity the amount available in the previous fiscal year for administration of the school lunch supervisor and/or attendance supervisor programs. Each district shall transfer a pro rata share of the total cost based upon the percentage of state EFA funds distributed to the districts within the county.

1.46. (SDE: Replacement Facilities) The Department of Education is directed to proceed with the development of a joint-use school transportation maintenance and operations facility in Greenville County. Prior to the availability of this new facility the department shall continue to operate state school bus maintenance services from the existing Greenville School Bus Maintenance Facility located on Halton Road. All proceeds from the sale of the Halton Road Facility and Property shall become pupil transportation operating revenue of the department. The cost of the State share of the new joint-use facility, the cost of preparing the old Halton Road Facility and Property

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for disposal, interim relocation/construction financing, all associated relocation expenses, and all other related costs shall be funded from the proceeds received from the sale of the existing Halton Road Facility and Property. The State Treasurer shall make available all necessary interim financing to accomplish the proviso directives.

1.47. (SDE: SCGSAH Certified Teacher Designation) Because of the unique nature of the South Carolina Governor's School for the Arts and Humanities, the Charleston School of the Arts, and the Greenville County Fine Arts Center, the schools are authorized to employ at its discretion non-certified classroom teachers teaching in the literary, visual and performing arts subject areas who are otherwise considered to be appropriately qualified in a ratio of up to one hundred percent of the entire teacher staff.

1.48. (SDE: No Discrimination Requirement) State funds must not be appropriated to a school that discriminates against or participates with or is a member of an association with policies that discriminate or afford different treatment of students based on race or national origin.

1.49. (SDE: High School Reading Initiative) The funds appropriated for the High School Reading Initiative are to be used to expand the South Carolina Reading Initiative to the high school level by providing research based targeted assistance in improving and accelerating the reading ability of ninth and tenth grade students scoring Not Met on the 8th grade PASS reading and research tests or not passing the English 1 end-of-course test as ninth graders.

1.50. (SDE: Medicaid Cash Match Accounting) The department is granted authority to transfer funds between budget lines and object codes to identify, reconcile, reimburse, and remit funds required for Medicaid cash match to the Department of Health and Human Services.

1.51. (SDE: Student Report Card-GPA) For each high school student, school districts shall be required to print the student's individual cumulative grade point average for grades nine through twelve on the student's report card.

1.52. (SDE: Governor's School Reporting) The Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics are required to submit reports as to how the non-recurring funding appropriated in this act is expended. The report must be submitted to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by the end of the fiscal year.

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1.53. (SDE: Lost & Damaged Textbook Fees) Fees for lost and damaged textbooks for the prior school year are due no later than December 1 of the current school year when invoiced by the Department of Education. The department may withhold textbook funding from schools that have not paid their fees by the payment deadline.

1.54. (SDE: Education and Economic Development Act Carry Forward) Funds provided for the Education and Economic Development Act may be carried forward into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools.

1.55. DELETED

1.56. DELETED

1.57. (SDE: Education Finance Act Reserve Fund) There is created in the State Treasury a fund separate and distinct from the General Fund of the State and all other funds entitled the Education Finance Act Reserve Fund. All unexpended general funds appropriated to the Department of Education for the Education Finance Act in the current fiscal year shall be transferred to the Education Finance Act Reserve Fund. In the event that the amount appropriated for the Education Finance Act is insufficient to fully fund the base student cost as established by this act, revenues from the Education Finance Act Reserve Fund may be used to supplement the funds appropriated. The General Assembly may make direct appropriations to this fund. All unexpended funds in the Education Finance Act Reserve Fund and any interest accrued by the fund must remain in the fund and may be carried forward into the current fiscal year.

1.58. DELETED

1.59. (SDE: Prohibit Advertising on School Buses) The Department of Education and local school districts are prohibited from selling space for or the placement of advertisements on the outside or inside of school buses.

1.60. (SDE: Charter School Funding Schedule) Of the funds appropriated, districts with charter schools will receive funds after verification of student attendance on the fifth day of school at the beginning of each school year for those charter schools with approved incremental growth and due to expansion as provided in their charter application for new charter schools opening in the current fiscal year. The Department of Education will release funds to districts on behalf of their charter schools no later than fifteen days after receipt of

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verified enrollment. Districts must provide this funding to eligible charters no later than thirty days after receipt from the Department of Education. Funding will be adjusted at the forty-five-day school count as is currently the case with the Education Finance Act.

1.61. (SDE: Residential Treatment Facilities Student Enrollment and Funding) Each South Carolina resident of lawful school age residing in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code, ("students") shall be entitled to receive educational services from the school district in which the RTF is located ("facility school district"). The responsibility for providing appropriate educational programs and services for these students, both with and without disabilities, who are referred or placed by the State is vested in the facility school districts. If clinically appropriate, the facility school district, the RTF, and the parent or guardian of a student referred or placed in a RTF may consider the appropriateness of providing the student's education program virtually through enrollment in either the facility district's virtual program, the South Carolina Virtual School Program provided through the Department of Education, or a virtual charter school authorized by the South Carolina Public Charter School District. This decision should be made jointly with the best interest of the student and what is clinically indicated being considered.

A facility school district must provide the necessary educational programs and services directly to the student at the RTF's facility, provided that the RTF facility provides and maintains comparable adequate space for the educational programs and services consistent with all federal and state least restrictive environment requirements. Adequate space shall include appropriate electrical support and Internet accessibility. Unless the parent or legal guardian of the student seeks to continue the student's enrollment in the resident school district under a medical homebound instruction program and the district approves, if appropriate, then, under these circumstances, the facility school district shall enroll the student and assume full legal and financial responsibility for the educational services including enrolling the student, approving the student's entry into a medical homebound instructional program, if appropriate, and receiving and expending funds, unless the resident school district undertakes to carry out its educational responsibilities for the student directly. Alternatively, a facility school district may choose to provide the necessary educational programs and services by contracting with the RTF provided that the RTF agrees to provide educational services to the student at the RTF's

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facility. Under these circumstances, the facility school district must enroll the student and pay the RTF for the educational services provided. If the facility school district determines the educational program being offered by the RTF does not meet the educational standards outlines in the contract, the facility district shall be justified in terminating the contract.

The facility school districts are entitled to receive the base student cost multiplied by the Education Finance Act pupil weighting for Homebound pupils of 2.10, as set forth in Section 59-20-40 of the 1976 Code and any eligible categorical and federal funds. These funds may be retained by the facility school districts for the purpose of providing the educational programs and services directly to students referred or placed by the State or the facility school districts may use these funds to reimburse RTF's for the educational programs and services provided directly by the RTFs. A facility school district is entitled to reimbursement from a resident school district for the difference between (1) the reasonable costs expended for the educational services provided directly by the facility school district or the amount paid to the RTF and (2) the aggregate amount of federal and state funding received by the facility school district for that student. However, the reimbursement rate may not exceed \$45 per student per day. Facility school districts providing the educational services shall notify the resident district in writing within forty-five calendar days that a student from the resident district is receiving educational services pursuant to the provisions of the proviso. Reimbursements shall be paid within sixty days of billing, provided the facility district has provided a copy of the invoice to both the District Superintendent and the finance office of the resident district being invoiced. Should the facility school district be unable to reach agreement with the resident school district regarding reasonable costs differences, the facility school district shall notify the Department of Education's Office of General Counsel. The Department of Education shall facilitate a resolution of the dispute between the facility school district and the resident school district within forty-five days of the notice of dispute. If the issue of reasonable cost differences should remain unresolved, a facility school district shall have the right to file a complaint in a Circuit Court. Should a resident school district fail to distribute the entitled funding to the facility school district by the 135 day count, the Department of Education is authorized to withhold the equivalent amount of EFA funds and transfer those funds to the facility school district.

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If a child from out of state is placed in a RTF by an out-of-state school district or agency, the child's home state remains responsible for the educational services. The facility school district may choose to provide the educational program to the child and, upon choosing to do so, shall contract with the appropriate entity for payment of educational services provided to the child. Out-of-state students provided educational services by a facility school district shall not be eligible for funding through the Education Finance Act.

If a child is placed in a RTF by the child's parent or guardian, the facility school district may choose to provide the educational program to the child, and upon doing so, must negotiate with the resident school district for services through medical homebound procedures. A facility school district is responsible for compliance with all child find requirements under Section 504 of the Rehabilitation Act of 1973 and IDEA.

All students enrolled in the facility school districts shall have access to the facility school districts' general education curriculum, which will be tied to the South Carolina academic standards in the core content areas. All students with disabilities who are eligible for special education and related services under the Individuals with IDEA, as amended, and the State Board of Education (SBE) regulations, as amended, shall receive special education and related services in the least restrictive environment by appropriately certified personnel. Students in an RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned through their educational efforts.

With respect to students enrolled in the facility school districts, for accountability purposes, the assessment and accountability measures for students residing in RTFs shall be attributed to a specific school only if the child physically attends the school. The performance of students residing in a RTF who receive their educational program on site at the RTF must be reflected on a separate line on the facility school district's report card and must not be included in the overall performance ratings of the facility school district. The Department of Education shall examine the feasibility of issuing report cards for RTFs. For the current fiscal year, a facility school district shall not have the district's state accreditation rating negatively impacted by deficiencies related to the delivery of an educational program at a RTF.

RTFs shall notify the facility school district as soon as practical, and before admission to the RTF if practical, of a student's admission to the RTF. RTFs, the facility school districts and the Department of

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Education shall use their best efforts to secure and/or exchange information, including documents and records necessary to provide appropriate educational services and/or related services as necessary to assist the facility school district in determining the resident school district. The Department of Education, in collaboration with state placing agencies, RTFs, facility school districts, and resident school districts, shall implement a system to follow the release of students from a RTF and re-enrollment in public, private, or special schools to ensure these students, when appropriate, are not recorded as dropouts.

1.62. DELETED

1.63. DELETED

1.64. (SDE: Special Schools Flexibility) For the current fiscal year, the special schools are authorized to transfer funds among funding categories, including capital funds.

1.65. (SDE: High School Driver Education) For the current fiscal year, the requirement for high schools to provide a course in driver education is suspended however, high schools may continue to offer driver education courses if they choose to do so.

1.66. DELETED

1.67. (SDE: Carry Forward Authorization) For the current fiscal year, the Department of Education is authorized to carry forward and expend any General Fund balances for school bus transportation.

1.68. (SDE: Administrative Costs Report Posting) School districts must report the amount of funds spent on administrative costs, as defined by InSight in the prior fiscal year and post the report on the districts website. School districts shall provide an electronic copy of this report to the Department of Education in conjunction with the financial audit report required by Section 59-17-100, of the 1976 Code. If a district fails to meet these requirements they must be notified in writing by the department that the district has 60 days to comply with the reporting requirement. If the district does not report within 60 days, the department is authorized to reduce the district's base student cost by one percent until such time as the requirement is met. Once in compliance, any funds withheld will be returned to the district.

1.69. DELETED

1.70. (SDE: Teaching Requirement for Certified School Employees) From the funds appropriated, all certified public school teachers, certified special school classroom teachers, certified media specialists, certified guidance counselors, certified full-time athletic directors, certified principals, certified assistant principals, and certified school

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district administrators that are employed by a school district should, if practicable, teach at least two classes per week within the school district they are employed.

1.71. (SDE: Governor's Schools Residency Requirement) Of the funds appropriated, the Governor's School for the Arts and the Humanities and the Governor's School for Science and Mathematics are to ensure that a parent(s) or guardian(s) of a student attending either the Governor's School for the Arts and the Humanities or the Governor's School for Science and Mathematics must prove that they are a legal resident of the state of South Carolina at the time of application and must remain so throughout time of attendance. The Governor's School for the Arts and the Humanities and Governor's School for Science and Mathematics may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

1.72. (SDE: Holocaust Funds) Funds appropriated to the Department of Education for the SC Council on Holocaust shall not be used for any other purpose nor transferred to any other program. In addition, in the event the department is required to implement a budget reduction, SC Council on Holocaust funds may not be reduced.

1.73. DELETED

1.74. (SDE: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section XI - South Carolina Public Charter School District must be allocated in the following manner: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District shall receive \$1,700 per weighted pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District shall receive \$3,250 per weighted pupil. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose.

1.75. (SDE: Governor's Schools Capacity) For Fiscal Year 2012-13, funds appropriated to the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics must be used to bring the schools up to full capacity, to the extent possible. Each school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first how the funds have been utilized and how many additional students have been served.

1.76. (SDE: Student Health and Fitness) Funds appropriated for Student Health and Fitness shall be allocated to school districts to increase the number of physical education teachers to the extent

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possible and to provide licensed nurses for elementary public schools. Twenty seven percent of the funds shall be allocated to the districts based on average daily membership of grades K-5 from the preceding year for physical education teachers. The remaining funds will be made available through a grant program for school nurses and shall be distributed to the school districts on a per school basis.

1.77. (SDE: One Year Suspension of Programs) The following program will be temporarily suspended for Fiscal Year 2012-13: SAT/ACT Improvement. Funds appropriated to this program must be allocated to districts based on the number of weighted pupil units.

1.78. (SDE: EEDA Regional Education Centers) Funds appropriated from the EEDA for Regional Education Centers must not be less than \$108,500.

1.79. DELETED

1.80. DELETED

1.81. (SDE: Impute Index Value) For Fiscal Year 2012-13 and for the purposes of calculating the index of taxpaying ability the Department of Revenue shall impute an index value for owner-occupied residential property qualifying for the special four percent assessment ratio by adding the second preceding taxable year total school district reimbursements for Tier 1, 2, and Tier 3(A) and not to include the supplement distribution. The Department of Revenue shall not include sales ratio data in its calculation of the index of taxpaying ability. The methodology for the calculations for the remaining classes of property shall remain as required pursuant to the EFA and other applicable provisions of law.

1.82. (SDE: EFA State Share) A school district that does not recognize a State share of the EFA financial requirement shall be supplemented with an amount equal to seventy percent of the school district with the least State financial requirement.

1.83. (SDE: Health Education) Each school district is required to ensure that all comprehensive health education, reproductive health education, and family life education conducted within the district, whether by school district employees or a private entity, must utilize curriculum that complies with the provisions contained in Chapter 32, Title 59. Any person may complain in a signed, notarized writing to the chairman of the governing board of a school district that matter not in compliance with the requirements of Chapter 32, Title 59 is being taught in the district. Upon receiving a notarized complaint, the chairman of the governing board must ensure that the complaint is

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immediately investigated and, if the complaint is determined to be founded, that immediate action is taken to correct the violation. If corrective action is not taken, then the district must have its base student cost reduced by one percent.

1.84. DELETED

1.85. (SDE: Bus Lease/Purchase) The Department of Education is permitted to purchase or lease school buses in order to continue replacement of the state's school bus fleet.

1.86. (SDE: Next Generation Science Standards) No funds shall be expended in the current fiscal year by the Department of Education, the Education Oversight Committee, or the State Board of Education to participate in, implement, adopt or promote the Next Generation Science Standards initiative.

1.87. DELETED**1.88. DELETED****1.89. DELETED**

1.90. (SDE: Felton Lab Allocation) Of the funds distributed pursuant to the Education Finance Act, the Felton-Laboratory School at South Carolina State University shall receive each year, seventy percent of the funds it would have received for that year under the Education Finance Act and under aid to school districts-fringe benefits, as if it were a special school district. The calculation of the amount of funds which the Felton-Laboratory School is entitled to receive each year shall be made by the Department of Education.

1.91. (SDE: EFA-IDEA Contingency Reserve) Of the funds appropriated to the department for EFA-IDEA Contingency Reserve, up to \$36,202,909 shall be directed to supplement a loss of federal funding from the Individuals with Disabilities Education Act (IDEA) expected on October 1, 2012. No funds shall be expended until the U.S. Department of Education initiates a reduction in funds, and only in an amount equal to the amount of federal funds withheld. These funds shall be distributed using the same methodology as federal IDEA funds. The Department of Education shall notify within one business day the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee any actions taken by the U.S. Department of Education to reduce IDEA funds. In the event that any amount appropriated for the EFA-IDEA Contingency Reserve is not needed to offset the loss of federal IDEA funds in the current fiscal year, these monies shall be distributed to school districts and special schools based on the EFA formula. This

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would result in a maximum base student cost increase of approximately \$58 or a total maximum base student cost of \$2,070.

****1.92. (SDE: Lee County Bus Shop) *From the funds appropriated in program XB, Bus Shops, in the current fiscal year, the department must fund the Lee County School District Bus Shop and the Kershaw County School District Bus Shop at the same level as they were funded in the previous fiscal year.***

1.93. (SDE: School Enrollment Policy) For Fiscal Year 2012-13, any school district with an open enrollment policy for all schools or certain schools which had previously accepted certain students residing outside of the district to an academic magnet school in the district must continue to accept these students and their siblings for enrollment at the academic magnet school under the same terms and conditions these students were previously permitted to attend the school.

1.94. DELETED

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1A.1. (SDE-EIA: XII-Prohibition on Appropriation Transfers) The amounts appropriated herein for aid to subdivisions or allocations to school districts shall not be transferred or reduced and must be expended in accordance with the intent of the appropriation. However, transfers are authorized from allocations to school districts or special line items with projected year-end excess appropriations above requirements, to allocations to school districts or special line items with projected deficits in appropriations.

1A.2. (SDE-EIA: XII.A.1 Services for Students with Disabilities) The money appropriated in Part IA, Section 1, XII.A.1. for Services for Students with Disabilities shall be used only for educational services for trainable pupils with intellectual disabilities and pupils with profound intellectual disabilities.

1A.3. (SDE-EIA: XII.B - Half Day Program for Four-Year-Olds) Funds appropriated in Part IA, Section 1, XII.B. for half-day programs for four-year-olds shall be distributed based on the prior year number of students in kindergarten eligible for free and reduce price lunch.

1A.4. (SDE-EIA: XII.A.3. African-American History) Funds provided for the development of the African-American History curricula may be carried forward into the current fiscal year to be expended for the same purpose.

** See note at end of Act.

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1A.5. (SDE-EIA: XII.C.2-Teacher Evaluations, XII.F.2-Implementation/Education Oversight) The Department of Education is directed to oversee the evaluation of teachers at the School for the Deaf and the Blind, the John de la Howe School and the Department of Juvenile Justice under the ADEPT model.

1A.6. DELETED

1A.7. (SDE-EIA: XII.F.2-Teacher Salaries/State Agencies) Each state agency which does not contain a school district but has instructional personnel shall receive an allocation from the line item "Alloc. EIA - Teacher/Other Pay" in Part IA, Section 1, XII.F.2. for teachers salaries based on the following formula: Each state agency shall receive such funds as are necessary to adjust the pay of all instructional personnel to the appropriate salary provided by the salary schedules of the school district in which the agency is located. Instructional personnel may include all positions which would be eligible for EIA supplements in a public school district, and may at the discretion of the state agency, be defined to cover curriculum development specialists, educational testing psychologists, psychological and guidance counselors, and principals. The twelve-month agricultural teachers located at Clemson University are to be included in this allocation of funds for base salary increases. The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to increase the salaries of instructional personnel by an amount equal to the percentage increase given by the School District in which they are both located.

The funds appropriated herein in the line item "Alloc. EIA-Teacher/Other Pay" must be distributed to the agencies by the Budget and Control Board.

1A.8. (SDE-EIA: XII.A.1-Work-Based Learning) Of the funds appropriated in Part IA, Section 1, XII.A.1. for the Work-Based Learning Program, \$75,000 shall be used by the State Department of Education to provide for regional professional development in contextual methodology techniques and integration of curriculum, and professional development in career guidance for teachers and guidance counselors and training mentors. Pilot-site delivery of contextual methodology training in mathematics will be supported by technology and hands-on lab activities. In addition, \$500,000 shall be allocated for Regional Career Specialists. Each Regional Career Specialist shall (1) be housed within the regional centers/WIA geographic areas, (2) provide career development activities throughout all schools within the

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region, (3) be under the program supervision of the Office of Career and Technology Education, State Department of Education, and (4) adhere to an accountability and evaluation plan created by the Office of Career and Technology Education, State Department of Education. The Office of Career and Technology Education, State Department of Education, shall provide a report, in February of the current fiscal year to the Senate Finance Committee and the House Ways and Means Committee on accomplishments of the Career Counseling Specialists. Of the funds appropriated in the prior fiscal year, unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.

1A.9. (SDE-EIA: XII.E.2.-Evaluation/EIA Programs) Of the funds appropriated in Part IA, Section 1, XII.E.2. for EIA Implementation, Other Operating Expenses, fifty percent may only be used by the State Department of Education to support its contracted program evaluations. Of the remaining funds appropriated in Part IA, Section 1, XII.E.2. for EIA Implementation, Other Operating Expenses shall be used to support the continuation of program and policy evaluations and studies and to support the state's participation in the Middle Grades Project, at no less than twenty-five percent. Provided further, for the current fiscal year, twenty-five percent shall be provided to the South Carolina Educational Policy Center for collaborative projects with the Department of Education and the Education Oversight Committee to provide research based information and consultation services on technical issues related to establishing a more thorough accountability system for public schools, school districts, and the K-12 education system. These entities shall pursue grants and contracts to supplement state appropriations.

1A.10. (SDE-EIA: XII.F.2-CHE/Teacher Recruitment) Of the funds appropriated in Part IA, Section 1, XII.F.2. for the Teacher Recruitment Program, the South Carolina Commission on Higher Education shall distribute a total of ninety-two percent to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) for a state teacher recruitment program, of which seventy-eight percent must be used for the Teaching Fellows Program specifically to provide scholarships for future teachers, and of which twenty-two percent must be used for other aspects of the state teacher recruitment program, including the Teacher Cadet Program and \$166,302 which must be used for specific programs to recruit minority teachers: and shall distribute eight percent to South Carolina State

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University to be used only for the operation of a minority teacher recruitment program and therefore shall not be used for the operation of their established general education programs. The current year administrative base reduction may be applied proportionately between CERRA and SC State University while none of the reduction may be applied to Teaching Fellows Scholarships. Working with districts with an absolute rating of At-Risk or Below Average, CERRA will provide shared initiatives to recruit and retain teachers to schools in these districts. CERRA will report annually by October first to the Education Oversight Committee and the Department of Education on the success of the recruitment and retention efforts in these schools. The South Carolina Commission on Higher Education shall ensure that all funds are used to promote teacher recruitment on a statewide basis, shall ensure the continued coordination of efforts among the three teacher recruitment projects, shall review the use of funds and shall have prior program and budget approval. The South Carolina State University program, in consultation with the Commission on Higher Education, shall extend beyond the geographic area it currently serves. Annually, the Commission on Higher Education shall evaluate the effectiveness of each of the teacher recruitment projects and shall report its findings and its program and budget recommendations to the House and Senate Education Committees, the State Board of Education and the Education Oversight Committee by October 1 annually, in a format agreed upon by the Education Oversight Committee and the Department of Education.

1A.11. (SDE-EIA: XII.F.2-Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, S.C. Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, XII.F.2. Other State Agencies and Entities shall be disbursed on a quarterly basis by the Department of Revenue directly to the state agencies and entities referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology, which shall receive their full appropriation at the start of the fiscal year from available revenue. The Comptroller General's Office is authorized to make necessary appropriation reductions in Part IA, Section 1, XII.F.2. to prevent duplicate appropriations. If the Education Improvement Act appropriations in the agency and entity respective sections of the General Appropriations Act at the start of the fiscal year do not agree with the appropriations in Part IA, Section 1, XII.F.2. Other State Agencies and Entities, the "other funds" appropriations in the

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respective agency and entity sections of the General Appropriations Act will be adjusted by the Comptroller General's Office to conform to the appropriations in Part IA, Section 1, XII.F.2. Other State Agencies and Entities.

1A.12. (SDE-EIA: XII.A.1-Arts in Education) Funds appropriated in Part IA, Section 1, XII.A.1. Arts Curricula shall be used to support innovative practices in arts education curriculum, instruction, and assessment in the visual and performing arts including dance, music, theatre, and visual arts which incorporates strengths from the Arts in Education sites. They shall also be used to support the advancement of the implementation of the visual and performing arts academic standards. These funds shall be distributed to schools and school districts under a competitive grants program; however, up to thirty-three percent of the total amount of the grant fund shall be made available as "Aid to Other Agencies" to facilitate the funding of professional development arts institutes that have been approved by the State Department of Education for South Carolina arts teachers, appropriate classroom teachers, and administrators. Arts Curricular Grants funds may be retained and carried forward into the current fiscal year to be expended in accordance with the proposed award.

1A.13. DELETED

1A.14. DELETED

1A.15. DELETED

1A.16. (SDE-EIA: XII.C.2-Teacher Supplies) All certified public school teachers, certified special school classroom teachers, certified media specialists, and certified guidance counselors who are employed by a school district or a charter school as of November thirtieth of the current fiscal year, based on the public decision of the school board may receive reimbursement of up to two hundred seventy-five dollars each school year to offset expenses incurred by them for teaching supplies and materials. Funds shall be disbursed by the department to School districts by July fifteenth based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of the school district these funds shall be disbursed in a manner separate and distinct from their payroll check on the first day teachers, by contract, are required to be in attendance at school for the current contract year. This reimbursement shall not be considered by the state as taxable

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income. Special schools include the Governor's School for Science and Math, the Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice, and Palmetto Unified School District. Funds distributed to school districts or allocated to schools must not supplant existing supply money paid to teachers from other sources. If a school district requires receipts for tax purposes the receipts may not be required before December thirty-first. Districts that do not wish to require receipts may have teachers retain the receipts and certify for the district they have received the allocation for purchase of teaching supplies and/or materials and that they have purchased or will purchase supplies and/or materials during the fiscal year for the amount of the allocation. Districts shall not have an audit exception related to non-retention of receipts in any instances where a similar instrument is utilized. Any district requiring receipts must notify any teacher from whom receipts have not been submitted between November twenty-fifth and December sixth that receipts must be submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement.

1A.17. (SDE-EIA: XI.C.2-Teacher of the Year Awards) Of the funds provided herein for Teacher of the Year Awards, each district Teacher of the Year shall receive an award of \$1,000. In addition, the State Teacher of the Year shall receive an award of \$25,000, and each of the four Honor Roll Teachers of the Year will receive an award of \$10,000. To be eligible, districts must participate in the State Teacher of the Year Program sponsored by the State Department of Education. These awards shall not be subject to South Carolina income taxes.

1A.18. (SDE-EIA: EOC) The Education Oversight Committee may collect, retain and expend revenue from conference registration and fees; charges for materials supplied to local school districts or other entities not otherwise mandated to be provided by state law; and from other activities or functions sponsored by the committee including public awareness campaign activities. Any unexpended revenue from these sources may be carried forward into the current fiscal year and expended for the same purposes. The Education Oversight Committee is permitted to utilize the funds appropriated to it to fund programs promoting the teaching of economic education in South Carolina.

1A.19. (SDE-EIA: Technical Assistance) In order to best meet the needs of underperforming schools, funds appropriated for technical assistance to schools with an absolute rating of below average or at-risk

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on the most recent annual school report card must be allocated according to the severity of not meeting report card criteria.

Schools receiving an absolute rating of below average or at-risk must develop and submit to the Department of Education a school renewal plan outlining goals for improvements. Of the technical assistance funds allocated to below average or at-risk schools each allocation must address specific strategies designed to increase student achievement and must include measures to evaluate success. The school renewal plan may include expenditures for recruitment incentives for faculty and staff, performance incentives for faculty and staff, assistance with curriculum and test score analysis, professional development activities based on curriculum and test score analysis that may include daily stipends if delivered on days outside of required contract days. School expenditures of technical assistance shall be monitored by the Department of Education.

With the funds appropriated to the Department of Education for technical assistance services, the department will assist schools with an absolute rating of below average or at-risk in designing and implementing technical assistance school renewal plans and in brokering for technical assistance personnel as needed and as stipulated in the plan. In addition, the department must monitor student academic achievement and the expenditure of technical assistance funds in schools receiving these funds and report their findings to the General Assembly and the Education Oversight Committee by January first of each fiscal year as the General Assembly may direct. If the Education Oversight Committee or the department requests information from schools or school districts regarding the expenditure of technical assistance funds pursuant to evaluations, the school or school district must provide the evaluation information necessary to determine effective use. If the school or school district does not provide the evaluation information necessary to determine effective use, the principal of the school or the district superintendent may be subject to receiving a public reprimand by the State Board of Education if it is determined that those individuals are responsible for the failure to provide the required information.

No more than five percent of the total amount appropriated for technical assistance services to schools with an absolute rating of below average or at-risk may be retained and expended by the department for implementation and delivery of technical assistance services. Using previous report card data, the department shall identify

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priority schools. Up to \$6,000,000 of the total funds appropriated for technical assistance shall be used by the department to work with those schools identified as priority schools. These funds shall not be transferred to any other funding category by the school district without prior approval of the State Superintendent of Education.

The department will create a system of levels of technical assistance for schools that will receive technical assistance funds. The levels will be determined by the severity of not meeting report card criteria. The levels of technical assistance may include a per student allocation, placement of a principal mentor, replacement of the principal, and/or reconstitution of a school.

Reconstitution means the redesign or reorganization of the school, which includes the declaration that all positions in the school are considered vacant. Certified staff currently employed in priority schools must undergo a formal evaluation in the spring following the school's identification as a priority school and must meet determined goals to be rehired and continue their employment at that school. Student achievement will be considered as a significant factor when determining whether to rehire existing staff. Educators who were employed at a school that is being reconstituted prior to the effective date of this proviso and to whom the employment and dismissal laws apply will not lose their rights in the reconstitution. If they are not rehired or are not assigned to another school in the school district they have the opportunity for a hearing. However, employment and dismissal laws shall not apply to educators who are employed in the district and assigned to the priority schools after the effective date of this proviso, in the event of a reconstitution of the school in which the educator is employed. Those rights are only suspended in the event of a reconstitution of the entire school staff. Additionally, the rights and requirements of the employment and dismissal laws do not apply to educators who are currently on an induction or annual contract, that subsequently are offered continuing contract status after the effective date of this proviso, and are employed at a school that is subject to reconstitution under this proviso.

The reconstitution of a school could take place if the school has been identified as a priority school that has failed to improve satisfactorily. The decision to reconstitute a school shall be made by the State Superintendent of Education in consultation with the principal and/or principal mentor, the school board of trustees, and the district superintendent. The decision to reconstitute a school shall be made by April first, at which time notice shall be given to all employees of the

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school. The department, in consultation with the principal and district superintendent, shall develop a staffing plan, recruitment and performance bonuses, and a budget for each reconstituted school.

Upon approval of the school renewal plans by the department and the State Board of Education, a newly identified school or a currently identified school with an absolute rating of below average or at-risk on the report card will receive a base amount and a per pupil allocation based on the previous year's average daily membership as determined by the annual budget appropriation. No more than fifteen percent of funds not expended in the prior fiscal year may be carried forward and expended in the current fiscal year for strategies outlined in the school's renewal plan. Schools must use technical assistance funds to augment or increase, not to replace or supplant local or state revenues that would have been used if the technical assistance funds had not been available. Schools must use technical assistance funds only to supplement, and to the extent practical, increase the level of funds available from other revenue sources.

1A.20. (SDE-EIA: Proviso Allocations) In the event an official EIA revenue shortfall is declared by the Board of Economic Advisors, the Department of Education may reduce any allocation in Section 1A specifically designated by proviso in accordance with the lower Board of Economic Advisors revenue estimate as directed by the Office of State Budget. No allocation for teacher salaries shall be reduced as a result of this proviso.

1A.21. (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with exceptional needs.

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In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district's per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and non-instruction pupil services. No portion of the seventy-five percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and non-instruction pupil services for the current school year ending June 30. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or non-essential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

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For the current fiscal year, Section 59-21-1030 is suspended. Formative assessments for grades one, two, and nine, the foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

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School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.

1A.22. (SDE-EIA: Teacher Salary Supplement) The department is directed to carry forward prior year unobligated teacher salary supplement and related employer contribution funds into the current fiscal year to be used for the same purpose.

1A.23. (SDE-EIA: Dropout Prevention and High Schools That Work Programs) The Department of Education must report annually by December first, to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee on the effectiveness of dropout prevention programs funded by the Education and Economic Development Act and on the High Schools that Work Programs' progress and effectiveness in providing a better prepared workforce and student success in post-secondary education. The department, school districts, and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal that were allocated for High Schools That Work.

1A.24. (SDE-EIA: Assessment) The department is authorized to carry forward into the current fiscal year, prior year state assessment funds for the purpose of paying for state assessment activities not completed by the end of the fiscal year including the scoring of the spring statewide accountability assessment.

1A.25. DELETED

1A.26. (SDE-EIA: Report Card Information) The percentage each school district expended on classroom instruction as defined by the Department of Education's InSite classification for "Instruction" must be printed on the Annual School and District Report Card.

1A.27. (SDE-EIA: Core Curriculum Materials) The funds appropriated in Part IA, Section 1, XII.A.3 for instructional materials for core curriculum shall be expended consistent with the requirements of Section 59-31-600 of the 1976 Code requiring the development of higher order thinking skills and critical thinking which should be integrated throughout the core curriculum instructional materials. Furthermore, the evaluation criteria used to select instructional

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materials with funds appropriated in Part IA, Section 1, XII.A.3 shall include a weight of up to ten percent of the overall criteria to the development of higher order thinking skills and critical thinking.

1A.28. (SDE-EIA: XII-E.2.- Certified Staff Technology Proficiency) To ensure the effective and efficient use of the funding provided by the General Assembly in Part IA, Section 1 XII.E.2 for school technology in the classroom and internet access, the State Department of Education shall approve district technology plans that specifically address and incorporate certified staff technology competency standards and local school districts must require certified staff to demonstrate proficiency in these standards as part of each certified staff's Professional Development plan. The Department of Education's professional development tracking, prescriptive and electronic portfolio system for certified staff is the preferred method for demonstrating technology proficiency as this system is aligned to the International Society for Technology in Education (ISTE) teacher standards. Evidence that districts are meeting the requirement is a prerequisite to expenditure of a district's technology funds.

1A.29. (SDE-EIA: Accountability Program Implementation) To support implementation of the accountability program, the Education Oversight Committee may carry forward unexpended Education Accountability Act funds authorized specifically for the administration of the Education Oversight Committee.

1A.30. (SDE-EIA: 4K Targeting) EIA funds allocated for the provision of four-year-old kindergarten shall be utilized for the provision of services to age-eligible children qualifying for free or reduced-price lunch or Medicaid. Children with developmental delays documented through state approved screening assessments or children with medically documented disabilities who do not already qualify for special need services should also be considered for enrollment. In the event that more students seek to enroll than available space permits, districts shall prioritize students (at the time of acceptance) on the basis of family income expressed as a percentage of the federal poverty guidelines, with the lowest family incomes given the highest enrollment priority.

1A.31. (SDE-EIA: Reading) Of the funds appropriated for reading/literacy, the Department of Education, schools, and districts shall ensure that resources are utilized to improve student achievement in reading/literacy. To focus on the importance of early reading and writing skills and to ensure that all students acquire reading/literacy

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skills by the end of grade three, fifty percent of the appropriation shall be directed toward acquisition of reading proficiency to include, but not be limited to, strategies in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Forty percent of the appropriation shall be directed toward classroom instruction and intervention to focus on struggling readers and writers in grades four through eight. Ten percent of the appropriation should be directed toward acceleration to provide additional opportunities for deepening and refinement of literacy skills.

Fifty percent of the funds shall be allocated to school districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty-five day count of the prior school year. Fifty percent of the funds shall be allocated to the Department of Education to provide districts with research-based strategies and professional development and to work directly with schools and districts to assist with implementation of research-based strategies. When providing professional development the department and school districts must use the most cost effective method and when able utilize ETV to provide such services throughout the state. The department shall provide for an evaluation to review first year implementation activities and to establish measurements for monitoring impact on student achievement.

1A.32. (SDE-EIA: Artistically and Academically High-Achieving Students) EIA funds appropriated for high achieving students must be allocated to districts based on three factors: (1) the number of students served in academic gifted and talented programs based on the prior year's one hundred thirty-five day count of average daily membership adjusted for the current year's forty-five day count and the number of students identified as artistically gifted and talented; (2) the number of students taking Advanced Placement or International Baccalaureate (IB) exams in the prior year; and (3) a per pupil allocation for charter schools serving state-identified artistically and academically high-achieving students in core academic classes with an accelerated curriculum that has been verified by the Department of Education to meet the requirements of State Board of Education Regulation 43-220 and if they are serving state-identified artistically and academically high-achieving students in core academic courses which are included on the prior year's Commission on Higher Education's list of transferable courses. The Department of Education shall report to the Senate Education Committee and the House Education and Public Works Committee regarding the allocation and distribution of the funds

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by June first. At least eighty-five percent of the funds appropriated for each student classified herein must be spent for instruction and instructional support for students who generated the funds. Up to \$500,000 of the funds may be retained by the Department of Education for teacher endorsement activities. Twelve percent of the funds shall be set-aside for serving artistically gifted and talented students in grades three through twelve.

The board of trustees of a school district electing to charge a fee to the parent or legal guardian of a student taking the Advanced Placement or International Baccalaureate exam is required to develop a policy for such a fee which accounts for the student's ability to pay and at an amount not to exceed the actual test cost. A test fee may not be charged to students eligible for free lunch and must be pro rata for students eligible for reduced price lunch if the parent or legal guardian requests.

Endorsement criteria established by the State Board of Education for teachers assigned to teach gifted and talented and advanced placement classes shall be suspended for the current school year.

1A.33. (SDE-EIA: Students at Risk of School Failure) For the current fiscal year, EIA funds appropriated for students at academic risk of school failure, which include funds for Act 135 Academic Assistance, summer school, reduce class size, alternative schools, parent support and family literacy, must be allocated to school districts based two factors: (1) the poverty index of the district as documented on the most recent district report card, which measures student eligibility for the free or reduced price lunch program and Medicaid; and (2) the number of students not in poverty or eligible for Medicaid but who fail to meet state standards on state standards-based assessments in either reading or mathematics. At least eighty-five percent of the funds allocated for students classified as at academic risk must be spent on instruction and instructional support for these students who generated the funds. Instructional support may include family literacy and parenting programs to students at-risk for school failure and their families. Students at academic risk are defined as students who are at risk of not graduating from high school because they failed either the English language arts or mathematics portion of the High School Assessment Program on first attempt and who score not met on grades three through eight in reading and mathematics state assessments. Public charter schools, the Palmetto Unified School District, and the Department of Juvenile Justice must also receive a

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proportionate per pupil allocation based on the number of students at academic risk of school failure served.

1A.34. (SDE-EIA: Professional Development) EIA funds appropriated for professional development must be allocated to districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty-five day count of the prior school year. The funds must be expended on professional development for certificated instructional and instructional leadership personnel in grades kindergarten through twelve across all content areas, including teaching in and through the arts. No more than twenty-five percent of the funds appropriated for professional development may be retained by the Department of Education for the administration and provision of professional development services. The Department of Education must provide professional development on assessing student mastery of the content standards through classroom, formative and end-of-year assessments. The Department of Education also must post on the agency's website the South Carolina Professional Development Standards and provide training through telecommunication methods to school leadership on the professional development standards.

1A.35. (SDE-EIA: Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Of the funds appropriated and/or authorized for assessment, up to \$2,455,000 shall be used for assessments to determine eligibility of students for gifted and talented programs and for the cost of Advanced Placement and International Baccalaureate exams.

1A.36. (SDE-EIA: Adult Education) A minimum of thirty percent of the funds appropriated for adult education must be allocated to school districts to serve adult education students between the ages of seventeen and twenty-one who are enrolled in programs leading to a state high school diploma, state high school equivalency diploma (GED), or career readiness certificate (WorkKeys). The remaining funds will be allocated to districts based on a formula which includes target populations without a high school credential, program enrollment the previous school year, total hours of attendance the previous school year, and performance factors such as number of high school credentials and career readiness certificates awarded the previous school year. Overall levels of state funding must meet the federal requirement of state maintenance of effort.

1A.37. (SDE-EIA: Clemson Agriculture Education Teachers) The funds appropriated in Part IA, Section XII.F.2 for Clemson Agriculture

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Education Teachers must be transferred to Clemson University PSA to fund summer employment of agriculture teachers and to cover state-mandated salary increases on that portion of the agriculture teachers' salaries attributable to summer employment.

1A.38. DELETED

1A.39. (SDE-EIA: Incentive for National Board Certification After 6/30/10) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who complete the application process on or after July 1, 2010 shall be paid a \$5,000 salary supplement in the year of achieving certification. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$5,000 salary supplement shall be added to the annual pay of the teacher, not to exceed ten years of the national certificate. However, the \$5,000 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer whereby teachers who are United States citizens or permanent resident aliens apply to the National Board for Professional Teaching Standards for certification on or after July 1, 2010. Should the program not be suspended, up to nine hundred applications shall be processed annually. Of the funds appropriated in Part IA, Section 1, XII.C.2. for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of teachers applying to the National Board for Professional Teaching Standards for certification.

1A.40. (SDE-EIA: Child Development Education Pilot Program) There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be available for the current school year on a voluntary basis and shall focus on the developmental and learning support that children must have in order to be ready for school and must incorporate parenting education.

(A) For the current school year, with funds appropriated by the General Assembly, the South Carolina Child Development Education

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Pilot Program shall first be made available to eligible children from the following eight trial districts in Abbeville County School District et. al. vs. South Carolina: Allendale, Dillon 2, Florence 4, Hampton 2, Jasper, Lee, Marion 7, and Orangeburg 3. With any remaining funds available, the pilot shall be expanded to the remaining plaintiff school districts in Abbeville County School District et. al. vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of ninety percent or greater. Priority shall be given to implementing the program first in those of the plaintiff districts which participated in the pilot program during the 2006-2007 school year, then in the plaintiff districts having proportionally the largest population of underserved at-risk four-year-old children.

Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.

(B) Each child residing in the pilot districts, who will have attained the age of four years on or before September first, of the school year, and meets the at-risk criteria is eligible for enrollment in the South Carolina Child Development Education Pilot Program for one year.

The parent of each eligible child may enroll the child in one of the following programs:

(1) a school-year four-year-old kindergarten program delivered by an approved public provider; or

(2) a school-year four-year-old kindergarten program delivered by an approved private provider.

The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child's birth certificate, immunization documentation, and documentation of the student's eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the U.S. Department of Health and Human Services or a statement of Medicaid eligibility.

In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of 6.5 hours of

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instructional time daily and operates for a period of not less than one hundred eighty days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.

No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this provision. Nothing in this provision prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.

If by October first of the school year at least seventy-five percent of the total number of eligible CDEPP children in a district or county are projected to be enrolled in CDEPP, Head Start or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, CDEPP providers may then enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales and may receive reimbursement for these children if funds are available.

(C) Public school providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Department of Education. Private providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this provision, and will comply with all reporting and assessment requirements.

Providers shall:

- (1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;
- (2) comply with all state and local health and safety laws and codes;
- (3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;
- (4) be accountable for meeting the education needs of the child and report at least quarterly to the parent/guardian on his progress;
- (5) comply with all program, reporting, and assessment criteria required of providers;

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(6) maintain individual student records for each child enrolled in the program to include, but not be limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;

(7) designate whether extended day services will be offered to the parents/guardians of children participating in the program;

(8) be approved, registered, or licensed by the Department of Social Services; and

(9) comply with all state and federal laws and requirements specific to program providers.

Providers may limit student enrollment based upon space available. However if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved pre-kindergarten readiness assessment. Private providers shall not be required to expand their programs to accommodate all children desiring enrollment. However, providers are encouraged to keep a waiting list for students they are unable to serve because of space limitations.

(D) The Department of Education and the Office of First Steps to School Readiness shall:

(1) develop the provider application form;

(2) develop the child enrollment application form;

(3) develop a list of approved research-based preschool curricula for use in the program based upon the South Carolina Content Standards, provide training and technical assistance to support its effective use in approved classrooms serving children;

(4) develop a list of approved pre-kindergarten readiness assessments to be used in conjunction with the program, provide assessments and technical assistance to support assessment administration in approved classrooms serving children;

(5) establish criteria for awarding new classroom equipping grants;

(6) establish criteria for the parenting education program providers must offer;

(7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;

(8) develop a list of data collection needs to be used in implementation and evaluation of the program;

(9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;

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(10) establish criteria for granting student retention waivers;
and

(11) establish criteria for granting classroom size requirements waivers.

(E) Providers of the South Carolina Child Development Education Pilot Program shall offer a complete educational program in accordance with age-appropriate instructional practice and a research based preschool curriculum aligned with school success. The program must focus on the developmental and learning support children must have in order to be ready for school. The provider must also incorporate parenting education that promotes the school readiness of preschool children by strengthening parent involvement in the learning process with an emphasis on interactive literacy.

Providers shall offer high-quality, center-based programs that must include, but shall not be limited to, the following:

(1) employ a lead teacher with a two-year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education or the Office of First Steps to School Readiness;

(2) employ an education assistant with pre-service or in-service training in early childhood education;

(3) maintain classrooms with at least ten four-year-old children, but no more than twenty four-year-old children with an adult to child ratio of 1:10. With classrooms having a minimum of ten children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case-by-case basis;

(4) offer a full day, center-based program with 6.5 hours of instruction daily for one hundred eighty school days;

(5) provide an approved research-based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social/emotional development;

(6) engage parents' participation in their child's educational experience that shall include a minimum of two documented conferences per year; and

(7) adhere to professional development requirements outlined in this article.

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(F) Every classroom providing services to four-year-old children established pursuant to this provision must have a lead teacher with at least a two-year degree in early childhood education or related field and who is enrolled and is demonstrating progress toward the completion of a teacher education program within four years. Every classroom must also have at least one education assistant per classroom who shall have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The teaching assistant shall have completed the Early Childhood Development Credential (ECD) 101 or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children five years old and younger. The providers must request this waiver in writing to their designated administrative agency (First Steps or the Department of Education) and provide appropriate documentation as to the qualifications of the teaching assistant.

(G) The General Assembly recognizes there is a strong relationship between the skills and preparation of pre-kindergarten instructors and the educational outcomes of students. To improve these education outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Development Education Pilot Program to participate annually in a minimum of fifteen hours of professional development to include teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age-appropriate progress of pre-kindergarten students in developing emergent literacy skills, including but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

(H) Both public and private providers shall be eligible for transportation funds for the transportation of children to and from school. Nothing within this provision prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56-5-195. Providers shall not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for transportation. When transporting four-year-old child development students, providers shall make every effort to transport them with

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students of similar ages attending the same school. Of the amount appropriated for the program, not more than \$185 per student shall be retained by the Department of Education for the purposes of transporting four-year-old students. This amount must be increased annually by the same projected rate of inflation as determined by the Division of Research and Statistics of the Budget and Control Board for the Education Finance Act.

(I) For all private providers approved to offer services pursuant to this provision, the Office of First Steps to School Readiness shall:

- (1) serve as the fiscal agent;
 - (2) verify student enrollment eligibility;
 - (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
 - (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
 - (5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;
 - (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
 - (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;
 - (8) maintain a database of the children enrolled in the program;
- and
- (9) promulgate guidelines as necessary for the implementation of the pilot program.

(J) For all public school providers approved to offer services pursuant to this provision, the Department of Education shall:

- (1) serve as the fiscal agent;
- (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;

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(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;

(5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;

(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;

(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;

(8) maintain a database of the children enrolled in the program; and

(9) promulgate guidelines as necessary for the implementation of the pilot program.

(K) The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the current school year, the funded cost per child shall be \$4,218 increased annually by the rate of inflation as determined by the Division of Research and Statistics of the Budget and Control Board for the Education Finance Act. Eligible students enrolling with private providers during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall be eligible for a reimbursement of \$550 per eligible child transported. Providers who are reimbursed are required to retain records as required by their fiscal agent. Providers enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment grant funding, with providers enrolling seven or more such children eligible for grants not to exceed \$10,000. Providers receiving equipment grants are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps.

(L) Pursuant to this provision, the Department of Social Services shall:

(1) maintain a list of all approved public and private providers; and

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(2) provide the Department of Education and the Office of First Steps information necessary to carry out the requirements of this provision.

(M) The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers.

1A.41. DELETED

1A.42. DELETED

1A.43. (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, XII.A.1 Aid to Districts shall be dispersed to school districts based on the number of weighted pupil units.

1A.44. (SDE-EIA: Carry Forward) EIA carry forward from the prior fiscal year and Fiscal Year 2012-13 and not otherwise appropriated or authorized must be carried forward and expended to provide \$200,000 to each school that was designated by the department as a Palmetto Priority School in the prior year but did not receive an allocation of EIA technical assistance funds in the prior fiscal year to improve teacher recruitment and retention, to reduce the district's dropout rate, to improve student achievement in reading/literacy, or to train teachers in how to teach children of poverty as stipulated in the school's renewal plan. If funds are not sufficient to provide \$200,000 to each qualifying district, the \$200,000 shall be reduced on a pro-rata basis. Any balance remaining must be expended for school bus fuel costs. Any unexpended funds must be carried forward and expended for the same purpose.

1A.45. DELETED

1A.46. DELETED

1A.47. (SDE-EIA: Centers of Excellence) Of the funds appropriated for Centers of Excellence, \$350,000 must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand statewide training for individuals who teach children of poverty through weekend college, non-traditional or alternative learning opportunities. The center also is charged with developing a sequence of knowledge and skills and program of study for add-on certification for teachers specializing in teaching children of poverty.

1A.48. (SDE-EIA: IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section XII.A.1 Aid to Districts according to Proviso 1A.43 for Fiscal Year 2012-13, the department shall direct up to \$30,494,337 of the funds appropriated in Section

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XII.A.1 Aid To Districts to school districts and special schools for supplemental support of programs and services for students with disabilities, to meet the estimated maintenance of effort for IDEA. Funds provided for the maintenance of effort for IDEA may not be transferred to any other purpose and therefore are not subject to flexibility. The department shall distribute these funds using the current fiscal year one hundred thirty-five day Average Daily Membership. For continued compliance with the federal maintenance of efforts requirements of the IDEA, funding for children with disabilities must, to the extent practicable, be held harmless to budget cuts or reductions to the extent those funds are required to meet federal maintenance of effort requirements under the IDEA. In the event cuts to funds that are needed to maintain fiscal effort are necessary, when administering such cuts, the department must not reduce funding to support children with disabilities who qualify for services under the IDEA in a manner that is disproportionate to the level of overall reduction to state programs in general. By December 1, 2012, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor. The department is directed to transfer \$350,000 to the South Carolina Autism Society for the Autism Parent-School Partnership Program.

1A.49. DELETED

1A.50. DELETED

1A.51. (SDE-EIA: Career Cluster Industry Partnerships) From the funds appropriated to the Department of Education, \$800,000 must be provided as direct grants to the private sector statewide trade association or educational foundation providing nationally certified programs in career and technology education representing the automotive, construction, engineering, healthcare, mechanical contracting/construction, and hospitality tourism career clusters. Organizations applying for a grant must do so by July first and the Department of Education must award a minimum of one grant of at least \$150,000 in at least four of these specified career clusters to be used exclusively for career and technology education. The recipient industry organization must conduct end-of-course exams graded by a national industry organization and must include in their grant request how the money will be spent to further industry-specific career technology education; a description and history of their program nationally and within South Carolina; estimates of future employment growth in their industry; and the national scope of their program. By August first of the following year, the organization must submit to the

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department a report detailing how the grant increased industry/employer awareness; the number of increased schools using the industry-based curriculum and partnered with the industry organization; the increased number of students in the program; and an overview and analysis of the organization's statewide student competition. The grant must be used for career awareness programs for that industry cluster; statewide student competitions leading to national competitions; teacher development and training; post-secondary scholarships in industry-specific degree programs; student recruitment into that career cluster programs; programs to educate middle and high school Career or Guidance Counselors about the industry; service to disadvantaged youth; and administering business/employer awareness and partnerships which help lead to experience-based, career-oriented experiences including internships, apprenticeships, mentoring, co-op education and service learning. The Office of Career and Technology Education of the department will develop goals with each career cluster on the number of new schools using the industry-based curriculum and partnered with that career cluster organization. These funds may not be used to supplant or replace, in whole or in part, other existing resources/assets sourced outside the present grant being used to provide the same services or programs. Organizations may carry-over grants for up to three years when a large project is identified in the grant application to be used at a future date; otherwise excess funds must be returned to the state.

1A.52. (SDE-EIA: Partnerships/Other Agencies & Entities) For the current fiscal year, agencies and other entities receiving funds appropriated in Part IA, Section 1, XII.F.2. will continue to report annually to the Education Oversight Committee (EOC). Any entity receiving funds that must flow through a state agency will receive those funds through the EOC. The EOC will make funding recommendations to the Governor and General Assembly as part of the agency's annual budget request.

1A.53. DELETED

1A.54. (SDE-EIA: ETV Teacher Training/Support) Of the funds appropriated in Part IA, Section 1, XII.F.2. South Carolina Educational Television must provide training and technical support on the educational resources available to teachers and school districts.

1A.55. (SDE-EIA: Career and Technology Education Consumables) Funds appropriated for Career and Technology Education may be

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utilized to purchase textbooks, instructional materials and other consumables used in classroom instruction.

1A.56. (SDE-EIA: XI.C.2.-Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers' salaries of the southeastern states as projected by the Division of Budget and Analyses. For the current school year the Southeastern average teacher salary is projected to be \$49,319. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

For Fiscal Year 2012-13, the Department of Education is directed to increase the 2008-2009 statewide salary schedule by two percent. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a two percent salary increase. Districts are to provide this increase using the district salary schedule utilized the prior fiscal year as its base. School districts shall utilize the additional funds made available from the Teacher Salary Support - State Share appropriation to provide the required two percent increase. Each school district shall receive funds under the Teacher Salary Support - State Share line item in the same manner as Teacher Salaries Supplement funds are distributed.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. If a school district believes it will be unable to provide the required additional step without incurring a deficit, it may apply to the State Board of Education for a waiver from this requirement. Upon approval of the waiver requirement by the Board, the district shall be exempt from providing this step increase for Fiscal Year 2012-2013. Certified teachers employed in districts that are granted a waiver shall not have their experience credit negatively impacted as a result of the district being granted a waiver. A local school district shall continue to pay teachers for changes in their education level. A school district shall not be granted a waiver from providing a step if the incurred deficit is a result of granting salary increases to employees beyond those paid on the teacher salary schedule. The State Board of Education shall report to the Chairmen of the Senate Finance Committee and the House Ways

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and Means Committee by September 1, 2012, regarding those districts which requested a waiver and the subsequent action taken by the Board.

Funds appropriated in Part IA, Section 1, XI.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50 (b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state.

For purposes of this provision teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

1A.57. (SDE-EIA: PowerSchool Dropout Recovery Data) With the funds appropriated to the Department of Education for PowerSchool and data collection, the department will begin in the current fiscal year to collect data from schools and school districts on the number of students who had previously dropped out of school and who reenrolled in a public school or adult education to pursue a high school diploma. The Education Oversight Committee working with the Department of Education will determine how to calculate a dropout recovery rate that will be reflected on the annual school and district report cards. The Department of Education shall report to the Senate Education Committee and the House Education and Public Works Committee on the implementation of a dropout recovery rate.

1A.58. DELETED

1A.59. (SDE-EIA: Assisting, Developing and Evaluating Professional Teaching -ADEPT) With funds appropriated in the current fiscal year, the Department of Education, school districts, the Department of Juvenile Justice and special schools of the state may continue implementation of the ADEPT program. Governing boards of public institutions of higher education may provide by policy or regulation for a tuition waiver for the tuition for one three-hour course at that institution for those public school teachers who serve as supervisors for full-time students completing education degree requirements. Unexpended funds appropriated for this purpose may be carried forward from the prior fiscal year into the current fiscal year and expended for the same purposes.

1A.60. (SDE-EIA: Summer Exit Exam Cost) Funds appropriated in Part IA, Section 1, XII.A.2 may be used to offset the costs of the

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summer administration of the Exit Examination. These funds may be expended to cover the costs related to developing, printing, shipping, scoring, and reporting the results of the assessments. Local school districts may absorb local costs related to administration.

1A.61. (SDE-EIA: Refurbishing Science Kits) Funds appropriated for the purchase of textbooks and other instructional materials may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted textbook inventory, purchasing new kits from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs.

1A.62. (SDE-EIA: Assessment Preparation) From the funds appropriated in Part IA for Assessment Preparation, the Department of Education shall institute a plan reviewing the strengths and weaknesses of students on national assessments such as, but not limited to, the SAT, ACT, WorkKeys, GED, Advanced Placement exams, and International Baccalaureate exams. The department shall use reports that analyze student strengths and weaknesses to provide guidance to local school districts.

1A.63. (SDE-EIA: Next Generation Science Standards) No funds shall be expended in the current fiscal year by the Department of Education, the Education Oversight Committee, or the State Board of Education to participate in, implement, adopt or promote the Next Generation Science Standards initiative.

***1A.64.** *(SDE-EIA: EOC Innovation Initiative) Of the funds appropriated to the Education Oversight Committee (EOC), the EOC will explore innovative ways to transform the assessment and delivery of public education in South Carolina to reduce dropouts and to increase student academic achievement. In the current fiscal year, the EOC, in collaboration with a broad-based group of stakeholders including, but not limited to, educators, higher education institutions, policy makers, parents, and business leaders will design an education incubator. The incubator will: (1) focus on increasing the number of students leaving high school prepared for college, careers and citizenship; (2) test new assessments and metrics for accountability; (3) provide powerful feedback mechanisms and quick correction*

* See note at end of Act.

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cycles for instruction; (4) include advancements in technology; and (5) provide for scaling practices. The EOC will test the incubator model with schools in the subsequent fiscal year. Annually, the EOC will report to the General Assembly on the implementation and results of the education incubator, including the impact on student achievement and any cost-savings or resource reallocations.

1A.65. (SDE-EIA: XII.C.2-National Board Certification Incentive) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010, may receive a loan equal to the amount of the application fee. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 shall have one-half of the loan principal amount and interest forgiven when the required portfolio is submitted to the national board. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 who attain certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous

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appropriation act. Funds collected from educators who are in default of the National Board loan shall be retained and carried forward by the department. The department may retain up to ten percent of the funds collected to offset the administrative costs of loan collection. All other funds shall be retained by the department and used for National Board loan purposes. Of the funds appropriated in Part IA, Section 1, XII.C.2 for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of the loan program for teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010. In addition, teachers who have applied prior to July 1, 2010 and are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.

Provided, further, that in calculating the compensation for teacher specialists, the Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.

1A.66. (SDE-EIA: Flexibility) Funds received by districts from the School Building Aid Program may be flexed in the current fiscal year.

SECTION 1B - H62-FIRST STEPS TO SCHOOL READINESS**1B.1. DELETED****SECTION 2 - H66-LOTTERY EXPENDITURE ACCOUNT**

2.1. (LEA: Audit) Each state agency receiving lottery funds shall develop and implement procedures to monitor the expenditures of lottery funds in order to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations. The

SECTION 2 - H66-LOTTERY EXPENDITURE ACCOUNT

Office of the State Auditor shall ensure that state agencies receiving lottery funds have procedures in place to monitor expenditures of lottery funds and that the monitoring procedures are operating effectively.

2.2. (LEA: Technology Lottery Funds) For the purposes of the allocation of technology funds from the lottery proceeds, \$125,000 shall be transferred from the portion designated for two-year institutions to the portion designated for four-year institutions for each University of South Carolina two-year institution that has moved to a four-year status since 2000.

2.3. DELETED

2.4. (LEA: Election Day Sales) For the current fiscal year, Section 59-150-210(E) is suspended.

2.5. (LEA: FY 2012-13 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Budget and Control Board as directed below. These appropriations must be used to supplement and not supplant existing funds for education.

The Budget and Control Board is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.

All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.

For Fiscal Year 2012-13 certified net lottery proceeds and investment earnings and any other proceeds identified by this provision are appropriated as follows:

- (1) Commission on Higher Education and State Board for
Technical and Comprehensive Education
 --Tuition Assistance \$49,100,000;
- (2) Commission on Higher Education--LIFE Scholarships as
 provided in Chapter 149, Title 59 \$107,236,237;
- (3) Commission on Higher Education--HOPE Scholarships as
 provided in Section 59-150-370 \$7,779,856;
- (4) Commission on Higher Education--Palmetto Fellows
 Scholarships as provided in
 Section 59-104-20 \$30,777,240;

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- (5) Commission on Higher Education--Need-Based
 Grants \$11,631,566;
- (6) Tuitions Grants Commission--Tuition Grants..... \$7,766,604;
- (7) Commission on Higher Education--National Guard Tuition
 Repayment Program as provided in
 Section 59-111-75 \$1,700,000;
- (8) South Carolina State University..... \$2,500,000;
- (9) Technology--Public Four-Year Universities, Two-Year
 Institutions, and State Technical Colleges \$7,301,816;
- (10) Department of Education--K-5 Reading, Math, Science &
 Social Studies Program as provided in
 Section 59-1-525 \$26,291,798;
- (11) Department of Education--Grades 6-8 Reading, Math,
 Science & Social Studies Program..... \$2,000,000;
- (12) School for the Deaf and the Blind--Technology
 Replacement..... \$200,000;
- (13) Commission on Higher Education--Higher Education
 Excellence Enhancement Program..... \$50,000;
- (14) Commission on Higher Education--Public Four-Year
 Universities & Two-Year Institutions--Deferred
 Maintenance \$13,285,315; and
- (15) State Board for Technical and Comprehensive Education
 --Technical Colleges Deferred Maintenance..... \$4,714,685.

Fiscal Year 2012-13 funds appropriated to the Commission on Higher Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided in Section 59-150-360. Annually the State Board for Technical and Comprehensive Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds appropriated.

Of the funds appropriated to South Carolina State University, \$250,000 may be used for the BRIDGE Program.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least \$996 per student per term for full time students.

Fiscal Year 2012-13 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for

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this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2012-13 are fully funded.

If the lottery revenue received for Fiscal Year 2012-13 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$260,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process.

The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.

For Fiscal Year 2012-13, of the funds certified from unclaimed prizes, \$5,950,000 shall be appropriated to the Department of Education for the purchase of new school buses; \$250,000 shall be appropriated to the South Carolina School for the Deaf and blind for the purchase of new school buses; \$3,200,000 shall be appropriated to the Department of Education for K-5 Reading, Math, Science & Social Studies Program as provided in Section 59-1-525; \$50,000 shall be appropriated to the Department of Alcohol and Other Drug Abuse Services for gambling addiction services; and \$2,950,000 shall be appropriated to the Commission on Higher Education for the Higher Education Excellence Enhancement Program.

Of any unclaimed prize funds available in excess of the Board of Economic Advisors estimate, the first \$1,500,000 shall be directed to the Commission on Higher Education for the Partnership Among South Carolina Academic Libraries (PASCAL) Program. The next \$5,470,093 shall be directed for Technology: Public Four-Year Universities, Two-Year Institutions, and State Technical Colleges. The next \$2,000,000 shall be directed to the State Library for Aid to County Libraries. The next \$1,000,000 shall be directed to the Commission on Higher Education for the Higher Education Excellence Enhancement Program. The next \$4,000,000 shall be directed to the State Board for Technical and Comprehensive Education for the Allied Health Initiative. The next \$1,000,000 shall be directed to the Commission on Higher Education for the Critical Needs Nursing Program. The next

SECTION 2 - H66-LOTTERY EXPENDITURE ACCOUNT

thirty-eight percent, up to \$1,914,561, shall be directed to USC - Beaufort for Full Time Equivalent Student Funding. The next twenty-three percent, up to \$1,135,093, shall be directed to USC - Upstate for Full Time Equivalent Student Funding. The next eighteen percent, up to \$886,826, shall be directed to Coastal Carolina for Full Time Equivalent Student Funding. The next eleven percent, up to \$553,567, shall be directed to Lander University for Full Time Equivalent Student Funding. The next ten percent, up to \$509,953, shall be directed to USC - Aiken for Full Time Equivalent Student Funding. All additional revenue in excess of the amount certified by the Board of Economic Advisors for unclaimed prizes shall be distributed to the Commission on Higher Education for LIFE, HOPE, and Palmetto Fellows Scholarships.

For Fiscal Year 2012-13, net lottery proceeds and investment earnings realized above the amount certified by the Board of Economic Advisors for Fiscal Year 2011-12 are appropriated as follows on a pro-rata basis:

- (1) Commission on Higher Education--Institutions of Public Four-Year Universities and Two-Year Institutions of Higher Learning Deferred Maintenance..... \$1,480,000;
- (2) State Board for Technical and Comprehensive Education --Technical Colleges Deferred Maintenance..... \$520,000;
- (3) Commission on Higher Education--Need-Based Grants \$4,000,000;
- (4) Tuitions Grants Commission--Tuition Grants \$1,500,000;
- (5) Technology--Public Four-Year Universities, Two-Year Institutions, and State Technical Colleges \$2,500,000;
- (6) Department of Education--New School Buses..... \$6,267,000; and
- (7) State Library--Aid to County Libraries \$733,000.

All funds received in this provision by the Commission on Higher Education for deferred maintenance at public four-year universities and two-year institutions of higher learning shall be distributed on a pro rata basis to each state supported university and institution. The distribution methodology to be used by the commission shall be based on each institution's proportion of general fund appropriation in Part IA of Act 73 of 2011 as compared to the total general fund appropriation in that Act for all public four-year universities and two-year institutions of higher learning.

SECTION 3 - H71-WIL LOU GRAY OPPORTUNITY SCHOOL

3.1. (WLG: Truants) The Opportunity School will incorporate into its program services for students, ages fifteen and over, who are deemed truant; and will cooperate with the Department of Juvenile Justice, the Family Courts, and School districts to encourage the removal of truant students to the Opportunity School when such students can be served appropriately by the Opportunity School's program.

3.2. (WLG: GED Test) Students attending school at the Wil Lou Gray Opportunity School that are sixteen years of age and are unable to remain enrolled due to the necessity of immediate employment or enrollment in post secondary education may be eligible to take the General Education Development (GED) Test. Prior to taking the GED the student must be pretested using the official General Education Development Practice Test and score a minimum of 2200.

3.3. (WLG: Deferred Salaries Carry Forward) Wil Lou Gray is authorized to carry forward into the current fiscal year the amount of the deferred salaries and employer contributions earned in the prior fiscal year for non-twelve month employees. These deferred funds are not to be included or part of any other authorized carry forward amount.

3.4. (WLG: Improved Forestry Practices) The Trustees of the Wil Lou Gray Opportunity School may carry out improved forestry practices on the timber holdings of the school property and apply the revenues derived from them and any other revenue source on the property for the further improvement and development of the school forest and other school purposes.

3.5. (WLG: Educational Program Initiatives) Wil Lou Gray Opportunity School is authorized to utilize funds received from the Department of Education for vocational equipment on educational program initiatives.

3.6. (WLG: Lease Revenue) Wil Lou Gray Opportunity School is authorized to retain revenues derived from the lease of school properties titled to or utilized by the school and may use revenues retained for general school operations, including, but not limited to, maintenance of such properties. Unexpended funds may be carried forward into the current fiscal year and used for the same purposes.

3.7. (WLG: USDA Federal Grants) All revenues generated from U.S.D.A. federal grants may be retained and expended by the school in

SECTION 3 - H71-WIL LOU GRAY OPPORTUNITY SCHOOL

accordance with Federal regulations for the purpose of covering actual expenses in the cafeteria/food service operations of the school.

3.8. (WLG: By-Products Revenue Carry Forward) The Wil Lou Gray Opportunity School is authorized to sell goods that are by-products of the school's programs and operations, charge user fees and fees for services to the general public, individuals, organizations, agencies and school districts, and such revenue may be retained and carried forward into the current fiscal year and expended for the purpose of covering expenses of the school's programs and operations.

3.9. (WLG: Capacity) For Fiscal Year 2012-13, funds appropriated to Wil Lou Gray Opportunity School must be used to bring the school up to full capacity, to the extent possible, and the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

SECTION 4 - H75-SCHOOL FOR THE DEAF AND THE BLIND

4.1. (SDB: Student Activity Fee) The School for the Deaf and the Blind is authorized to charge to the parents of students at the school a student activity fee, differentiated according to the income of the family. The required student activity fee shall not exceed \$40.00. Such revenue may be retained and carried forward into the current fiscal year and expended for the purpose of covering expenses for student activities.

4.2. (SDB: Weighted Student Cost) The School for the Deaf and the Blind shall receive through the Education Finance Act the average State share of the required weighted cost for each student enrolled in the School.

4.3. (SDB: Admissions) Deaf, blind, multi-disabled and other disabled students identified by the Board of Commissioners as target groups for admission to the South Carolina School for the Deaf and the Blind may be admitted by the School either through direct application by parents or on referral from the local school district. The Board of Commissioners shall define the appropriate admissions criteria including mental capacity, degree of disability, functioning level, age, and other factors deemed necessary by the board. All placement hearings for admission to the South Carolina School for the Deaf and the Blind shall be organized by the School. The South Carolina School for the Deaf and the Blind shall obtain information from the local

SECTION 4 - H75-SCHOOL FOR THE DEAF AND THE BLIND

school district concerning the needs of the student and shall prepare an Individualized Education Plan for each student admitted. All parents applying for admission of their children must sign a statement certifying that they feel the South Carolina School for the Deaf and the Blind is the most appropriate placement which constitutes the least restrictive environment for the individual student, based upon needs identified in the placement meeting and the Individualized Education Plan. The decision concerning placement and least restrictive environment shall be reviewed annually at the IEP Conference.

4.4. (SDB: Adult Vocational Program Fees) The School for the Deaf and the Blind is authorized to charge appropriate tuition, room and board, and other fees to students accepted into the Adult Vocational Program. Such fees will be determined by the School Board of Commissioners, and such revenue shall be retained and carried forward into the current fiscal year and expended by the School for the purpose of covering expenses in the Adult Vocational Program.

4.5. (SDB: Mobility Instructor Service Fee) The School for the Deaf and the Blind is authorized to charge a fee for the services of a mobility instructor to provide service on a contractual basis to various school districts in the state, and such revenue shall be retained and carried forward into the current fiscal year and expended by the School for the purpose of covering expenses in the Blind School.

4.6. (SDB: Cafeteria Revenues) All revenues generated from cafeteria operations may be retained and expended by the institution for the purpose of covering actual expenses in cafeteria operations.

4.7. (SDB: School Buses) The school buses of the South Carolina School for the Deaf and the Blind are authorized to travel at the posted speed limit.

4.8. (SDB: USDA Federal Grants) All revenues generated from USDA federal grants may be retained and expended by the SCSDB in accordance with Federal regulations for the purpose of covering actual expenses in the cafeteria/food service operations of the school.

4.9. (SDB: By-Products Revenue Carry Forward) The School for the Deaf and the Blind is authorized to sell goods that are by-products of the school's programs and operations, charge user fees and fees for services to the general public: individuals, organizations, agencies and school districts, and such revenue may be retained and carried forward into the current fiscal year and expended for the purpose of covering expenses of the school's programs and operations.

SECTION 4 - H75-SCHOOL FOR THE DEAF AND THE BLIND

4.10. (SDB: Deferred Salaries Carry Forward) South Carolina School for the Deaf and the Blind is authorized to carry forward in the current fiscal year the amount of the deferred salaries and employer contributions earned in the prior fiscal year for non-twelve month employees. These deferred funds are not to be included or part of any other authorized carry forward amount.

4.11. (SDB: Sale of Property) After receiving approval from the Budget and Control Board for the sale of property, the school may retain revenues associated with the sale of property titled to or utilized by the school. These funds shall be expended on capital improvements approved by the Joint Bond Review Committee and the Budget and Control Board. For the current fiscal year, the school is authorized to use the retained revenue from the sale of donated property for educational and other operating purposes.

4.12. (SDB: USC-Upstate Visual Impairment Master of Education Program) Of the funds appropriated to the South Carolina School for the Deaf and the Blind, \$50,000 shall be used to fund the Master of Education Program In Visual Impairment at the University of South Carolina - Upstate.

4.13. DELETED

4.14. (SDB: Capacity) For Fiscal Year 2012-13, funds appropriated to the School for the Deaf and the Blind must be used to bring the school up to full capacity, to the extent possible, and the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

4.15. (SDB: Educational Program Initiatives) The School for the Deaf and Blind is authorized to utilize funds received from the Department of Education for vocational equipment on educational program initiatives.

4.16. (SDB: School Leave Policy) The School for the Deaf and Blind is authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of the School's board of directors. This policy shall address the school calendar in order to comply with the instructional needs of students attending the school.

SECTION 5 - L12-JOHN DE LA HOWE SCHOOL

5.1. (JDLHS: Status Offender Carry Forward) Unexpended status offender funds distributed to John de la Howe School from the Department of Education may be carried forward and used for the same purpose.

5.2. (JDLHS: Campus Private Residence Leases) John de la Howe School is authorized to lease, to its employees, private residences on the agency's campus. Funds generated may be retained and used for general operating purposes including, but not limited to, maintenance of the residences.

5.3. (JDLHS: Deferred Salaries Carried Forward) John de la Howe School is authorized to carry forward into the current fiscal year the amount of deferred salaries and employer contributions earned in the prior fiscal year for non-twelve month employees. These deferred funds are not to be included or part of any other authorized carry forward amount.

5.4. (JDLHS: Capacity) For Fiscal Year 2012-13, funds appropriated to John de la Howe School must be used to complete deferred maintenance on the residential cottages and to bring the school up to full capacity, to the extent possible. The school must not utilize the funds to hire new employees until the school has completed deferred maintenance on a cottage and requires the new employee due to a projected increase in students. Any increases in staff must be reported to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee thirty days prior to the hire. Further, the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

SECTION 6 - H03-COMMISSION ON HIGHER EDUCATION

6.1. (CHE: Contract for Services Program Fees) The amounts appropriated in this section for "Southern Regional Education Board Contract Programs" and "Southern Regional Education Board Dues" are to be used by the commission to pay to the Southern Regional Education Board the required contract fees for South Carolina students enrolled under the Contract for Services program of the Southern Regional Education Board, in specific degree programs in specified institutions and the Southern Regional Education Board membership

SECTION 6 - H03-COMMISSION ON HIGHER EDUCATION

dues. The funds appropriated may not be reduced to cover any budget reductions or be transferred for other purposes.

6.2. (CHE: Out-of-State School of the Arts) The funds appropriated herein for Out-of-State School of the Arts must be expended for an SREB Contract Program, administered by the Commission, which will offset the difference between the out-of-state cost and in-state cost for artistically talented high school students at the North Carolina School of the Arts.

6.3. (CHE: Access & Equity Programs) Of the funds appropriated herein for Access and Equity Programs, the Commission on Higher Education shall distribute at least \$98,313 to South Carolina State University, \$24,559 to Denmark Technical College, and \$588,741 to the Access and Equity Program. With these funds the colleges and universities shall supplement their access and equity programs so as to provide, at a minimum, the same level of minority recruitment activities as provided during the prior fiscal year. Any additional funds appropriated herein for the Access and Equity Program shall be used for Commission on Higher Education implementation of statewide program priorities.

6.4. DELETED

6.5. (CHE: African-American Loan Program) Of the funds appropriated to the Commission on Higher Education for the African-American Loan Program, \$149,485 shall be distributed to South Carolina State University and \$53,389 shall be distributed to Benedict College, and must be used for a loan program with the major focus of attracting African-American males to the teaching profession. The Commission of Higher Education shall act as the monitoring and reporting agency for the African-American Loan Program. Of the funds allocated according to this proviso, no more than ten percent shall be used for administrative purposes.

6.6. (CHE: GEAR-UP) Funds appropriated for GEAR-UP shall be used for state grants programs to reach disadvantaged middle school students to improve their preparation for college. Eligible South Carolina public schools and public institutions of higher education shall cooperate with the Commission on Higher Education in the provision of services under the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.

6.7. (CHE: EPSCoR Committee Representation) With the intent that the four-year teaching institutions receive a portion of EPSCoR funding, the State EPSCoR Committee shall have an executive committee consisting of one representative from each of the research

SECTION 6 - H03-COMMISSION ON HIGHER EDUCATION

institutions and one representative from the four-year teaching university sector.

6.8. (CHE: SREB Funds Exempt From Budget Cut) In the calculation of any across the board cut mandated by the Budget and Control Board or General Assembly, the amount which the Commission on Higher Education is appropriated for Southern Regional Education Board (SREB) Professional Scholarship Programs and Fees, Dues and Assessments shall be excluded from the Commission on Higher Education's base budget. Funds appropriated for SREB programs may be carried forward into the current fiscal year and expended for the same purpose by the Commission on Higher Education.

6.9. (CHE: Performance Improvement Pool Allocation) Of the funds appropriated to the Commission on Higher Education under Section XI. Special Items: Performance Funding, \$1,642,536 will be allocated to the EPSCoR program under the Commission on Higher Education to improve South Carolina's research capabilities and \$410,635 will be allocated to support the management education programs of the School of Business at South Carolina State University.

6.10. (CHE: Troop-to-Teachers) Members of the Armed Forces either active-duty, retired, or separated who are admitted to and enrolled in the South Carolina Troop-to-Teachers Alternative Route to Certification program are entitled to pay in-state rates at participating state institutions for requisite program work.

6.11. DELETED

6.12. DELETED

6.13. DELETED

6.14. (CHE: Need-Based Grants for Foster Youth) For the current academic year, youth in the custody of the Department of Social Services and attending a higher education institution in South Carolina are eligible for additional need-based grants funding of up to \$2,000 above the \$2,500 maximum. Foster youth must apply for these funds no later than May first, of the preceding year. All other grants, both state and federal, for which these foster youth are eligible must be applied first to the cost of attendance prior to using the additional need-based grant funding. If the cost of attendance for a foster youth is met with other grants and scholarships, then no additional need-based grant may be used. The Department of Social Services, in cooperation with the Commission on Higher Education, will track the numbers of recipients of this additional need-based grant to determine its

SECTION 6 - H03-COMMISSION ON HIGHER EDUCATION

effectiveness in encouraging more foster youth to pursue a secondary education. No more than \$100,000 may be expended from currently appropriated need-based grants funding for this additional assistance.

6.15. (CHE: Grants and Scholarships) No state or other appropriated funds authorized in this act or authorized in any state law may be used to provide illegal aliens tuition assistance, scholarships, or any form of reimbursement of student expenses for enrolling in or attending an institution of higher learning in this State. The Commission on Higher Education, the Higher Education Tuition Grants Commission, the South Carolina Student Loan Corporation, and the individual public institutions of higher learning are responsible for ensuring compliance with this provision.

6.16. DELETED

6.17. (CHE: Tuition Age) For the current fiscal year, the age limitation for those children of certain war veterans who may be admitted to any state-supported college, university, or post high school technical education institution free of tuition is suspended for eligible children that successfully appeal the Division of Veterans Affairs on the grounds of a serious extenuating health condition.

6.18. DELETED

6.19. (CHE: LIFE and Palmetto Fellows Enhancement Stipends) In the current fiscal year before fall awards are made, to continue eligibility for LIFE and Palmetto Fellows Enhancement Stipends, students shall certify and the institutions shall verify that the student is meeting all requirements as stipulated by the policies established by the institution and the academic department to be enrolled as a declared major in an eligible program and is making academic progress toward completion of the student's declared eligible major. These determinations are subject to the verification and audit of the Commission on Higher Education. Institutions shall return funds determined to have been awarded to ineligible students.

6.20. (CHE: SmartState) The Commission on Higher Education is prohibited from expending any source of funds on the marketing of the SmartState Program.

6.21. DELETED

**SECTION 9 - H12-CLEMSON UNIVERSITY - EDUCATIONAL
& GENERAL**

9.1. (CU: Travel Advances and Subsistence Expenses) Clemson University may advance travel and subsistence expense monies to its

**SECTION 9 - H12-CLEMSON UNIVERSITY - EDUCATIONAL
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employees for the financing of ordinary and necessary travel required in the conducting of the business of the institution. Clemson University may develop and publish rules and regulations pertaining to the advancing of travel expenses. All advances for travel and subsistence monies shall be repaid within thirty days after the end of the trip.

SECTION 14 - H24-SOUTH CAROLINA STATE UNIVERSITY

14.1. (SCSU: BRIDGE Program) The funds appropriated to South Carolina State University for the BRIDGE Program shall be utilized to recruit minority high school students along the I-95 corridor into the teaching profession by offering them, while still in high school, access to counseling, mentoring, on campus summer enrichment programs, and opportunities for dual enrollment credits at South Carolina State University for the purpose of preparing these students to major in education and to become future teachers along the I-95 corridor.

SECTION 15 - H45-UNIVERSITY OF SOUTH CAROLINA

15.1. (USC: Palmetto Poison Center) Of the funds appropriated or authorized herein, the University of South Carolina shall expend at least \$150,000 on the Palmetto Poison Center.

15.2. DELETED

**** 15.3.** *(USC: School Improvement Council) Of the funds appropriated to the University of South Carolina Columbia Campus, \$100,000 shall be used for the School Improvement Council.*

15.4. (USC: Child Abuse Medical Response Program) Of the funds appropriated to the University of South Carolina School of Medicine, not less than \$576,160 shall be expended for the Child Abuse and Neglect Medical Response Program. In addition, when instructed by the Budget and Control Board or the General Assembly to reduce funds by a certain percentage, the university may not reduce the funds for the Child Abuse and Neglect Medical Response Program greater than such stipulated percentage.

** See note at end of Act.

**SECTION 17 - H54-MEDICAL UNIVERSITY OF
SOUTH CAROLINA****17.1. DELETED**

17.2. (MUSC: Rural Dentist Program) The Rural Dentist Program, in coordination with the Department of Health and Environmental Control's Public Health Dentistry Program, is established at the Medical University of South Carolina. The funds appropriated to the Medical University of South Carolina for the Rural Dentist Program shall be administered by the South Carolina Area Health Education Consortium physician recruitment office. The costs associated with administering this program are to be paid from the funds appropriated to the Rural Dentist Program and shall not exceed four percent of the appropriation. The Medical University of South Carolina is responsible for the fiscal management of funds to ensure that state policies and guidelines are adhered to. MUSC shall be permitted to carry forward unspent general funds appropriated to the Rural Dentist program provided that these funds be expended for the program for which they were originally designated. A board is created to manage and allocate these funds to insure the location of licensed dentists in rural areas of South Carolina and on the faculty of the College of Dental Medicine at MUSC. The board will be composed of the following: the Dean, or his designee, of the MUSC College of Dental Medicine; three members from the South Carolina Dental Education Foundation Board who represent rural areas; and the President of the South Carolina Dental Association. The Director of DHEC's Office of Primary Care; the Director or his designee of the Department of Health and Human Services; and the Executive Director of the South Carolina Dental Association shall serve as ex officio members without vote. This board shall serve without compensation.

**SECTION 18 - H59-STATE BOARD FOR TECHNICAL
AND COMPREHENSIVE EDUCATION****18.1.** (TEC: Training of New & Expanding Industry) (A)

Notwithstanding the amounts appropriated in this section for the "Center for Accelerated Technology Training," it is the intent of the General Assembly that the State Board for Technical and Comprehensive Education expend the funds necessary to provide direct training for new and expanding business or industry.

(B) In the event projected expenditures are above the appropriation, the appropriation in this section for the "Center for Accelerated

**SECTION 18 - H59-STATE BOARD FOR TECHNICAL
AND COMPREHENSIVE EDUCATION**

Technology Training” may be appropriately adjusted, if and only if, the Budget and Control Board determines that the projected expenditures are directly related to:

(1) an existing technology training program where the demand for the program exceeds the program's capacity and the additional funds are to be utilized to meet the demand; or

(2) a new program is necessary to provide direct training for new or expanding business or industry.

(C) The adjustment may occur only upon approval by the Budget and Control Board. Upon the Budget Control Board's approval of the adjustment, the Executive Director of the Budget and Control Board must certify, in writing, that the adjustment is directly related to either subsection (B)(1) or (B)(2). The Executive Director must immediately provide a copy of the written certification, including the amount of the adjustment, to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

(D) Upon the Executive Director's written certification approving an adjustment, the State Board for Technical and Comprehensive Education must submit a statement to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee containing a detailed itemization of the manner in which funds initially appropriated for technology training were utilized, the specific purpose for the adjustment, and the ultimate recipient of the adjusted amount.

(E) The aggregate amount of all adjustments made pursuant to this section may not exceed ten million dollars.

(F) In the event that projected expenditures for the Center for Accelerated Technology Training exceed the amounts appropriated and the amount of any adjustments authorized, the State Board for Technical and Comprehensive Education may request a supplemental appropriation from the General Assembly.

18.2. (TEC: Training of New & Expanding Industry Carry Forward) In addition to the funds appropriated in this section, any of the funds appropriated under this section for the prior fiscal year which are not expended during that fiscal year may be carried forward and expended

**SECTION 18 - H59-STATE BOARD FOR TECHNICAL
AND COMPREHENSIVE EDUCATION**

for direct training of new and expanding industry in the current fiscal year.

18.3. (TEC: Training of New & Expanding Industry - Payments of Prior Year Expenditures) The State Board for Technical and Comprehensive Education may reimburse business and industry for prior year training costs billed to the agency after fiscal year closing with the concurrence of the Comptroller General.

18.4. DELETED

18.5. (TEC: Manufacturing Training Facility) Of the funds appropriated to the State Board for Technical and Comprehensive Education, \$3,500,000 must be utilized to complete the up-fit of a manufacturing training facility at Central Carolina Technical College. The facility shall be used in conjunction with worker training programs offered by the ReadySC program.

SECTION 19 - H67-EDUCATIONAL TELEVISION COMMISSION

19.1. (ETV: Grants/Contributions Carry Forward) The Educational Television Commission shall be permitted to carry forward any funds derived from grant awards or designated contributions and any state funds necessary to match such funds, provided that these funds be expended for the programs which they were originally designated.

19.2. (ETV: Digital Satellite) *The state's digital satellite video transmission system will support public and higher education, enhance the statewide delivery of health care services, improve public service, and assist state agencies with statewide personnel training. To facilitate the achievement of these objectives, there is created a Video Resources Oversight Council composed of representatives of the South Carolina Educational Television Commission, the State Department of Education, the Commission on Higher Education, the Human Services Coordinating Council, and the Budget and Control Board's Division of Budget and Analyses, Office of Information Technology Policy and Management.

* See note at end of Act.

**SECTION 20 - H73-DEPARTMENT OF VOCATIONAL
REHABILITATION**

20.1. (VR: Production Contracts Revenue) All revenues derived from production contracts earned by people with disabilities receiving job readiness training at the agency's Work Training Centers may be retained by the State Agency of Vocational Rehabilitation and used in the facilities for Client Wages and any other production costs; and further, any excess funds derived from these production contracts may be used for other operating expenses and/or permanent improvements of these facilities.

20.2. (VR: Reallotment Funds) To maximize utilization of federal funding and prevent the loss of such funding to other states in the Basic Service Program, the State Agency of Vocational Rehabilitation be allowed to budget reallotment and other funds received in excess of original projections in following State fiscal years.

20.3. DELETED

20.4. (VR: User/Service Fees) Any revenues generated from user fees or service fees charged to the general public or other parties ineligible for the department's services may be retained to offset costs associated with the related activities so as to not affect the level of service for regular agency clients.

20.5. (VR: Meal Ticket Revenue) All revenues generated from sale of meal tickets may be retained by the agency and expended for supplies to operate the agency's food service programs or cafeteria.

20.6. (VR: Basic Services Program - Educational Scholarships) For those persons with disabilities who are eligible for and are receiving services under an approved plan of the South Carolina Vocational Rehabilitation Department (consistent with the 1973 Rehabilitation Act, as amended) tuition costs at state supported institutions (four year, technical, or trade schools) will not increase beyond the 1998 tuition rate, will be provided, or will be waived by the respective institution after the utilization of any other federal or state student aid for which the student is eligible. Persons eligible for this tuition reduction or sponsorship must meet all academic requirements of the particular institution and be eligible for State need-based scholarships as defined in Chapter 142, Title 59, Code of Laws of South Carolina, 1976.

**SECTION 21 - J02-DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

21.1. (DHHS: Recoupment/Restricted Fund) The Department of Health and Human Services shall recoup all refunds and identified program overpayments and all such overpayments shall be recouped in accordance with established collection policy. Further, the Department of Health and Human Services is authorized to maintain a restricted fund, on deposit with the State Treasurer, to be used to pay for liabilities and improvements related to enhancing accountability for future audits. The restricted fund will derive from prior year program refunds. The restricted fund shall not exceed one percent of the total appropriation authorization for the current year. Amounts in excess of one percent will be remitted to the general fund.

21.2. (DHHS: Long Term Care Facility Reimbursement Rate) The Department, in calculating a reimbursement rate for long term care facility providers, shall obtain for each contract period an inflation factor, developed by the Budget and Control Board, Division of Budget and Analyses. Data obtained from Medicaid cost reporting records applicable to long term care providers will be supplied to the Budget and Control Board, Division of Budget and Analyses. A composite index, developed by the Budget and Control Board, Division of Budget and Analyses will be used to reflect the respective costs of the components of the Medicaid program expenditures in computing the maximum inflation factor to be used in long term care contractual arrangements involving reimbursement of providers. The Division of Budget and Analyses of the Budget and Control Board shall update the composite index so as to have the index available for each contract renewal.

The department may apply the inflation factor in calculating the reimbursement rate for the new contract period from zero percent (0%) up to the inflation factor developed by the Division of Budget and Analyses.

21.3. (DHHS: Medical Assistance Audit Program Remittance) The Department of Health and Human Services shall remit to the State Auditor's Office an amount representing fifty percent (allowable Federal Financial Participation) of the cost of the Medical Assistance Audit Program as established in the State Auditor's Office of the Budget and Control Board Section 80B. Such amount shall also include appropriated salary adjustments and employer contributions allocable to the Medical Assistance Audit Program. Such remittance to the State Auditor's Office shall be made monthly and based on

SECTION 21 - J02-DEPARTMENT OF HEALTH AND
HUMAN SERVICES

invoices as provided by the State Auditor's Office of the Budget and Control Board.

21.4. (DHHS: Third Party Liability Collection) The Department of Health and Human Services is allowed to fund the net costs of any Third Party Liability and Drug Rebate collection efforts from the monies collected in that effort.

21.5. (DHHS: Medicaid State Plan) Where the Medicaid State Plan has been altered to cover services that previously were provided by one hundred percent state funds, or that have been requested to be added by other state agencies, the department can bill other agencies for the state share of services provided through Medicaid. In order to comply with Federal regulations regarding allowable sources of matching funds, state agencies are authorized to make appropriation transfers to the Department of Health and Human Services to be used as the state share when certified public expenditures are not allowed for those state agency Medicaid services. The department will keep a record of all services affected and submit periodic reports to the Senate Finance and House Ways and Means Committees.

21.6. (DHHS: Medically Indigent Assistance Fund) The department is authorized to expend disproportionate share funds to all eligible hospitals with the condition that all audit exceptions through the receipt and expenditures of these funds are the liability of the hospital receiving the funds.

21.7. (DHHS: Admin. Days/Swing Beds Reduction Prohibition) Funds appropriated herein for hospital administrative days and swing beds shall not be reduced in the event the agency cuts programs and the services they provide.

21.8. (DHHS: Nursing Home Sanctions) The Department of Health and Human Services is authorized to establish an interest bearing restricted fund with the State Treasurer, to deposit fines collected as a result of nursing home sanctions. The department may use these funds consistent with the provision of Section 44-6-470.

21.9. (DHHS: Registration Fees) The department is authorized to receive and expend registration fees for educational, training, and certification programs.

21.10. (DHHS: Fraud and Abuse Collections) The Department of Health and Human Services may offset the administrative costs associated with controlling fraud and abuse.

**SECTION 21 - J02-DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

21.11. (DHHS: Provider Reimbursement Rate Report) The Department of Health and Human, in conjunction with the Office of Research and Statistics of the Budget and Control Board, shall prepare a report that compares the reimbursement rate of Medicaid providers to the reimbursement rate of the Medicare Program and the State Health Plan. This report shall be completed by January thirty-first, each year, and submitted to the Governor and the members of the General Assembly.

21.12. (DHHS: Medicaid Eligibility Transfer) The South Carolina Department of Health and Human Services (DHHS) is hereby authorized to determine the eligibility of applicants for the South Carolina Medicaid Program. Personnel of the Department of Social Services (DSS) engaged in this function full-time, and other DSS personnel engaged in this function who are identified by agreement of DSS and DHHS, are transferred to DHHS. The governing authority of each county shall continue to provide office space and facility service for this function as they do for DSS functions under Section 43-3-65.

21.13. (DHHS: Franchise Fees Suspension) Franchise fees imposed on nursing home beds and enacted by the General Assembly during the 2002 session are suspended .

21.14. DELETED

21.15. (DHHS: Program Integrity Efforts) The Department of Health and Human Services is instructed to expand its program integrity efforts by utilizing resources both within and external to the agency including, but not limited to, the ability to contract with other entities for the purpose of maximizing the department's ability to detect and eliminate provider fraud.

21.16. (DHHS: Post Payment Review) The department is directed to perform post payment reviews as permitted under Medicaid regulations to ensure compliance with the Hyde Amendment provisions as it relates to the performance of medically necessary services under the Medicaid program. The results of such reviews shall be available to the General Assembly upon request in a format that meets the requirements of the Health Insurance Accountability and Portability Act (HIPAA) and Medicaid confidentiality regulations.

21.17. (DHHS: Long Term Care Facility Reimbursement Rates) The department shall submit its Medicaid State Plan amendment for long term care facility reimbursement rates to the Federal government prior to August first of each year provided the State Appropriations Act

SECTION 21 - J02-DEPARTMENT OF HEALTH AND
HUMAN SERVICES

has been enacted prior to that date. This provision shall apply only in those years when funds are allocated for rate increases.

21.18. (DHHS: Upper Payment Limit for Non-state Owned Public Nursing Facilities) The department shall prepare and submit to the Center for Medicare and Medicaid Services no later than August 12, 2010, a state plan amendment to provide Medicaid supplemental payments to non-state owned public nursing facilities who qualify as Essential Public Safety Net providers. The department shall provide a report on the plan amendment to the House of Representatives Ways and Means Committee and the Senate Finance Committee by the aforementioned date.

21.19. (DHHS: Nursing Services to High Risk/High Tech Children) The Department of Health and Human Services shall continue a separate classification and compensation plan for Registered Nurses (RN) and Licensed Practical Nurses (LPN) who provide services to Medically Fragile Children, who are Ventilator dependent, Respirator dependent, Intubated, and Parenteral feeding or any combination of the above. The classification plan shall recognize the skill level that these nurses caring for these Medically Fragile Children must have over and above normal home-care or school-based nurses.

21.20. DELETED

21.21. (DHHS: Prior Authorization-Formulary Changes) The Department of Health and Human Services shall coordinate and approve formulary changes for medications prescribed to treat major depression, schizophrenia, or bipolar disorder as defined by the most recent edition of the Diagnostics and Statistical Manual of the American Psychiatric Association or following prescribing practice guidelines established by the American Psychiatric Association. The department shall require, in its managed care policy and procedures guide, managed care organizations to utilize a common prior authorization form for drugs used to treat major depression, schizophrenia, or bipolar disorder. Adverse changes to a plan formulary must be coordinated with the agency. If a formulary change regarding a medication prescribed to treat one of the conditions listed above will adversely affect the patient's condition, the grievance process must be exhausted prior to the beneficiary initiating disenrollment from the plan. At no time will a patient who is actively on medication for treatment of one of the above conditions at the time of enrollment in a managed care plan be denied coverage for such

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medication until resolution of the grievance process. If the department determines the grievance process does not provide favorable relief for the beneficiary, the beneficiary shall be allowed to enroll in fee-for-service or another managed care plan providing formulary coverage.

21.22. DELETED

21.23. (DHHS: Medicaid Cost and Quality Effectiveness) The Department of Health and Human Services shall establish a procedure to assess the various forms of managed care (Health Maintenance Organizations and Medical Home Networks, and any other forms authorized by the department) to measure cost effectiveness and quality. These measures must be compiled on an annual basis. The Healthcare Effectiveness Data and Information Set (HEDIS) shall be utilized for quality measurement and must be performed by an independent third party according to HEDIS guidelines. Cost effectiveness shall be determined in an actuarially sound manner and data must be aggregated in a manner to be determined by a third party in order to adequately compare cost effectiveness of the different managed care programs versus Medicaid fee-for-service. The methodology must use appropriate case-mix and actuarial adjustments that allow cost comparison of managed care organizations, medical home networks, and fee-for-service. The department shall issue annual healthcare report cards for each participating Medicaid managed care plan and Medical Home Network operating in South Carolina and the Medicaid fee-for-service program. The report card measures shall be developed by the department and the report card shall be formatted in a clear, concise manner in order to be easily understood by Medicaid beneficiaries. The results of the cost effectiveness calculations, quality measures and the report cards shall be made public on the department's website by December 31 for the prior state fiscal year.

21.24. (DHHS: SCHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify eligible children to the State Children's Health Insurance Program (SCHIP) and must use available state agency program data housed in the Budget and Control Board's Office of Research and Statistics, to include the Department of Social Services' Food Stamp program and the Department of Education's Free and Reduced Meal eligibility data. Use of this data and cooperative efforts between state agencies reduces the cost of outreach and maintenance of eligibility for SCHIP.

21.25. (DHHS: Carry Forward) The Department of Health and Human Services is authorized to carry forward cash balances from the

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prior fiscal year into the current fiscal year for any earmarked or restricted trust and agency, or special revenue account or subfund. The department shall submit a comprehensive reporting of all cash balances brought forward from the prior fiscal year. The report shall, at a minimum, for each account or subfund include the following: the statutory authority that allows the funds to be carried forward, the maximum authorized amount that can be carried forward, the general purpose or need for the carry forward, the specific source(s) of funding or revenue that generated the carry forward, and a detailed description of any pending obligations against the carry forward. The report must be submitted to the President Pro Tempore of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, and Chairman of the House Ways and Means Committee, within fifteen days after the Comptroller General closes the fiscal year.

21.26. (DHHS: Medicaid Provider Fraud) The department shall expand and increase its effort to identify, report, and combat Medicaid provider fraud. The department shall report to the General Assembly before April 1, 2013 on the results of these efforts, funds recuperated or saved, and information pertaining to prosecutions of such actions, including pleas agreements entered into.

21.27. (DHHS: Community Health Plans) The Department of Health and Human Services shall oversee all community health plans approved to operate as a pilot program for the purpose of providing health care. Such oversight shall include the review and approval of the financial and business plan of the community health plan. Only those plans receiving approval from the department, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee prior to January 1, 2009 shall be authorized to operate as an approved community health plan pursuant to this provision. The department shall approve participation requirements of community health plans. An approved community health plan acting in accordance with these provisions shall not be considered as providing insurance or an unauthorized insurer.

21.28. (DHHS: Personal Emergency Response System) The Department of Health and Human Services may consider the use of Personal Emergency Response Systems (PERS) units with additional functionality to include the use of a two button system that is UL or ETL certified.

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21.29. (DHHS: GAPS) The requirements of Title 44, Chapter 6-610 through Chapter 6-660 shall be suspended for Fiscal Year 2012-13.

21.30. (DHHS: Disproportionate Share - DMH) For the current fiscal year, the department is directed to transfer funds to the Department of Mental Health to make up any shortfall in disproportionate share funding due to rule changes from the Center for Medicare and Medicaid Services from the latest federal fiscal year amount. The department must also take any necessary action, including the submission of an amendment to the State Medicaid Plan, to minimize the impact of disproportionate share funding redistribution to the Department of Mental Health in future years.

21.31. (DHHS: In-Home Health Care Systems for Medicaid Recipients) The Department of Health and Human Services, during Fiscal Year 2012-13, within the funds appropriated, upon application by the department, may pilot test an in-home health care system. The pilot test must include a statistically valid sample of Medicaid patients within the counties as determined by the Director of the Department of Health and Human Services. This program shall provide a state-of-the-art in-home health care system which provides around the clock access to medical assessment care and additionally provides an emergency response function that gives a Medicaid recipient the ability to contact a local emergency response center.

The purpose of the program is to reduce the amount of emergency room visits in non-emergency cases and to reduce the amount of visits to other medical care facilities in order to save on the cost of providing this care and in order to provide better health care.

The in-home health care system option must consist of three main components:

- (1) the medical console and wireless transmitter;
- (2) the medical triage center; and
- (3) the emergency response call center.

The medical console and wireless transmitter must have the following capabilities:

- (1) the medical console must be capable of communication between two separate call centers, one of which is a monitoring facility to provide certified medical triage care twenty-four hours a day and the other of which is a monitoring facility to provide emergency response services twenty-four hours a day.

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(2) the wireless transmitter for the medical console must have two buttons, one for transmitting a signal to the console to contact the emergency response monitoring facility, and the second button also must send a wireless signal to the console to trigger contact with the medical triage center.

(3) the medical console must be able to send a report/event code to the emergency response call center after a medical triage center call has been placed.

(4) an emergency button on the medical console must include Braille for the sight impaired.

The medical triage center must have or be:

(1) open twenty-four hours a day, three hundred sixty-five days a year;

(2) a call center must be located in the United States;

(3) Utilization Review Accreditation Commission (URAC) accredited;

(4) on call availability of a South Carolina licensed physician, twenty-four hours, seven days a week for guidance or review of clinical calls as needed;

(5) registered nurses with a minimum of ten years experience available to answer all calls;

(6) all calls digitally recorded and archived, and a triage report prepared and sent;

(7) daily monitoring of communications with the call center;

(8) fully HIPAA compliant;

(9) bilingual staff in English and Spanish;

(10) a mechanism that ensures that a caller will never receive a busy signal or voice mail when accessing the nurse advice line;

(11) clinical staff able to serve pediatric, adolescent, adult, and senior populations, as well as health care expertise in a variety of clinical areas such as emergency room, pediatrics, critical care, oncology, cardiology, pulmonary, geriatrics, obstetrics/gynecology and general medicine; and

(12) the infrastructure in place to allow the telephone network to digitally communicate with the medical console for incoming call connection, call disconnect, and client file access.

The emergency response call center must:

(1) be open twenty-four hours a day, three hundred sixty-five days a year;

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- (2) be located in South Carolina;
- (3) maintain a digital receiver capable of processing two-way voice audio using multiple formats.

Facilities, emergency response and the medical triage center, shall offer all recipients selected by the department unlimited use of services provided by the emergency monitoring and medical triage facilities at no additional cost burden to the State.

The pilot-testing program must be conducted for the current fiscal year. The department in developing and administering this program is authorized to take such actions as may be required, including making requests for Medicaid waivers when necessary.

The department, in implementing this program on a pilot-testing basis, also is authorized to contract with a third-party provider or vendor to furnish and operate the program or a physician's office that provides a similar patient service.

21.32. (DHHS: Medicaid Reporting) Within ninety days of the end of each quarter in Fiscal Year 2012-13, the department shall report each cost-savings measure implemented. By county, the department shall report the number of enrolled and active providers by provider type, provider specialty and sub-specialty, the number of recipients, the number of recipients by provider type, the expenditures by provider type and specialty, and service level utilization trends. The department shall continue to annually report HEDIS measures, noting where measures improve or decline. Each report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Ways and Means Committee, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives, and be prominently displayed on the department's website.

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22.1. (DHEC: County Health Departments Funding) Out of the appropriation provided in this section for "Access to Care", the sum of \$25,000 shall be distributed to the county health departments by the commissioner, with the approval of the Board of Department of Health and Environmental Control, for the following purposes:

- (1) To insure the provision of a reasonably adequate public health program in each county.

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(2) To provide funds to combat special health problems that may exist in certain counties.

(3) To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion of better public health service throughout the State.

(4) To encourage and promote local participation in financial support of the county health departments.

(5) To meet emergency situations which may arise in local areas.

(6) To fit funds available to amounts budgeted when small differences occur.

The provisions of this proviso shall not supersede or suspend the provisions of Section 13-7-30 of the 1976 Code.

22.2. (DHEC: County Health Units) General funds made available to the Department of Health and Environmental Control for the allocation to the counties of the State for operation of county health units be allotted on a basis approved by the Board of the Department of Health and Environmental Control. The amount of general funds appropriated herein for Access to Care shall be allocated on a basis such that no county budget shall receive less than the amount received in the prior fiscal year, except when instructed by the Budget and Control Board or the General Assembly to reduce funds within the department by a certain percentage, the department may unilaterally reduce the county health units up to the stipulated percentage.

22.3. (DHEC: Camp Burnt Gin) Private donations or contributions for the operation of Camp Burnt Gin shall be deposited in a restricted account. These funds may be carried forward and shall be made available as needed to fund the operation of the camp. Withdrawals from this restricted account must be in accordance with approved procedures.

22.4. (DHEC: Children's Rehabilitative Services) The Children's Rehabilitative Services shall be required to utilize any available financial resources including insurance benefits and/or governmental assistance programs, to which the child may otherwise be entitled in providing and/or arranging for medical care and related services to physically handicapped children eligible for such services, as a prerequisite to the child receiving such services.

22.5. (DHEC: Cancer/Hemophilia) Notwithstanding any other provisions of this act, the funds appropriated herein for prevention, detection and surveillance of cancer as well as providing for cancer

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treatment services, \$545,449 and the hemophilia assistance program, \$1,186,928 shall not be transferred to other programs within the agency and when instructed by the Budget and Control Board or the General Assembly to reduce funds within the department by a certain percentage, the department may not act unilaterally to reduce the funds for any cancer treatment program and hemophilia assistance program provided for herein greater than such stipulated percentage.

22.6. DELETED

22.7. (DHEC: Local Health Departments) Counties of the state will be relieved of contribution requirements for salary, fringe benefits and travel reimbursement to local health departments. The amount of \$5,430,697 is appropriated for county health department salaries, fringe benefits and travel. These funds and other state funds appropriated for county health units may, based upon need, be utilized in either salary or travel categories. Each county shall provide all other operating expenses of the local health department in an amount at least equal to that appropriated for operations for each county in Fiscal Year 1981. In the event any county makes uniform reductions in appropriations to all agencies or departments for maintenance and operations, exclusive of salaries and fringe benefits, a like reduction shall be made in funds appropriated for the operating expenses of the local health department.

22.8. (DHEC: Insurance Refunds) The Department of Health and Environmental Control is authorized to budget and expend monies resulting from insurance refunds for prior year operations for case services in family health.

22.9. (DHEC: Emergency Medical Services) Funds appropriated herein for Emergency Medical Services, shall be allocated for the purpose of improving and upgrading the EMS system throughout the state. The monies allocated to the Counties are for the purpose of improving or upgrading the local EMS system through the licensed ambulance services, the monies allocated to the EMS Regional Councils are for the administration of training programs and technical assistance to local EMS organizations and county systems. All additional funds are to be allocated as follows: to the counties at the ratio of eighty-one percent of the additional funds appropriated herein, to the EMS Regions at a ratio of twelve percent of the additional funds appropriated herein and to the state EMS Office at the ratio of seven percent of the additional funds appropriated herein. The Department of Health and Environmental Control shall develop criteria and guidelines and administer the system to make allocations to each region and

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county within the state, based on demonstrated need and local match. Funds appropriated to Emergency Medical Services shall not be transferred to other programs within the department's budget. Unexpended funds appropriated to the program may be carried forward to succeeding fiscal years and expended for administrative and operational support and for temporary and contract employees to assist with duties related to improving and upgrading the EMS system throughout the state, including training of EMS personnel and administration of grants to local EMS providers. In addition, when instructed by the Budget and Control Board or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds appropriated for EMS Regional Councils or Aid to Counties greater than such stipulated percentage.

22.10. (DHEC: Rape Violence Prevention Contract) Of the amounts appropriated in Rape Violence Prevention, \$403,956 shall be used to support programmatic efforts of the state's rape crisis centers with distribution of these funds based on the Department of Health and Environmental Control Rape Violence Prevention Program service standards and each center's accomplishment of a pre-approved annual action plan. For Fiscal Year 2012-13, the department shall not reduce these contracts below the current funding level.

22.11. (DHEC: Sickle Cell Blood Sample Analysis) \$16,000 is appropriated in Independent Living for the Sickle Cell Program for Blood Sample Analysis and shall be used by the department to analyze blood samples submitted by the four existing regional programs - Region I, Barksdale Sickle Cell Anemia Foundation in Spartanburg; Region II, Clark Sickle Cell Anemia Foundation in Columbia; Region III, Committee on Better Racial Assurance Hemoglobinopathy Program in Charleston; and the Orangeburg Area Sickle Cell Anemia Foundation.

22.12. (DHEC: Sickle Cell Programs) \$761,233 is appropriated for Sickle Cell program services and shall be apportioned as follows:

(1) sixty-seven percent is to be divided equitably between the existing Community Based Sickle Cell Programs located in Spartanburg, Columbia, Orangeburg, and Charleston; and

(2) thirty-three percent is for the Community Based Sickle Cell Program at DHEC.

The funds shall be used for providing prevention programs, educational programs, testing, counseling and newborn screening. The

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balance of the total appropriation must be used for Sickle Cell Services operated by the Independent Living program of DHEC. The funds appropriated to the community based sickle cell centers shall be reduced to reflect any percent reduction assigned to the Department of Health and Environmental Control by the Budget and Control Board; provided, however, that the department may not act unilaterally to reduce the funds for the Sickle Cell program greater than such stipulated percentage. The department shall not be required to undertake any treatment, medical management or health care follow-up for any person with sickle cell disease identified through any neonatal testing program, beyond the level of services supported by funds now or subsequently appropriated for such services. No funds appropriated for ongoing or newly established sickle cell services may be diverted to other budget categories within the DHEC budget. For Fiscal Year 2012-13, the department shall not reduce these funds below the current funding level.

22.13. (DHEC: Genetic Services) The sum of \$104,086 appearing under the Independent Living program of this act shall be appropriated to and administered by the Department of Health and Environmental Control for the purpose of providing appropriate genetic services to medically needy and underserved persons. Such funds shall be used by the department to administer the program and to contract with appropriate providers of genetic services. Such services will include genetic screening, laboratory testing, counseling, and other services as may be deemed beneficial by the department, and these funds shall be divided equally among the three Regional Genetic Centers of South Carolina, composed of units from the Medical University of South Carolina, the University of South Carolina School of Medicine, and the Greenwood Genetic Center.

22.14. (DHEC: Revenue Carry Forward Authorization) The Department of Health and Environmental Control is hereby authorized to collect, expend, and carry forward revenues in the following programs: Sale of Goods (confiscated goods, arm patches, etc.), sale of meals at Camp Burnt Gin, sale of publications, brochures, Spoil Easement Areas revenue, performance bond forfeiture revenue for restoring damaged critical areas, beach renourishment appropriations, photo copies and certificate forms, including but not limited to, pet rabies vaccination certificate books, sale of listings and labels, sale of State Code and Supplements, sale of films and slides, sale of maps, sale of items to be recycled, including, but not limited to, used motor oil

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and batteries, sale and/or licensing of software products developed and owned by the Department, and collection of registration fees for non-DHEC employees. Any unexpended balance carried forward must be used for the same purpose.

22.15. (DHEC: Medicaid Nursing Home Bed Days) Pursuant to Section 44-7-84(A) of the 1976 Code, the maximum number of Medicaid patient days for which the Department of Health and Environmental Control is authorized to issue Medicaid nursing home permits is 4,452,015.

22.16. (DHEC: Health Licensing Fee) Funds resulting from an increase in the Health Licensing Fee Schedule shall be retained by the department to fund increased responsibilities of the health licensing programs. Failure to submit a license renewal application or fee to the department by the license expiration date shall result in a late fee of \$75 or twenty-five percent of the licensing fee amount, whichever is greater, in addition to the licensing fee. Continual failure to submit completed and accurate renewal applications and/or fees by the time period specified by the department shall result in enforcement actions. The department may waive any or all of the assessed late fees in extenuating circumstances, as long as it is with public knowledge.

22.17. (DHEC: Infectious Waste Contingency Fund) The Department of Health and Environmental Control is authorized to use not more than \$75,000 from the Infectious Waste Contingency Fund per year for personnel and operating expenses to implement the Infectious Waste Act.

22.18. (DHEC: Nursing Home Medicaid Bed Day Permit) When transfer of a Medicaid patient from a nursing home is necessary due to violations of state or federal law or Medicaid certification requirements, the Medicaid patient day permit shall be transferred with the patient to the receiving nursing home. The receiving facility shall apply to permanently retain the Medicaid patient day permit within sixty days of receipt of the patient.

22.19. (DHEC: Mineral Sets Revenue) The department is authorized to charge a reasonable fee for mineral sets. Funds generated from the sale of mineral sets may be retained by the department in a revolving account with a maximum carry forward of \$2,000 and must be expended for mineral set supplies and related mining and reclamation educational products.

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22.20. (DHEC: Spoil Easement Areas Revenue) The department is authorized to collect, retain and expend funds received from the sale of and/or third party use of spoil easement areas, for the purpose of meeting the State of South Carolina's responsibility for providing adequate spoil easement areas for the Atlantic Intracoastal Waterway in South Carolina.

22.21. (DHEC: Per Visit Rate) The SC DHEC is authorized to compensate non-permanent, part-time employees on a fixed rate per visit basis. Compensation on a fixed rate per visit may be paid to employees for whom the department receives per visit reimbursement from other sources. These individuals will provide direct patient care in a home environment. The per visit rate may vary based on the discipline providing the care and the geographical location of services rendered. Management may pay exempt or non-exempt employees as defined by the Fair Labor Standards Act only when they are needed to work. Individuals employed in this category may exceed twelve months, but are not eligible for State benefits except for the option of contributing to the State Retirement System.

***22.22.** *(DHEC: Allocation Patient Days) The department will allocate additional Medicaid patient days authorized above the previous fiscal year's level based on the percentage of the additional requested Medicaid patient days and a percentage of the need indicated by the Community Long Term Care waiting list in priority order: (1) to those nursing homes currently holding a Medicaid nursing home permit; (2) to those nursing homes that are currently licensed, but do not participate in the Medicaid program; (3) to those nursing homes that have been approved under the Certificate of Need program. Facilities licensed as of July 1, 2006 shall not have their Medicaid permits or licensed bed capacity reduced by the department except as provided in Section 44-7-84(B) or 44-7-290 of the 1976 Code.*

22.23. (DHEC: Allocation of Indirect Cost and Recoveries) The department shall continue to deposit in the general fund all indirect cost recoveries derived from state general funds participating in the calculation of the approved indirect cost rate. Further administration cost funded with other funds used in the indirect cost calculation shall, based on their percentage, be retained by the agency to support the remaining administrative costs of the agency.

* See note at end of Act.

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22.24. (DHEC: Permitted Site Fund) The South Carolina Department of Health and Environmental Control may expend funds as necessary from the permitted site fund established pursuant to Section 44-56-160(B)(1), for legal services related to environmental response, regulatory, and enforcement matters, including administrative proceedings and actions in state and all federal courts.

22.25. DELETED

***22.26.** *(DHEC: Head Lice) The Department of Health and Environmental Control is authorized to expend \$200,000 in other fund accounts in order to fund the head lice program statewide.*

22.27. (DHEC: Shift Increased Funds) The Director is authorized to shift increased appropriated funds in this act to offset shortfalls in other critical program areas.

22.28. (DHEC: Health Licensing Monetary Penalties) In the course of regulating health care facilities/services, the Division of Health Licensing (DHL) assesses civil monetary penalties against non-conforming providers. DHL shall retain up to the first \$50,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that Division. These funds shall be separately accounted for in the Department's fiscal records.

22.29. (DHEC: Health Facility Monetary Penalties) In the course of regulating health care facilities/services, the Bureau of Health Facilities and Services Development (BHF) assesses civil monetary penalties against non-conforming providers. BHF shall retain up to the first \$100,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that Bureau. These funds shall be separately accounted for in the Department's fiscal records.

22.30. (DHEC: Radiological Health Monetary Penalties) In the course of regulating health care facilities/services, the Bureau of Radiological Health (BRH) assesses civil monetary penalties against non-conforming providers. BRH shall retain up to the first \$30,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that Bureau. These funds shall be separately accounted for in the Department's fiscal records.

* See note at end of Act.

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22.31. (DHEC: Prohibit Use of Funds) The Department of Health and Environmental Control must not use any state appropriated funds to terminate a pregnancy or induce a miscarriage by chemical means.

22.32. (DHEC: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

22.33. (DHEC: Compensatory Payment) In the event the President of the United States has declared a state of emergency or the Governor has declared a state of emergency in a county in the State, Fair Labor Standards Act exempt employees of the department may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency Director, and providing funds are available.

22.34. (DHEC: Beach Renourishment and Monitoring and Coastal Access Improvement) Beach renourishment activities are suspended for the current fiscal year. Funds allocated for beach renourishment may be spent for coastal access improvement and shall be spent in accordance with all required state and federal permits and certifications. If state funds are made available from any general revenue, capital, surplus or bond funding appropriated to the department for beach renourishment and maintenance, the department shall be able to expend not more than \$100,000 of these funds annually to support annual beach profile monitoring coast wide to enable the department to determine erosion rates and to identify priority areas needing renourishment and maintenance to mitigate erosion and storm damage potential. Appropriations for beach renourishment projects that are certified by the department as excess may be spent for coastal access improvement.

22.35. (DHEC: South Carolina State Trauma Care Fund) Of the funds appropriated to the South Carolina State Trauma Care Fund, \$2,268,885 shall be utilized for increasing the reimbursement rates for trauma hospitals, for trauma specialists' professional fee, for increasing the capability of EMS trauma care providers from counties with a high rate of traumatic injury deaths to care for injury patients, and for support of the trauma system, based on a methodology as determined by the department with guidance and input from the Trauma Council as established in Section 44-61-530 of the South Carolina Code of Laws. The methodology to be developed will include a breakdown of disbursement of funds by percentage, with a proposed seventy-six and one half percent disbursed to hospitals and trauma physician fees,

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sixteen percent of the twenty-one percent must be disbursed to EMS providers for training EMTs, Advanced EMTs and paramedics by the four regional councils of this state and the remaining five percent must be disbursed to EMS providers in counties with high trauma mortality rates, and two and one half percent allocated to the department for administration of the fund and support of the trauma system. The Department of Health and Environmental Control shall promulgate regulations as required in Section 44-61-540 of the 1976 Code for the administration and oversight of the Trauma Care Fund.

22.36. (DHEC: Pandemic Influenza) The Department of Health and Environmental Control shall assess South Carolina's ability to cope with a major influenza outbreak or pandemic influenza and maintain an emergency plan and stockpile of medicines and supplies to improve the state's readiness condition. The department shall report on preparedness measures to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor by November first, each year. The department, in conjunction with the Department of Health and Human Services, is authorized to establish a fund for the purpose of developing an emergency supply, stockpile, and distribution system of appropriate antiviral, antibiotic, and vaccine medicines and medical supplies. In the event the United States Department of Health and Human Services makes available medicines or vaccines for purchase by states via federal contract or federally-subsidized contract or other mechanism, the department, with Budget and Control Board approval, may access appropriated or earmarked funds as necessary to purchase an emergency supply of these medicines for the State of South Carolina.

22.37. DELETED

22.38. (DHEC: Pharmacist Services) For the current fiscal year, provisions requiring that all department facilities distributing or dispensing prescription drugs be permitted by the Board of Pharmacy and that each pharmacy have a pharmacist-in-charge are suspended. Each Department of Health and Environmental Control Public Health Region shall be required to have a permit to distribute or dispense prescription drugs. A department pharmacist may serve as the pharmacist-in-charge without being physically present in the pharmacy. The department is authorized to designate one pharmacist-in-charge to serve more than one department facility. Only pharmacists, nurses, or physicians are allowed to dispense and provide prescription

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drugs/products/vaccines for conditions or diseases that the department treats, monitors, or investigates. In the event of a public health emergency or upon activation of the strategic national stockpile, other medications may be dispensed as necessary.

22.39. (DHEC: Coastal Zone Appellate Panel) The Coastal Zone Appellate Panel as delineated in Section 48-39-40 of the 1976 Code under the Department of Health and Environmental Control shall be suspended for the current fiscal year.

22.40. (DHEC: Rural Hospital Grants) Rural Hospital Grants funds shall be allocated to public hospitals in very rural or rural areas whose largest town is less than 25,000 and whose licensed bed capacity does not exceed two hundred beds. Hospitals qualifying for the grants shall utilize such funds for any of the following purposes: (a) the development of preventive health programs, medical homes, and primary care diversion from emergency departments; (b) expanded health services, including physician recruitment and retention; (c) to improve hospital facilities; (d) activities involving electronic medical records or claims processing systems; (e) to enhance disease prevention activities in diabetes, heart disease, etc; and (f) activities to ensure compliance with State or Federal regulations.

22.41. (DHEC: Camp Burnt Gin) Notwithstanding any other provision of law, the funds appropriated to the department pursuant to Part IA, or funds from any other source, for Camp Burnt Gin must not be reduced in the event the department is required to take a budget reduction.

22.42. (DHEC: Metabolic Screening) The department may suspend any activity related to blood sample storage as outlined in Section 44-37-30 (D) and (E) of the 1976 Code, if there are insufficient state funds to support the storage requirements. In that event, the samples may be destroyed in a scientifically appropriate manner after testing. The department shall notify providers of the suspension within thirty days of its effective date.

22.43. (DHEC: Fetal Pain Awareness) (A) The department must utilize at least one hundred dollars to prepare printed materials concerning information that unborn children at twenty weeks gestation and beyond are fully capable of feeling pain and the right of a woman seeking an abortion to ask for and receive anesthesia to alleviate or eliminate pain to the fetus during an abortion procedure. The materials must be provided to each abortion provider in the State and must be

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placed in a conspicuous place in each examination room at the doctor's office. The materials must contain only the following information:

“Fetal Pain Awareness

An unborn child who is twenty weeks old or more is fully capable of experiencing pain. Anesthesia provided to a woman for an abortion typically offers little pain prevention for the unborn child. If you choose to end your pregnancy, you have a right to have anesthesia or analgesic administered to alleviate the pain to your unborn child during the abortion.”

(B) The materials must be easily comprehensible and must be printed in a typeface large and bold enough to be clearly legible.

22.44. (DHEC: SCHIDS) From funds appropriated for Chronic Disease Prevention, the department shall establish a South Carolina Health Integrated Data Services (SCHIDS) program to disseminate data about prevalence, treatment and cost of disease from the South Carolina Health and Human Services Data Warehouse and in particular the Medicaid System. The purpose of the program is to educate communities statewide about improving health and wellness through lifestyle changes.

The Budget and Control Board, Office of Research and Statistics shall provide data needed by the SCHIDS program to fulfill its mission, and all state agencies and public universities involved in educating South Carolinians through public programs for the purpose of improving health and wellness shall communicate with the program in order to improve collaboration and coordination and the possible use of SCHIDS to assist in the evaluation of program outcomes.

Medicaid staff shall coordinate with the SCHIDS program staff to target Prevention Partnership Grant awards to those communities demonstrating a prevalence of chronic disease and/or lack of access to care.

22.45. (DHEC: Abstinence Education Contract) Upon appropriation of funds from the Federal government the agencies under contract with the State of South Carolina as of December 2012 and funded with federal and matching funds under the provisions of Title V, Section 510, must continue to be under contract at the same annualized funding level, for the same purposes for the current fiscal year of 2012-13.

SECTION 22 - J04-DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

**** 22.46. (DHEC: Vital Records)** *For the current fiscal year, with funding appropriated to the department through state appropriations or fees collected for services, the department shall provide vital records services in each of the 46 county health departments throughout the state that were providing those services on January 1, 2012. The department may determine operational schedules for each location based on staffing resources in each area.*

22.47. DELETED

22.48. DELETED

22.49. (DHEC: Immunizations) The department is authorized to utilize the funds appropriated for immunizations to hire temporary personnel to address periods of high demand for immunizations at local health departments.

SECTION 23 - J12-DEPARTMENT OF MENTAL HEALTH

23.1. (DMH: Medicare Revenue) All Federal Funds received by the Department of Mental Health from patients' Medicare benefits shall be considered as patient fees to be used for the repayment of bonds except that the department shall remit to the General Fund of the State \$290,963 from such funds to support the appropriation for administrative costs of the collection of Medicare benefits. The department shall retain and expend up to three million dollars of all Medicare revenue earned prior to July first, of the prior fiscal year, but received in the current fiscal year from cost recovery efforts, all additional prior earnings shall be remitted to the general fund, except that the cost and fees of identifying and collecting such additional Medicare revenue to which the department is entitled may be paid from funds actually collected from such efforts.

23.2. (DMH: Patient Fee Account) In addition to other payments provided in Part I of this act, the Department of Mental Health is hereby authorized during the current fiscal year, to provide the funds budgeted herein for \$6,214,911 for departmental operations, \$400,000 for the Continuum of Care, \$50,000 for the Alliance for the Mentally Ill, \$250,000 for S.C. SHARE Self Help Association Regarding Emotions, and all fees collected at the Campbell Nursing Home and other veterans facilities for day-to-day operations, from the Patient Fee Account which has been previously designated for capital

** See note at end of Act.

SECTION 23 - J12-DEPARTMENT OF MENTAL HEALTH

improvements and debt service under provisions of Act 1276 of 1970. The Department of Mental Health is authorized to fund the cost of Medicare Part B premiums from its Patient Fee Account up to \$150,000. The South Carolina Alliance for the Mentally Ill and the South Carolina Self-Help Association Regarding Emotions shall provide an itemized budget before the receipt of funds and quarterly financial statements to the Department of Mental Health. DMH is authorized to use unobligated Patient Paying Fee Account funds for community transition programs. The funds made available shall be utilized consistently with the Transition Leadership Council's definition of severely mentally ill children and adults. The department shall report their use of these funds to the Senate Finance Committee and the House Ways and Means Committee. This amendment is made notwithstanding other obligations currently set forth in this proviso.

23.3. (DMH: Institution Generated Funds) The Department of Mental Health is authorized to retain and expend institution generated funds which are budgeted.

23.4. DELETED

23.5. (DMH: Practice Plan) Employees of the department affiliated with the University of South Carolina School of Medicine, who hold faculty appointments in the School, may participate in the School's Practice Plan provided that participation not take place during regular working hours. Funds generated by such participants shall be handled in accordance with University policies governing Practice Plan funds.

23.6. (DMH: Huntington's Disease) Of funds appropriated, the Department of Mental Health shall designate \$150,000 for administrative and personnel costs for Huntington's Disease clinical services within the Department of Mental Health.

23.7. (DMH: Alzheimer's Funding) Of the funds appropriated to the Department of Mental Health for Community Mental Health Centers, \$778,706 must be used for contractual services to provide respite care and diagnostic services to those who qualify as determined by the Alzheimer's Disease and Related Disorders Association. The department must maximize, to the extent feasible, federal matching dollars. On or before September thirtieth of each year, the Alzheimer's Disease and Related Disorders Association must submit to the department, Governor, Senate Finance Committee, and House Ways and Means Committee an annual financial statement and outcomes measures attained for the fiscal year just ended. These funds may not be expended or transferred during the current fiscal year until the

SECTION 23 - J12-DEPARTMENT OF MENTAL HEALTH

required reports have been received by the department, Governor, Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. In addition, when instructed by the Budget and Control Board or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds transferred to the Alzheimer's Disease and Related Disorders Association greater than such stipulated percentage.

23.8. (DMH: Crisis Stabilization) During the current fiscal year, the Department of Mental Health must expend for crisis stabilization programs not less than \$2 million. Funds expended by the department for the crisis stabilization program must be used to implement and maintain a crisis stabilization program, or to provide access to a crisis stabilization program through the purchase of local psychiatric beds, in each community mental health center catchment area. As used in this proviso, "crisis stabilization program" means a community-based psychiatric program providing short-term, intensive, mental health treatment in a non-hospital setting for persons who are experiencing a psychiatric crisis and who are either unable to safely function in their daily lives or are a potential threat to themselves or the community, with treatment available twenty-four hours a day, seven days a week. The department must submit a quarterly report, not later than thirty days after the end of each calendar quarter, to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee, identifying the crisis stabilization program in each community mental health center catchment area, the number of persons served, and the expenditures for the crisis stabilization program for the reporting period. The quarterly report must also include information on the number of persons and the duration of stay for persons who are held in hospital emergency rooms when the crisis stabilization program is unable to serve the person.

23.9. (DMH: McCormick Satellite Clinic) The \$750,000 appropriated by Proviso 73.17 of Act 397 of 2006 for the Williams Building Cooperative Ministries Homeless Shelter Renovation & Operation shall be redirected as follows: \$250,000 shall be used for a satellite community mental health clinic in McCormick County. Unexpended funds may be carried forward into the current fiscal year to be expended for the same purpose. The City of Columbia must provide documentation annually on expenditures related to the \$500,000 transferred to the city by Proviso 10.16 of Act 117 of 2007 to benefit other homeless programs until all funds are expended.

SECTION 23 - J12-DEPARTMENT OF MENTAL HEALTH

23.10. (DMH: Crisis Intervention Training) Of the funds appropriated to the department, \$85,500 shall be utilized for the National Alliance on Mental Illness (NAMI) SC for Crisis Intervention Training (CIT).

23.11. (DMH: Uncompensated Patient Medical Care) There is created an Uncompensated Patient Care Fund to be used by the department for medical costs incurred for patients that must be transferred to a private hospital for services. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

23.12. DELETED

23.13. (DMH: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

23.14. (DMH: Medicaid Beneficiary Choice) For Medicaid covered community based paraprofessional rehabilitative behavioral health services for which the Department of Mental Health provides state identified matching funds, the department must allow a Medicaid beneficiary to receive medically necessary community based paraprofessional rehabilitative behavioral health services from any qualified Medicaid provider enrolled by the Department of Health and Human Services as of July 1, 2011.

23.15. (DMH: Sexually Violent Predator Program) The Department of Mental Health and the Department of Corrections shall prepare a report evaluating the feasibility and desirability of transferring the Sexually Violent Predator Program to the Department of Corrections. This report must include population and cost projections for the next five years, and must also explore and make recommendations regarding opportunities to further expand the private sector's role in operating this program. An update on the status of this report shall be provided to the Chairman of the Senate Finance Committee, the Chairman of the Senate Medical Affairs Committee, the Chairman of the Senate Corrections and Penology Committee, the Chairman of the House Ways and Means Committee, the Chairman of the House Judiciary Committee, and the Chairman of the Medical, Military, Public, and Municipal Affairs Committee by January 8, 2013 and the final report shall be provided by May 1, 2013.

**SECTION 24 - J16-DEPARTMENT OF DISABILITIES AND
SPECIAL NEEDS**

24.1. (DDSN: Work Activity Programs) All revenues derived from production contracts earned by mentally retarded trainees in Work Activity Programs be retained by the South Carolina Department of Disabilities and Special Needs and carried forward as necessary into the following fiscal year to be used for other operating expenses and/or permanent improvements of these Work Activity Programs.

24.2. (DDSN: Sale of Excess Real Property) The department is authorized to retain revenues associated with the sale of excess real property owned by, under the control of, or assigned to the department and may expend these funds as grants to purchase or build community residences and day program facilities for the individuals DDSN serves. The department shall follow all the policies and procedures of the Budget and Control Board and the Joint Bond Review Committee.

24.3. (DDSN: Prenatal Diagnosis) Revenues not to exceed \$126,000 from client fees, credited to the debt service fund and not required to meet the department's debt service requirement, may be expended only in the current fiscal year to promote expanded prenatal diagnosis of mental retardation and related defects by the Greenwood Genetic Center.

24.4. (DDSN: Medicaid Funded Contract Settlements) The department is authorized to carry forward and retain settlements under Medicaid-funded contracts.

24.5. DELETED

24.6. (DDSN: Departmental Generated Revenue) The department is authorized to continue to expend departmental generated revenues that are authorized in the budget.

24.7. (DDSN: Transfer of Capital/Property) The department may transfer capital to include property and buildings to local DSN providers with Budget and Control Board approval.

24.8. (DDSN: Unlicensed Medication Providers) The provision of selected prescribed medications may be performed by selected unlicensed persons in community-based programs sponsored, licensed or certified by the South Carolina Department of Disabilities and Special Needs, provided such selected unlicensed persons have documented medication training and skill competency evaluation. Licensed nurses may train and supervise selected unlicensed persons to provide medications and, after reviewing competency evaluations, may approve selected unlicensed persons for the provision of medications. The provision of medications by selected unlicensed persons is limited

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to oral and topical medications and to regularly scheduled insulin and prescribed anaphylactic treatments under established medical protocol and does not include sliding scale insulin or other injectable medications. The selected unlicensed persons shall be protected against tort liability provided their actions are within the scope of their job duties and the established medical protocol.

The Department of Disabilities and Special Needs shall establish curriculum and standards for training and oversight.

This provision shall not apply to a facility licensed as a habilitation center for the mentally retarded or persons with related conditions.

24.9. (DDSN: Pervasive Developmental Disorder) The Department of Disabilities and Special Needs, as the agency authorized to treat autistic disorder, is designated for a Medicaid project to treat children who have been diagnosed by eight years of age with a pervasive developmental disorder. The project must target the youngest ages feasible for treatment effectiveness, treatment for each individual child shall not exceed three years without a special exception as defined in the waiver, and reimbursement for each individual participant may not exceed \$50,000 per year. The Department of Disabilities and Special Needs and the Department of Health and Human Services will determine the areas of the State with the greatest need and availability of providers. Children participating in the project will be selected based upon an application system developed in compliance with the Medicaid waiver. Treatment will be provided as authorized and prescribed by the department according to the degree of the developmental disability. In authorizing and prescribing treatment the department may award grants or negotiate and contract with public or private entities to implement intervention programs, which must comply with Medicaid reimbursement methodologies, for children who have been diagnosed with a pervasive developmental disorder. "Pervasive developmental disorder" means a neurological condition, including autistic disorder and Asperger's syndrome, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association. The department shall report semi-annually to the General Assembly and the Governor on the developmental progress of the children participating in the project and the fiscal status of the project, to include expenditure data and appropriation balances. This provision does not establish or authorize creation of an entitlement program or benefit.

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SPECIAL NEEDS**

24.10. (DDSN: Modular Ramps) The Department of Disabilities and Special Needs is authorized to lease modular ramps in the event the department can foresee demonstrated cost-savings to the department.

24.11. DELETED

24.12. (DDSN: Child Daycare Centers) Of the funds appropriated to the department, the department shall provide reimbursement for services provided to department eligible children at daycare centers previously under contract prior to December 31, 2008. The reimbursement shall not be less than eighty percent of the amount reimbursed in the previous fiscal year. By September 15, the department must transfer \$100,000 to the Anderson County Disabilities Board for the provision of these services.

24.13. (DDSN: Debt Service Account) The department shall utilize the uncommitted dollars in their debt service account, account E164660, for operations and services that are not funded in the appropriations bill.

24.14. (DDSN: Traumatic Brain Injury) Funds appropriated by the agency for Traumatic Brain Injury/Spinal Cord Injury Post-Acute Rehabilitation shall be used for that purpose only. In the event the department receives a general fund reduction in the current fiscal year, any funding reductions to the post-acute rehabilitation funding must be in equal proportion to and shall not exceed reductions to other agency services.

24.15. DELETED

24.16. (DDSN: Greenwood Genetic Center Autism Research) The department is authorized to transfer up to \$500,000 of unencumbered funds from the PDD autism waiver to the Greenwood Genetic Center for autism research.

**SECTION 25 - J20-DEPARTMENT OF ALCOHOL & OTHER
DRUG ABUSE SERVICES**

25.1. (DAODAS: Training & Conference Revenue) The department may charge fees for training events and conferences. The revenues from such events shall be retained by the department to increase education and professional development initiatives.

25.2. (DAODAS: Gambling Addiction Services) In that gambling is a serious problem in South Carolina, the department through its local county commissions may provide, from funds appropriated to the

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DRUG ABUSE SERVICES**

department, information, education, and referral services to persons experiencing gambling addictions.

25.3. (DAODAS: Eligibility for Treatment Services) Upon the payment of all applicable fees, any resident of South Carolina is eligible to take part in the treatment programs offered by the Department of Alcohol and Other Drug Abuse Services during the current fiscal year.

25.4. (DAODAS: Medicaid Match Transfer) At the beginning of the fiscal year, the Department of Alcohol and Other Drug Abuse Services will transfer \$1,915,902 to the Department of Health and Human Services to meet federal Medicaid Match participation requirements for the delivery of alcohol and other drug abuse services to the Medicaid beneficiary population.

25.5. (DAODAS: Health Information Technology) The Department of Alcohol and Other Drug Abuse Services shall work with Department of Health and Human Services and each county's designated alcohol and drug abuse authorities to pursue funding to aid in purchasing the appropriate Certification Commission for Health Information Technology (CCHIT) behavioral health Electronic Health Records (EHR) system for the authorities. The new system shall streamline the 301 system and shall contain CCHIT certified programming that will have the capability of interoperability with other state agencies such as the Department of Health and Human Services and Federally Qualified Health Centers. The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall work together to determine if additional funding may be available to assist in offsetting the costs associated with the new system implementation through the Medicare and Medicaid EHR Incentive Program or any other grant programs.

SECTION 26 - L04-DEPARTMENT OF SOCIAL SERVICES

26.1. (DSS: Fee Retention) The Department of Social Services shall recoup all refunds and identified program overpayments and all such overpayments shall be recouped in accordance with established collection policy. Funds of \$800,000 collected under the Child Support Enforcement Program (Title IV-D) which are state funds shall be remitted to the State Treasurer and credited to the General Fund of the State. All state funds above \$800,000 shall be retained by the

SECTION 26 - L04-DEPARTMENT OF SOCIAL SERVICES

department to fund Self-Sufficiency and Family Preservation and Support initiatives.

26.2. (DSS: Recovered State Funds) The department shall withhold a portion of the State Funds recovered, under the Title IV-D Program, for credit to the general fund in order to allow full participation in the federal "set off" program offered through the Internal Revenue Service, the withholding of unemployment insurance benefits through the Department of Employment and Workforce and reimbursement for expenditures related to blood testing. Such funds may not be expended for any other purpose. The Department of Social Services shall be allowed to utilize the State share of Federally required fees, collected from non-TANF clients, in the administration of the Child Support Enforcement Program. Such funds may not be expended for any other purpose. However, this shall not include Child Support Enforcement Program incentives paid to the program from federal funds to encourage and reward cost effective performance. Such incentives are to be reinvested in the program to increase collections of support at the state and county levels in a manner consistent with federal laws and regulations governing such incentive payments. The department shall not use clerk of court incentive funds to replace agency operating funds. Such funds shall be remitted to the appropriate state governmental entity to further child support collection efforts.

26.3. (DSS: Foster Children Burial) The expenditure of funds allocated for burials of foster children shall not exceed one thousand five hundred dollars per burial.

26.4. (DSS: Battered Spouse Funds) Appropriations included in Subprogram II.K entitled Battered Spouse shall be allocated through contractual agreement to providers of this service. These appropriations may also be used for public awareness and contracted services for victims of this social problem including the abused and children accompanying the abused. Such funds may not be expended for any other purpose nor be reduced by any amount greater than that stipulated by the Budget and Control Board or the General Assembly for the agency as a whole.

26.5. (DSS: Court Examiner Service Exemption) In order to prevent the loss of federal funds to the State, employees of the Department of Social Services whose salaries are paid in full or in part from federal funds will be exempt from serving as court examiners.

26.6. (DSS: TANF Advance Funds) The Department of Social Services is authorized to advance sufficient funds during each fiscal year from the Temporary Assistance for Needy Families Assistance

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Payments general fund appropriations to the Temporary Assistance for Needy Families Assistance Payments federal account only for the purpose of allowing a sufficient cash flow in the federal account. The advance must be refunded no later than April of the same fiscal year. Upon the advance of funds as provided herein, the Comptroller General is authorized to process the July voucher for the funding of benefit checks.

26.7. (DSS: Fee Schedule) The Department of Social Services shall be allowed to charge fees and accept donations, grants, and bequests for social services provided under their direct responsibility on the basis of a fee schedule. The fees collected shall be utilized by the Department of Social Services to further develop and administer these program efforts. The below fee schedule is established for the current fiscal year.

Day Care

Family Child Care Homes (up to six children)	\$ 15
Group Child Care Homes (7-12 children).....	\$ 30
Registered Church Child Care (13+)	\$ 50
Licensed Child Care Centers (13-49).....	\$ 50
Licensed Child Care Centers (50-99).....	\$ 75
Licensed Child Care Centers (100-199).....	\$100
Licensed Child Care Centers (200+).....	\$125

Central Registry Checks

Non-profit Entities	\$ 8
For-profit Agencies	\$ 25
State Agencies.....	\$ 8
Schools.....	\$ 8
Day Care	\$ 8
Other – Volunteer Organizations	\$ 8

Other Children’s Services

Services Related to Adoption of Children from Other Countries	\$225
Court-ordered Home Studies in non-DSS Custody Cases ...	\$850
Licensing Residential Group Homes Fee for an Initial License.....	\$250
For Renewal.....	\$ 75
Licensing Child Caring Institutions Fee for an Initial License.....	\$500
For Renewal.....	\$100

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Licensing Child Placing Agencies Fee for an Initial License.....	\$500
For Renewal	\$ 60
For Each Private Foster Home Under the Supervision of a Child Placing Agency	\$ 15
Responsible Father Registry Registry Search	\$ 50

26.8. (DSS: Food Stamp Fraud) The state portion of funds recouped from the collection of recipient claims in the TANF and Food Stamp programs shall be retained by the department. A portion of these funds shall be distributed to local county offices for emergency and program operations.

26.9. (DSS: TANF - Immunizations Certificates) The department shall require all TANF applicants and/or recipients to provide proof of age appropriate immunizations for children. If such immunizations have not been administered, the department shall assist in referring applicants to appropriate county health departments to obtain the immunizations.

26.10. (DSS: Fees for Court Witness in Child Welfare Services) Effective July 1, 1994, any monies appropriated for the payment of court testimony in either abuse and neglect, termination of parental rights, or judicial review cases arising under Section 20-7-480, et. seq. of the South Carolina Code of Laws, 1976, as amended, and adult protective service cases under Section 43-35-10(9), et. seq. of the South Carolina Code of Laws, 1976, as amended, shall only be paid in accordance with DSS policy which shall include limits on awards and procedures for payment, in due consideration of the agency budgetary limitations and specific funds allocated for such purposes. Provided further that DSS shall pay up to a maximum hourly rate to licensed psychologists, social workers, nurses, ministerial counseling, family and marriage counselors of \$60 for counseling and \$60 for expert witness fees, to include travel time and DSS shall pay up to a maximum hourly rate to physicians of \$125 for expert witness fees, to include travel time.

26.11. (DSS: County Directors' Pay) With respect to the amounts allocated to the Department of Social Services for Employee Pay Increase in this act, the Department of Social Services is authorized to allot funds for pay increases to individual county directors and regional directors in classified positions without uniformity. Pay increases for DSS county directors and regional directors shall be administered in accordance with the guidelines established by the Budget and Control

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Board for Executive Compensation System and other non-academic unclassified employees. Any employees subject to the provisions of this paragraph shall not be eligible for any other compensation increases provided in this act.

26.12. (DSS: Use of Funds Authorization) Department investigative units shall be authorized to receive and expend funds awarded to these units as a result of a donation, contribution, prize, grant, and/or court order. These funds shall be retained by the department on behalf of the investigative units and deposited in a separate, special account and shall be carried forward from year to year and withdrawn and expended as needed to fulfill the purposes and conditions of the donation, contribution, prize, grant, and/or court order, if specified, and if not specified, as may be directed by the Director of the Department of Social Services. These accounts shall not be used to supplant operating funds in the current or future budgets. The agency shall report to the Senate Finance Committee and Ways and Means Committee by January 30 of the current fiscal year on the amount of funds received and how expended.

26.13. DELETED

26.14. (DSS: Use of Funds Authorization) Unless specifically directed by the General Assembly, when DSS is directed to provide funds to a not-for-profit or 501(c)(3) organization, that organization must use the funds to serve persons who are eligible for services in one or more DSS programs.

26.15. (DSS: Grant Authority) The Department of Social Services is authorized to make grants to community-based not-for-profit organizations for local projects that further the objectives of DSS programs. The department shall develop policies and procedures and may promulgate regulations to assure compliance with state and federal requirements associated with the funds used for the grants and to assure fairness and accountability in the award and administration of these grants. The department shall require a match from all grant recipients.

26.16. (DSS: Family Foster Care Payments) The Department of Social Services shall furnish as Family Foster Care payments for individual foster children under their sponsorship:

ages	0 - 5	\$332	per month
ages	6 - 12	\$359	per month
ages	13 +	\$425	per month

These specified amounts are for the basic needs of the foster children. Basic needs within this proviso are identified as food (at

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home and away), clothing, housing, transportation, education and other costs as defined in the U.S. Department of Agriculture study of "Annual Cost of Raising a Child to Age Eighteen". Further, each agency shall identify and justify, as another line item, all material and/or services, in excess of those basic needs listed above, which were a direct result of a professional agency evaluation of clientele need. Legitimate medical care in excess of Medicaid reimbursement or such care not recognized by Medicaid may be considered as special needs if approved by the sponsoring/responsible agency and shall be reimbursed by the sponsoring agency in the same manner of reimbursing other special needs of foster children.

26.17. (DSS: Penalty Assessment) The Department of Social Services may impose monetary penalties against a person, facility, or other entity for violation of statutes or regulations pertaining to programs, other than foster home licensing, that the department regulates. Penalties collected must be remitted to the State Treasurer for deposit into the State General Fund. The department shall promulgate regulations for each program in which penalties may be imposed. The regulations must include guidance on the decision to assess a penalty, the effect of failure to pay a penalty in a timely manner, and a schedule of penalty ranges that takes into account severity and frequency of violations. These regulations must provide for notice of the penalty and the right to a contested case hearing before a designee of or panel appointed by the director of the department. Judicial review of the final agency decision concerning a penalty must be in accordance with statutes or regulations that apply to judicial review of final revocation and denial decisions in that particular program. The department, in accordance with regulations promulgated pursuant to this provision, shall have discretion in determining the appropriateness of assessing a monetary penalty against a person or facility and the amount of the penalty. The authority to assess monetary penalties shall be in addition to other statutory provisions authorizing the department to seek injunctive relief or to deny, revoke, suspend, or otherwise restrict or limit a license or other types of operating or practice registrations, approvals, or certificates.

26.18. (DSS: Child Support Enforcement Automated System Carry Forward) The department shall be authorized to retain and carry forward any unexpended funds appropriated for the Child Support Enforcement automated system and related penalties.

26.19. (DSS: Child Support Enforcement System) From the funds appropriated in Part IA, Section 26(F), the Department of Social

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Services shall prepare a detailed report on the status of the Child Support Enforcement System. The report shall include, but not be limited to, actions currently being undertaken to become compliant with federal government requirements; the cost required to meet minimum federal guidelines; total funds spent so far on the system; the amount of fines assessed by the federal government associated with non-compliance; how much has been spent to satisfy actions taken by the state judicial system; and how much has been spent related to actions taken by any other entity which may have altered the amount required for meeting minimum federal guidelines. The report shall be submitted to the General Assembly by August thirty-first of the current fiscal year.

26.20. (DSS: Child Care Voucher) State funds allocated to the Department of Social Services and used for child care vouchers must be used to enroll eligible recipients within provider settings exceeding the state's minimum child care licensing standards. The department may waive this requirement on a case by case basis.

26.21. (DSS: Teen Pregnancy Prevention) (A) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, the department must award two contracts to separate private, non-profit 501(c)(3) entities to provide teen pregnancy prevention programs and services within the State.

(B) Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

(C) The monies appropriated must be divided equally between the contracts and paid over a twelve month basis for services rendered. Unexpended funds shall be carried forward for the purpose of fulfilling the department's contractual agreement.

(D) Entities that have a proven and public history of having effectively implemented abstinence programs in this State may be given a preference during the contract evaluation and awarding process. For the purposes of this proviso, a program is "effectively implemented" if the program has published positive behavioral outcomes by an independent and nationally recognized private or government agency demonstrating that a year after the program, program participants initiated sex at a rate of at least thirty percent lower than comparable non-program students.

(E)(1) One contract must be awarded to an entity that utilizes an abstinence first, age appropriate comprehensive approach to health and

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sexuality education with a goal of preventing adolescent pregnancy throughout South Carolina.

(2)(a) One contract must be awarded to an entity that uses a National Abstinence Clearinghouse (NAC) approved curricula for a minimum of one year prior to their application. NAC is the agency the federal Department of Health and Human Services has chosen to provide a comprehensive, national list of approved abstinence-only education curricula that is consistent with the A through H legislative requirements defined in Title V, Section 510(b)(2). Any entity that is awarded one of the above contracts must agree to provide data to verify the program effectiveness.

(b) The contract awarded pursuant to this item must be awarded to entities that utilize a program or evaluation process approved by, and under the supervision of, a federally approved Institutional Review Board (IRB) and have been evaluated and approved for medical accuracy by the United States Health and Human Services' Office of Adolescent Health or the Office of Adolescent Pregnancy Prevention. Contracts may also be awarded to entities that do not meet these requirements on the date of the award but the entity must meet the requirements by the end of the fiscal year or the entity must forfeit the final quarterly payment.

(c) Prior to receiving funding the entities awarded the contracts pursuant to this item must verify that the program they implement meets the Cooperative Agreement with the Centers for Disease Control Division of Adolescent School Health (CDC DASH) approved SMARTool (Systematic Method for Assessing Risk-avoidance Tool) minimum standard for abstinence curriculum evaluation or the Cooperate Agreement with the Centers for Disease Control Division of Reproductive Health Tool to Assess the Characteristics of Effective Sex and STD/HIV Education Programs.

(F) The programs implemented by the entities awarded contracts pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

26.22. (DSS: Meals in Emergency Operations) The cost of meals may be provided to state employees who are not permitted to leave their stations and are required to work during actual emergencies, emergency situation exercises, and when the Governor declares a state of emergency.

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26.23. (DSS: Day Care Facilities Supervision Ratios) For Fiscal Year 2012-13, staff-child ratios contained in Regulations 114-504(B), 114-504(C), 114-524(B), and 114-524(C) shall remain at the June 24, 2008 levels.

**26.24. (DSS: Women in Unity) Of the funds appropriated to or authorized for the department, \$100,000 shall be provided to the Women In Unity organization.*

**26.25. (DSS: Tri-City Outreach) Of the funds appropriated to or authorized for the department, \$40,000 shall be provided to Tri-City Outreach.*

**26.26. (DSS: Callen-Lacey Center for Children) Of the funds appropriated to or authorized for the department, \$35,000 shall be provided to the Callen-Lacey Center. The Callen-Lacey Center for Children must submit a report to the Senate Finance Committee and the House Ways and Means Committee by December first each year describing how these funds were expended in the prior fiscal year.*

26.27. (DSS: Analysis of Referrals) The Director of the department, in collaboration with the Superintendent of the John de la Howe School, shall conduct an analysis of the process for referrals to the School in order to maximize the potential for the provision of services by the School. The department shall prepare a report on the referral process and the report shall also include a three year history of all referrals/placements made by the department by facility type and level of care. The report shall be submitted to the Governor, Chairman of the Senate Finance Committee and the Chairman of the House Ways & Means Committee no later than December 1, 2012.

SECTION 27 - L24-COMMISSION FOR THE BLIND

27.1. (BLIND: Matching Federal Funds) For the current fiscal year the amount appropriated in this section under Program II for Rehabilitative Services is conditioned upon matching by federal funds to the maximum amount available under the Federal Vocational Rehabilitation Program.

27.2. DELETED

* See note at end of Act.

SECTION 28 - H79-DEPARTMENT OF ARCHIVES & HISTORY

28.1. (AH: Use of Proceeds) The proceeds of facilities rentals, gift shop operations, training sessions, sales of publications, reproductions 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 shall 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, publication, reproduction expenses, repair expenses, and National Register of Historic Places certificates and plaques, and selected Historic Preservation Grants.

28.2. DELETED

28.3. (AH: Disposal of Materials) For the current fiscal year, the Department of Archives and History, upon prior approval of the commission, may sell from its collections certain record and non-record materials, which are not eligible for public auction, in a manner most advantageous to the department.

SECTION 29 - H87-STATE LIBRARY

29.1. (LIB: Aid to Counties Libraries Allotment) The amount appropriated in this section for "Aid to County Libraries" shall be allotted to each county on a per capita basis according to the official United States Census For 2010, as aid to the County Library. No county shall be allocated less than \$60,000 under this provision. To receive this aid, local library support shall not be less than the amount actually expended for library operations from local sources in the second preceding year.

29.2. (LIB: Information Service Fees) The State Library may charge a fee for costs associated with information delivery and retain such funds to offset the costs of maintaining, promoting and improving information delivery services.

29.3. (LIB: Continuing Education Fees) The State Library may charge a fee for costs associated with continuing education and retain such funds to offset the costs of providing continuing education opportunities.

29.4. (LIB: Books and Materials Disposal) The State Library may sell or otherwise dispose of books and other library materials that are deemed by the State Library as no longer of value to the State of South Carolina and the State Library's collection. Funds received from the

sale of books and materials shall be retained and expended to purchase new materials for the collection. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose.

29.5. (LIB: SCLENDS) The State Library may accept money for the South Carolina Library Evergreen Network Delivery System (SCLENDS), a consortium providing patrons access to more library materials. The consortium shall allow South Carolina libraries the ability to share resources and provide a forum for sharing expertise in technical areas such as systems administration and cataloging. Funds received by the State Library for SCLENDS shall be placed in a special account and shall only be utilized to pay for items related to SCLENDS. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose.

29.6. (LIB: Donations) The State Library may accept donation funds to be used for administration, operation, and programs from any donor source. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year.

29.7. (LIB: Sale of Promotional Items) The State Library shall be allowed to sell promotional items with the South Carolina State Library brand and logo for the purpose of generating funds for the State Library. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year.

29.8. (LIB: Consortium Purchasing) The State Library shall be authorized to accept funds to be used for consortium purchasing between libraries (public, academic, special) that serve South Carolina residents. Funds received by the State Library for consortium purchasing agreements shall be placed in a designated account and shall only be used to pay for items related to specific consortium purchasing agreements. These funds may be retained, expended, and carried forward from the prior fiscal year into the current fiscal year and used for the same purpose.

SECTION 30 - H91-ARTS COMMISSION

30.1. (ARTS: Professional Artists Contract) Where practicable, all professional artists employed by the Arts Commission in the fields of music, theater, dance, literature, musical arts, craft, media arts and environmental arts shall be hired on a contractual basis as independent contractors. Where such a contractual arrangement is not feasible

SECTION 30 - H91-ARTS COMMISSION

employees in these fields may be unclassified, however, the approval of their salaries shall be in accord with the provisions of Section 8-11-35 of the 1976 Code.

30.2. (ARTS: Special Revolving Account) Any income derived from Arts Commission sponsored arts events or by gift, contributions, or bequest now in possession of the Arts Commission including any federal or other funds balance remaining at the end of the prior fiscal year, shall be retained by the commission and placed in a special revolving account for the commission to use solely for the purpose of supporting the programs provided herein. Any such funds shall be subject to the review procedures as set forth in Act 651 of 1978.

30.3. (ARTS: Partial Indirect Cost Waiver) The commission is allowed to apply a fifteen percent indirect cost rate for continuing federal grants for which they must compete. The commission shall apply the full approved negotiated rate to the Basic State Grant and any new grants received by the commission.

30.4. (ARTS: Grants) The Arts Commission must expend seventy percent of appropriated state funds on grants to support the statewide improvement of learning and enrichment opportunities for children and communities through educational and cultural programs with proven research based strategies.

30.5. (ARTS: Distribution to Subdivisions) Of the funds appropriated and/or authorized to the Arts Commission for Distribution to Subdivisions, the following amounts shall be distributed in the same manner as the funds were distributed in the prior fiscal year: \$11,420 for Alloc Mun-Restricted; \$3,381 for Alloc Cnty-Restricted; \$78,376 for Alloc School Dist; \$12,336 for Alloc Other State Agencies; \$429,845 for Alloc-Private Sector; \$29,494 for Alloc - Private Sector; \$31,581 for Aid Mun-Restricted; \$15,485 for Aid Cnty-Restricted; \$358,344 for Aid School Districts; \$205,138 for Aid Other State Agencies; \$794,598 for Aid To Private Sector; and \$3,168 for Aid To Private Sector-Reportable.

SECTION 31 - H95-STATE MUSEUM COMMISSION

31.1. (MUSM: Duplicate Materials) The commission may give (away) natural history materials in its possession for educational purposes, such materials being less than museum quality or duplicative of materials owned by the Museum Commission.

31.2. (MUSM: Removal From Collections) The commission may remove objects from its museum collections by gift to another public or

SECTION 31 - H95-STATE MUSEUM COMMISSION

non-profit institution, by trade with another public or non-profit institution, by public sale, by transfer to the commission's education, exhibit, or study collections or to its operating property inventory; or as a last resort, by intentional destruction on the condition that the objects so removed meet with one or more of the following criteria: (1) they fall outside the scope of the South Carolina Museum Commission's collections as defined in the Collection Policy dated January 20, 1993; (2) they are unsuitable for exhibition or research; (3) they are inferior duplicates of other objects in the collection; or (4) they are forgeries or were acquired on the basis of false information; funds from the sale of such objects will be placed in a special revolving account for the commission to use solely for the purpose of purchasing objects for the collections of the State Museum.

31.3. (MUSM: Museum Store) The Museum Commission shall establish and administer a museum store in the State Museum. This store may produce, acquire, and sell merchandise relating to historical, scientific, and cultural sources. All profits received from the sale of such merchandise shall be retained by the Museum Commission in a restricted fund to be carried forward into the following fiscal year. These funds may be used for store operations, publications, acquisitions, educational programs, exhibit production and general operating expenses provided that the expenditures for such expenses are approved by the General Assembly in the annual Appropriation Act.

31.4. (MUSM: Traveling Exhibits Fees) The Museum Commission may rent or sell exhibits and exhibit components and the commission may retain such funds and use them to offset the cost of developing, maintaining, promoting, and improving the changing exhibit program and to support general operations, provided that the expenditures for such expenses are approved by the General Assembly in the annual Appropriation Act. Any unexpended revenue from these sources may be carried forward into the current fiscal year to be expended for the same purposes.

31.5. (MUSM: Retention of Revenue) The Museum Commission may retain revenue received from admissions, program fees, facility rentals, professional services, donations, food service, and other miscellaneous operating income generated by or for the museum and may expend such revenue for general operating expenses provided that such expenditures are approved by the General Assembly in the annual Appropriation Act. Any unexpended revenue from these sources may

SECTION 31 - H95-STATE MUSEUM COMMISSION

be carried forward into the current fiscal year to be expended for the same purposes.

31.6. (MUSM: Across-the-Board Cut Exemption) In the calculation of any across-the-board cut mandated by the Budget and Control Board or General Assembly, the amount of the museum's rent which the commission pays to General Services shall be excluded from the museum's base budget.

31.7. (MUSM: School Tour Fee Prohibition) The commission may not charge admission fees to groups of children from South Carolina who have made reservations that are touring the museum as part of a school function.

31.8. (MUSM: Dining Area Rent) Of the space currently vacant in the Columbia Mills Building, space large enough for the museum to have dining space for school-aged children shall be provided to the State Museum at no cost.

31.9. (MUSM: Remittance to General Services) The State Museum is directed to remit not less than \$1,800,000 to the Budget and Control Board, Division of General Services as compensation for expenses associated with the premises it leases in the Columbia Mills Building. In the event the General Assembly or the Budget and Control Board implements a mid-year across-the-board budget reduction, the rent that the State Museum remits to the Budget and Control Board shall be reduced by the same percentage as the assessed budget reduction.

***31.10.** *(MUSM: State Museum Admissions Tax) For Fiscal Year 2012-13, up to fifty thousand dollars in admissions tax revenue collected annually from the State Museum must be rebated to the State Museum. The amount rebated shall be used for the purpose of museum operations.*

**SECTION 32 - L32-HOUSING FINANCE AND
DEVELOPMENT AUTHORITY**

32.1. (HFDA: Federal Rental Assistance Administrative Fee Carry Forward) All federal rental assistance administrative fees shall be carried forward to the current fiscal year for use by the authority in the administration of the federal programs under contract with the authority.

32.2. (HFDA: Program Expenses Carry Forward) For the prior fiscal year monies withdrawn from the authority's various

* See note at end of Act.

**SECTION 32 - L32-HOUSING FINANCE AND
DEVELOPMENT AUTHORITY**

bond-financed trust indentures and resolutions, which monies are deposited with the State Treasurer to pay program expenses, may be carried forward by the authority into the current fiscal year.

32.3. (HFDA: Advisory Committee Mileage Reimbursement) Members of the nine member South Carolina Housing Trust Fund Advisory Committee are eligible for mileage reimbursement at the rate allowed for state employees as established in Proviso 89.21(J) (Travel-Subsistence Expenses & Mileage) in this act.

32.4. (HFDA: Allocation of Indirect Cost Recoveries) The authority shall deposit in the state general fund indirect cost recoveries for the authority's portion of the Statewide Central Services Cost Allocation Plan (SWCAP). The authority shall retain recoveries in excess of the SWCAP amount to be deposited in the state general fund.

SECTION 33 - P12-FORESTRY COMMISSION

33.1. (FC: Grant Funds Carry Forward) The Forestry Commission is authorized to use unexpended federal grant funds in the current year to pay for expenditures incurred in the prior year.

33.2. (FC: Retention of Emergency Expenditure Refunds) The Forestry Commission is authorized to retain all funds received as reimbursement of expenditures from other state or federal agencies when personnel and equipment are mobilized due to an emergency.

33.3. (FC: Commissioned Officers' Physicals) The Forestry Commission is authorized to pay the cost of physical examinations for agency personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

33.4. (FC: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the Forestry Commission may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency director, and providing funds are available.

SECTION 34 - P16-DEPARTMENT OF AGRICULTURE

34.1. (AGRI: Market Bulletin) The Market Bulletin shall be mailed only to those persons who request it in writing and a record of each request shall be maintained by the department. Provided further, that

SECTION 34 - P16-DEPARTMENT OF AGRICULTURE

the Department of Agriculture is authorized to charge a yearly subscription rate of \$10.00 to each person requesting the bulletin and may charge up to \$5.00 per classified advertisement printed in the bulletin. The funds collected pursuant to this provision shall be retained by the department to defray the costs of publication and related incidental expenses.

34.2. (AGRI: Fruit/Vegetable Inspectors Subsistence) A daily subsistence allowance of up to \$30.00 may be allowed for temporarily employed fruits and vegetables inspectors from funds generated by fruits and vegetables inspection fees and budgeted under other funds in Program IV Marketing Services, D. Inspection Services, in lieu of reimbursements for meals and lodging expense.

34.3. (AGRI: Warehouse Receipts Guaranty Fund) The Department of Agriculture may retain and expend fifty thousand dollars from the Warehouse Receipts Guaranty Fund established by Section 39-22-150 of the 1976 Code as is necessary for the department to administer the funding of the program.

34.4. (AGRI: Weights & Measures Registration) All servicepersons required to be registered with the Department of Agriculture pursuant to the provisions of Section 39-9-65 of the 1976 Code shall pay to the department a registration fee of \$25.00. Revenues generated by this provision shall be for use by the Department of Agriculture to offset expenses incurred in administering this registration program.

34.5. (AGRI: Sale of Property Revenue) The department may retain revenues associated with the sale of the property titled to or utilized by the department, except for the State Farmers Market property, and must expend these funds on capital improvements approved by the Joint Bond Review Committee and the Budget and Control Board. The department must continue to occupy any property until replacement capital improvements are completed.

34.6. (AGRI: Farmers Market Revenue) The revenues associated with the sale of the State Farmers Market shall be deposited into a separate restricted special account under the authority of the Budget and Control Board. These funds and accrued interest may only be expended for relocating and reestablishing the State Farmers Market after approval by the Joint Bond Review Committee and the Budget and Control Board.

34.7. (AGRI: Export Certification) The Department of Agriculture is allowed to charge up to \$250 for each export certification of agricultural products and to retain revenues to offset expenses incurred in performing certifications.

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34.8. (AGRI: Feed Label Registration) The Department of Agriculture is authorized to require the annual registration of feed labels by manufacturers and to charge a fee of \$15.00 for such registrations. Revenues generated by these fees shall be retained and used by the department to offset expenses incurred in operating the Feed Inspection Program.

34.9. (AGRI: Pesticide Disposal) Of the funds appropriated to or authorized for the Department, up to \$100,000 shall be used to continue the pesticide disposal program.

SECTION 35 - P20-CLEMSON UNIVERSITY - PSA

35.1. (CU-PSA: Phytosanitary Certificates) Revenues collected from the issuance of phytosanitary certificates shall be retained by the Division of Regulatory and Public Service for the purpose of carrying out phytosanitary inspections.

35.2. (CU-PSA: Witness Fee) The Public Service Activities of Clemson University are hereby authorized to charge a witness fee of \$100.00 per hour up to \$400.00 per day for each employee testifying as an expert witness in civil matters which do not involve the State as a party in interest. This fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial appearances and deposited into a designated revenue account.

35.3. (CU-PSA: Nursery/Nursery Dealer Registration Fee) The Division of Regulatory and Public Service Programs is authorized to retain up to \$92,000 of revenue collected from the issuance of Nursery/Nursery Dealer Fees for the purpose of carrying out nursery/nursery dealer inspections. Revenue collected from this fee above \$92,000 shall be deposited into the general fund.

35.4. (CU-PSA: Retention of Fees) All revenues collected from the regulatory programs of agrichemical, plant industry and crop protection including: fertilizer, lime, and soil amendments registration fees; pesticide licensing fees; seed certification fees; and fertilizer tax/inspection fees must be retained by Clemson University PSA regulatory programs.

35.5. (CU-PSA: Pesticide Registration) All revenues collected from pesticide registration fees and revenue collected from structural pest control businesses for business licensing must be retained by Clemson University PSA Regulatory and Public Service Programs to support general regulatory, enforcement, and education programs and to carry

SECTION 35 - P20-CLEMSON UNIVERSITY - PSA

out provisions of the South Carolina Pesticide Control Act and regulations related to it.

35.6. DELETED

35.7. (CU-PSA: Fertilizer Inspection Fee) For the current fiscal year Clemson Public Service Activities is authorized to charge an inspection fee of \$1.50 per ton of commercial fertilizer sold or distributed in this state. Clemson University-PSA may retain, expend, and carry forward these funds to maintain its programs.

35.8. (CU-PSA: Lime Inspection Fee) The Public Service Activities of Clemson University are hereby authorized to charge an inspection fee of \$0.50 per ton on Agricultural Liming Materials sold or distributed in this state. Clemson University-PSA may retain, expend, and carry forward these funds to maintain its programs.

35.9. (CU-PSA: Meat Inspection Program) For the current fiscal year Clemson University Public Service Activities shall maintain operation of the state Meat Inspection Program. All revenues and recoveries from USDA Food Safety Inspection Services for Clemson University PSA's Meat and Poultry Inspection Department shall be retained by Clemson University-PSA's Livestock - Poultry Health Program for purposes of carrying out the operation of that program.

35.10. (CU-PSA: Boll Weevil Eradication) For the current fiscal year Clemson University Public Services Activities shall maintain operation of the Boll Weevil Eradication Program. In the calculation of any across-the-board budget reduction mandated by the Budget and Control Board or the General Assembly, the amount appropriated for the Boll Weevil Eradication Program shall be excluded from Clemson PSA's base budget. In the event of such a reduction Clemson PSA may reduce the amount of funds appropriated for this program by an amount not to exceed the percentage associated with the mandated reduction.

35.11. (CU-PSA: Landplaster Inspection Fee) For the purpose of regulating its use as applied to land for crop production, landplaster (gypsum), shall be defined as a product consisting chiefly of calcium sulfate with two combined water ($\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$) and is incapable of neutralizing soil acidity. It shall contain not less than seventy percent (70%) $\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$. All registrants of landplaster who sell or distribute in this state that previously were required to pay an inspection fee of \$1.50 per ton shall now pay to Clemson University Regulatory Services an inspection fee of fifty cents for each ton sold. Clemson University-PSA may retain, expend, and carry forward these

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funds from the prior fiscal year into the current fiscal year to maintain its programs.

SECTION 37 - P24-DEPARTMENT OF NATURAL RESOURCES

37.1. (DNR: Publications Revenue) For the current fiscal year all revenue generated from the sale of the "South Carolina Wildlife" magazine, its by-products and other publications, shall be retained by the department and used to support the production of same in order for the magazine to be self-sustaining. In addition, the department is authorized to sell advertising in the magazine and to increase the magazine's subscription rate, if necessary, to be self-sustaining. No general funds may be used for the operation and support of the "South Carolina Wildlife" magazine.

37.2. (DNR: Casual Sales Tax Collection) The Department of Natural Resources shall continue to collect the casual sales tax as contained in the contractual agreement between the Department of Revenue and the Department of Natural Resources and the State Treasurer is authorized to reimburse the department on a quarterly basis for the actual cost of collecting the casual sales tax and such reimbursement shall be paid from revenues generated by the casual sales tax.

37.3. (DNR: Proportionate Funding) Each of South Carolina's forty-six soil and water conservation districts shall receive a proportionate share of funding set aside for Aid to Conservation Districts at \$13,674 per district for general assistance to the district's program. Available funding above \$13,674 for each district will be apportioned by the Department of Natural Resources based upon local needs and priorities as determined by the board. During the fiscal year, the districts' funding may only be reduced in an amount not to exceed the percentage of each agency budget reduction. No district shall receive any funds under this provision unless the county or counties wherein the district is located shall have appropriated no less than three hundred dollars to the district from county funds for the same purposes.

37.4. (DNR: Carry Forward - Contract for Goods & Services) If any funds accumulated by the Department of Natural Resources Geology Program, under contract for the provision of goods and services not covered by the department's appropriated funds, are not expended during the preceding fiscal years, such funds may be carried

SECTION 37 - P24-DEPARTMENT OF NATURAL RESOURCES

forward and expended for the costs associated with the provision of such goods and services.

37.5. (DNR: Revenue Carry Forward) The department may collect, expend, and carry forward revenues derived from the sale of goods and services in order to support aerial photography, map services, climatology data, and geological services. The department shall annually report to the Senate Finance and Ways and Means Committees the amount of revenue generated from the sale of these goods and services.

37.6. (DNR: Clothing Allowance) The Department of Natural Resources is hereby authorized to provide Natural Resource Enforcement Officers on special assignment with an annual clothing allowance (on a prorata basis) not to exceed \$600 per officer for required clothing used in the line of duty.

37.7. (DNR: Commissioned Officers' Physicals) The department is authorized to pay for the cost of physical examinations for department personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

37.8. DELETED

37.9. DELETED

***37.10.** (DNR: Lake Paul Wallace Authority) *(A) From the funds appropriated to the department and the Lake Wallace Special Purpose District, there is created the Lake Paul A. Wallace Authority.*

(1) The function of the authority is to:

(a) to manage, maintain, and operate the Lake Paul A. Wallace;

(b) ensure that the primary purpose of the lake is for public fishing and recreation in compliance with the federal law under which the lake was established; and

(c) provide that the wildlife habitat remain a protected area as long as this function does not contravene with the provisions contained in subitem (a) of this subsection.

(2) The Authority has the power granted to it in item (1) and subsections (E) and (F) for the current fiscal year.

(3) The Authority is dissolved on June 30 of the current fiscal year.

(B) (1) The authority shall be composed of seven members appointed by the Marlboro County Legislative Delegation, as follows:

* See note at end of Act.

SECTION 37 - P24-DEPARTMENT OF NATURAL RESOURCES

(a) two members nominated by the city council of Bennettsville;

(b) two members nominated by the county council of Marlboro County; and

(c) three members at-large who reside near or have a demonstrable history of recreational use of Lake Paul A. Wallace.

(2) The members shall serve for the current fiscal year.

(3) One of the at-large members must be designated by the Marlboro County Legislative Delegation to serve as the chairman of the authority.

(4) A vacancy must be filled in the same manner as the appointment for the vacant position is made, and the successor appointed to fill the vacancy shall hold office for the remainder of the fiscal year.

(5) The Director of the Department of Natural Resources, or his designee, shall serve ex officio as a non-voting member.

(C) The members of the authority may receive such per diem and mileage as is provided by law for members of boards, commissions, and committees.

(D) The authority shall convene upon the call of the chairman and organize by electing a vice-chairman, a secretary, and a treasurer.

(E) The authority has the following powers to:

(1) maintain a principal office, which shall be located in Bennettsville;

(2) make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the authority;

(3) hire staff; and

(4) do all other acts and things necessary or convenient to carry out any function or power committed or granted to the authority.

(F) The authority is empowered to receive and spend any funding available through (1) the department, (2) the municipal, county, state, or federal government, or (3) any other source in order to finance the management, maintenance, and operation of the lake that is in compliance with federal and state law.

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(G) As used in this paragraph:

(1) 'Authority' means the Lake Paul A. Wallace Authority, created to receive, manage, maintain, and operate the property known as Lake Paul A. Wallace located in Marlboro County;

(2) 'Department' means the Department of Natural Resources; and

(3) 'Lake' means Lake Paul A. Wallace.

SECTION 38 - P26-SEA GRANT CONSORTIUM

38.1. (SGC: Publications Revenue) Funds generated by the sale of pamphlets, books, and other promotional materials, the production of which has been paid for by non-state funding, may be deposited in a special account by the consortium and utilized as other funds for the purchase of additional pamphlets, books, and other promotional materials for distribution to the public.

SECTION 39 - P28-DEPARTMENT OF PARKS, RECREATION AND TOURISM

39.1. (PRT: Tourism and Promotion) The funds appropriated in this Act for Regional Promotions shall be distributed equally to the eleven Regional Tourism groups, except that the Grandstrand Tourism Region's funds shall be divided, with \$50,000 distributed to the Myrtle Beach Chamber of Commerce, \$105,000 distributed to the Georgetown Chamber of Commerce, and \$20,000 distributed to the Williamsburg Chamber of Commerce for tourism related activities. The Myrtle Beach Chamber of Commerce and the Georgetown Chamber of Commerce shall submit a report to the Senate Finance Committee and the House Ways and Means Committee by December first each year describing how these funds were expended in the prior fiscal year.

39.2. (PRT: Destination Specific Tourism Marketing) The minimum grant awarded by the Destination Specific Tourism Program shall be \$250,000. Each state dollar must be matched with two dollars of private funds. An organization receiving a state grant must certify that, as of the date of the application: (i) the private funds are new dollars specifically designated for the purpose of matching state funds; (ii) the private funds have not been previously allocated or designated for tourism-related destination marketing; (iii) the organization has on hand or has an approved line of credit of not less than the amount of private funds needed to provide the required match. Organizations

**SECTION 39 - P28-DEPARTMENT OF PARKS, RECREATION
AND TOURISM**

applying for a grant must include in the grant application, information on how the organization proposes to measure the success of the marketing and public relations program, including the estimated return on investment to the state. Promotional programs proposed by an applicant must be based on research-based outcomes. Grants must be made only to organizations that have a proven record of success in creating and sustaining new and repeat visitation to its area and must have sufficient resources to create, plan, implement, and measure the marketing and promotional efforts undertaken as a part of the program. The department must award a grant only to one qualified destination marketing organization within their tourism region where the organization's private funds are raised. An organization receiving a grant must use the public and private funds only for the purpose of destination specific marketing and public relations designed to target international and/or domestic travelers outside the state to destinations within the state. All grants that qualify under the program must be funded if funds are available. Funding of all qualified grants will be on a first come first served basis with such basis retained throughout the term of this proviso. No organization shall receive in the first quarter more than fifty percent of the state dollars allocated to the program. If by the end of the third quarter matching funds are still available with no other organizations meeting the criteria for funding, the funds will be distributed to the organization or organizations that have and can meet all of the requirements of this proviso. Grant recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the director of the Department of Parks, Recreation and Tourism on the expenditure of the grants funds and on the proposed outcome measures.

39.3. (PRT: Advertising Funds Carry Forward) The Department of Parks, Recreation and Tourism may carry forward any unexpended funds appropriated on the Advertising line within Program II. A. Tourism Sales and Marketing from the prior fiscal year into the current fiscal year to be used for the same purposes which include the Tourism Partnership Fund, Destination Specific Marketing Grants and the agency advertising fund.

39.4. (PRT: Regional Tourism) In the event the department receives a general fund reduction in the current fiscal year, the department is

**SECTION 39 - P28-DEPARTMENT OF PARKS, RECREATION
AND TOURISM**

prohibited from reducing the amount funded to the eleven Regional Tourism groups.

39.5. (PRT: Film Marketing) From the funds authorized to the Department of Parks, Recreation and Tourism in Section 39, Part IA of this act for the South Carolina Film Commission, the department may use the film marketing funds for the following purposes: (1) to allow for assistance with recruitment and infrastructure development of the film industry; (2) to develop a film crew base; (3) to develop ally support in the film industry; (4) marketing and special events; and (5) to allow for assistance with the auditing and legal service expenses associated with the Motion Picture Incentive Act.

39.6. (PRT: Motion Picture Administration Application Fee) The Department of Parks, Recreation and Tourism may charge an application fee for the Motion Picture Incentive programs and may retain and expend these funds for the purposes of meeting administrative, data collection, credit analysis, cost-benefit analysis, reporting and auditing, and other statutory obligations. A fee schedule must be established and approved by the Director of the Department of Parks, Recreation and Tourism.

39.7. (PRT: Gift Shops) At the discretion of the Department of Parks, Recreation and Tourism, the State House Gift Shop may close on weekends.

39.8. (PRT: PARD Interest) The department is hereby prohibited from utilizing the interest generated in the PARD program for anything other than the uses authorized by the law creating PARD. Should the PARD account not reach the required amount of \$920,000 to activate the minimum \$20,000 per county distribution, the department shall carry forward the funding until such time as the funds are sufficient to distribute as originally intended.

39.9. (PRT: Destination Specific Tourism and Marketing Transfer) From the funds set aside pursuant to the Motion Picture Incentive Wage Rebate, for Fiscal Year 2012-13 unexpended funds carried forward from the prior fiscal year shall be transferred from the Department of Revenue to the Department of Parks, Recreation and Tourism and utilized for the Destination Specific Tourism Program. From the funds set aside pursuant to the Motion Picture Incentive Supplier Rebate, for Fiscal Year 2012-13 unexpended funds carried forward from the prior fiscal year shall be transferred from the Department of Revenue to the Department of Parks, Recreation and Tourism and utilized for Marketing. These funds shall be carried

**SECTION 39 - P28-DEPARTMENT OF PARKS, RECREATION
AND TOURISM**

forward from the prior fiscal year into the current fiscal year and be expended for the same purpose.

39.10. (PRT: Funds Exempt from Budget Cut) In the calculation of any across the board cut mandated by the Budget and Control Board or the General Assembly, any amounts appropriated for pass through, special items, or other items specified in any general proviso, which are exempt from reduction, shall be excluded from the Department of Parks, Recreation and Tourism's base budget.

39.11. DELETED

39.12. (PRT: PARD) The Department of Parks, Recreation, and Tourism shall be authorized to expend restricted funds for the Parks and Recreation Development Fund (PARD) in accordance with the Section 51-23-20 of the 1976 Code, Regulations, and generally accepted accounting standards. The department is allowed to reimburse PARD grantees from current year funds for prior year expenditures for a period of three years as allowed in Section 51-23-30 of the 1976 Code.

39.13. (PRT: Admission Fees and Charges) The department may impose reasonable fees and charges for admission to and/or use of park and recreational facilities and the revenues from such fees and charges must be used for park and recreational uses.

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40.1. (CMRC: Development - Publications Revenue) The proceeds from the sale of publications may be retained in the agency's printing, binding, and advertising account to offset increased costs.

40.2. (CMRC: Economic Dev. Coordinating Council - Set Aside Fund) From the amount set aside in Section 12-28-2910, the council is authorized to use up to ten percent of such amount for actual operating expenses in support of administrative program costs and business recruitment and retention and up to \$60,000 to support the Geographic Information Systems (GIS) program, as approved by council. Any balance on June thirtieth of the prior fiscal year may be carried forward and expended for the same purposes in the current fiscal year.

40.3. (CMRC: Coordinating Council Funds) In order to provide maximum flexibility to encourage the creation of new jobs and capital investment, the Coordinating Council for Economic Development has the authority to transfer economic development funds at its disposal to

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the Closing Fund, provided the transfer is approved by a majority vote of the Coordinating Council members in a public meeting. Any unexpended balance on June thirtieth, of the prior fiscal year may be carried forward and expended in the current fiscal year by the Department of Commerce for the same purpose.

40.4. (CMRC: Export Trade Show Funds) Funds collected from South Carolina companies for offsetting costs associated with participation in future trade shows may be carried forward from the prior fiscal year to the current fiscal year and used for that purpose.

40.5. (CMRC: Special Events Advisory Committee) The Department of Commerce is required to establish a Special Events Advisory Committee to provide oversight to the department as it relates to the department's Special Events Fund. The Advisory Committee shall be made up of contributors to the Fund appointed by the Secretary of Commerce and shall consist of no fewer than eight members, including a chairman. The Advisory Committee shall establish guidelines for the use of these funds. The Department of Commerce shall prepare a detailed report and have an independent audit of all expenditures of the fund during the previous calendar year. None of these funds shall be used for operating expenses. The report shall be submitted to the Governor, the Speaker of the House, the President of Pro Tempore of the Senate, the Chairman of the House Ways and Means Committee, and Chairman of the Senate Finance Committee.

40.6. (CMRC: Development-Rental Revenue) Revenue received from the sublease on non-state owned office space may be retained and expended to offset the cost of the department's leased office space.

40.7. (CMRC: Development-Ad Sales Revenue) The department may charge a fee for ad sales in department authorized publications and may use these fees to offset the cost of printing and production of the publications. Any revenue generated above the actual cost shall be remitted to the General Fund.

40.8. (CMRC: Foreign Offices) The Secretary of Commerce shall be authorized to appoint the staff of the department's foreign offices on a contractual basis on such terms as the Secretary deems appropriate, subject to review by the Office of Human Resources of the Budget and Control Board.

40.9. (CMRC: Funding For I-73 & I-74) Of the funds authorized for the Coordinating Council Economic Development, \$500,000 shall be made available for the routing, planning and construction of I-73 and \$500,000 shall be made available for the routing, planning, and construction of I-74.

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40.10. (CMRC: Closing Fund) In order to encourage and facilitate economic development, funds appropriated for the Closing Fund for competitive recruitment purposes shall be used as approved by the Coordinating Council for Economic Development. Any unexpended at the end of the prior fiscal year may be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes.

40.11. (CMRC: Community Development Corporation Carry Forward) The Department of Commerce shall be authorized to carry forward Community Development Corporation Initiative committed and uncommitted funds from the prior fiscal year and to use these funds for the same purpose.

40.12. (CMRC: Coordinating Council - Application Fee Deposits) Application fees received by the department must be deposited within five business days from the Coordinating Council application approval date.

40.13. (CMRC: Recycling Advisory Council Reporting) The Recycling Market Development Advisory Council must submit an annual report outlining recycling activities to the Governor and members of the General Assembly by March fifteenth each year.

40.14. (CMRC: Civil Air Patrol Transfer) Of the funds appropriated to or authorized for the Department of Commerce, the department shall transfer \$50,000 to the Adjutant's General Office for the Civil Air Patrol.

40.15. (CMRC: Regional Economic Development Organizations Carry Forward) Any unexpended funds transferred to the Department of Commerce for Regional Economic Development Organizations by Part III of Act 23 of 2009 shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purposes as originally intended.

40.16. (CMRC: Savannah Valley Development Division) The Department of Commerce is authorized to transfer any and all assets and obligations of its Savannah Valley Development Division, including, but not limited to, accounts, notes payable, contracts, licenses, leases, real property, rights of way, and easements, to appropriate state and local authorities upon the approval of the State Budget and Control Board.

40.17. (CMRC: Regional Economic Development Organizations) The Department of Commerce shall utilize the \$5,000,000 appropriated in Fiscal Year 2012-13 for Regional Economic Development

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Organizations to provide funds to the following six economic development organizations:

- (1) Central SC Economic Development Alliance;
- (2) Charleston Regional Development Alliance;
- (3) Economic Development Partnership;
- (4) North Eastern Strategic Alliance (NESA);
- (5) Southern Carolina Alliance; and
- (6) Upstate Alliance;

Of the \$5,000,000 appropriated for this purpose, \$4,475,000 must be disbursed equally to each organization. Each dollar of state funds must be matched with one dollar of private funds. The organization receiving state funds must certify that the private funds are new dollars specifically designated for the purpose of matching state funds and have not been previously allocated or designated for economic development.

The remaining \$525,000 shall be provided to Chester County, Lancaster County, Saluda County, Lee County, Sumter County, Beaufort County, and York County provided they meet the requirements established above.

Upon receipt of the request for the funds and certification of the matching funds, the Department of Commerce shall disburse the funds to the requesting organization.

Funds recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the Secretary of Commerce on the expenditure of the funds and on the outcome measures.

Any unexpended or undistributed funds appropriated in prior fiscal years for Regional Economic Development Organizations shall be transferred to the Rural Infrastructure Fund at the Department of Commerce.

40.18. (CMRC: Research Funds) Funds appropriated to the Department of Commerce as a special item or nonrecurring appropriation for Research shall be used to fund, upon approval of the Secretary of Commerce and the Coordinating Council for Economic Development, partnerships between the Department of Commerce, higher education institutions, either collectively or individually, and South Carolina-based industry with significant investment in the state. These partnerships shall be in Distribution and Logistics Sciences, or any other science, technology, research, development, or industry that creates well-paying jobs and enhanced economic opportunities for the State as determined by the Secretary of Commerce. Unexpended funds

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shall be carried forward from the prior fiscal year into the current fiscal year and may be used for the same purpose or to fund economic development projects.

40.19. (CMRC: SC Mfg Extension Partnership) No funds appropriated to the department that are designated for the SC Manufacturing Extension Partnership may be utilized to compensate employees or individuals who engage in lobbying services on behalf of the department or the partnership. In addition, the department shall prepare an annual report on the SC Manufacturing Extension Partnership's expenditures for the prior fiscal year and shall submit the report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by November first.

SECTION 43 - P40-S.C. CONSERVATION BANK

43.1. (CB: Conservation Bank Trust Fund) All revenues designated for the South Carolina Conservation Bank pursuant to Sections 12-24-95 and 12-24-97 of the 1976 Code must be credited to the South Carolina Conservation Bank Trust Fund.

SECTION 44 - B04-JUDICIAL DEPARTMENT

44.1. (JUD: Prohibit County Salary Supplements) County salary supplements of Judicial Department personnel shall be prohibited.

44.2. (JUD: County Offices For Judges) Every county shall provide for each circuit and family judge residing therein an office with all utilities including a private telephone, and shall provide the same for Supreme Court Justices and Judges of the Court of Appeals upon their request.

44.3. (JUD: Commitments to Treatment Facilities) The appropriation for continued implementation of Article 7, Chapter 17, Title 44 of the 1976 Code, Chapter 24, Title 44 of the 1976 Code, and Chapter 52, Title 44 of the 1976 Code, relating to commitments, admissions and discharges to mental health facilities, or treatment facility for the purpose of alcohol and drug abuse treatment, shall be expended for the compensation of court appointed private examiners, guardians ad litem, and attorneys for proposed patients, and related costs arising from the filing, service and copying of legal papers and the transcription of hearings or testimony. Court appointed private

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examiners, guardians ad litem and attorneys shall be paid at such rates or schedules as are jointly determined to be reasonable by the South Carolina Association of Probate Judges, the State Court Administrator, and the South Carolina Department of Mental Health with the approval of the Attorney General. The Judicial Department shall notify the Senate Finance Committee and the House Ways and Means Committee of any fee adjustment or change in schedule before implementation.

44.4. (JUD: Judicial Commitment) Except as otherwise provided in Section 89.5, no money appropriated pursuant to Item VI, Judicial Commitment shall be used to compensate any state employees appointed by the court as examiners, guardians ad litem, or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.

44.5. (JUD: Judicial Expense Allowance) Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit Court Judge and any retired judge who receives payment for performing full-time judicial duties pursuant to Section 9-8-120 of the South Carolina Code of Laws, shall receive five hundred dollars per month as expense allowance.

44.6. (JUD: Special Judge Compensation) In the payment of funds from "Contractual Services", and "Administrative Fund", that no special judge shall be paid for more than a two week term within a fiscal year except that this restriction will not apply in case of an ongoing trial.

44.7. DELETED

44.8. (JUD: BPI/Merit) Judicial employees shall receive base and average merit pay in the same percentages as such pay are granted to classified state employees.

44.9. (JUD: Supreme Court Bar Admissions) Any funds collected from the Supreme Court Bar Admissions Office in excess of the amount required to be remitted to the general fund may be deposited into an escrow account with the State Treasurer's Office. The department is authorized to receive, expend, retain, and carry forward these funds.

44.10. (JUD: Travel Reimbursement) State employees of the Judicial Department traveling on official state business must be reimbursed in accordance with Section 89.21(J) of this act.

44.11. (JUD: Interpreters) The funds appropriated in this section for "Interpreters" shall be used to offset costs associated with interpreters appointed in judicial proceedings under Sections 17-1-50, 15-27-155, and 15-27-15. The selection, use, and reimbursement of interpreters

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shall be determined under such guidelines as may be established by the Chief Justice of the Supreme Court. Interpretive services for hearing impaired persons shall be obtained through contract with the South Carolina School for the Deaf and the Blind, provided that if the Chief Justice determines, for any reason, that adequate services are not available through the South Carolina School for the Deaf and the Blind, the Judicial Department may secure interpretive services from any qualified vendor.

44.12. (JUD: Reimbursement Receipt Deposit) Amounts received as payment for reproducing, printing, and distributing copies of court rules and other department documents shall be retained for use by the department.

44.13. (JUD: Surplus Property Disposal) Technology equipment that has been declared surplus may be donated directly to counties for use in court-related activities.

44.14. (JUD: Judicial Carry Forward) In addition to the funds appropriated in this section, the funds appropriated for the Judicial Department in the prior fiscal year which are not expended during that fiscal year may be carried forward to be expended in the current fiscal year.

44.15. (JUD: Case Management Services) The Judicial Department shall retain revenue generated by charging a fee for technology support services provided to users of the State case management system. These funds may be expended and carried forward to offset the costs of supporting and maintaining the case management system.

44.16. (JUD: Magistrates' Training) From the funds appropriated to the Judicial Department, the department shall provide magistrates annual continuing education on domestic violence, which may include, but is not limited to:

- (1) the nature, extent, and causes of domestic and family violence;
- (2) issues of domestic and family violence concerning children;
- (3) prevention of the use of violence by children;
- (4) sensitivity to gender bias and cultural, racial, and sexual issues;
- (5) the lethality of domestic and family violence;
- (6) legal issues relating to domestic violence and child custody;
- (7) procedures, penalties, programs, and other issues relating to criminal domestic violence, including social and psychological issues relating to such violence, the vulnerability of victims and volatility of

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perpetrators, and the court's role in ensuring that the parties have appropriate and adequate representation;

(8) procedures and other matters relating to issuing orders of protection from domestic violence.

44.17. (JUD: Judges Salary Exemption) For the current fiscal year, judges' salaries and related employer contributions in Part IA, Section 44, are exempt from mid-year across-the-board reductions.

44.18. DELETED

SECTION 45 - E20-OFFICE OF ATTORNEY GENERAL

45.1. (AG: Prior Year Expenditures) The Office of the Attorney General is authorized to use unexpended federal funds in the current fiscal year to pay for expenditures incurred in the prior fiscal year.

45.2. (AG: Other Funds Carry Forward) Any balance of unexpended funds, not including general fund appropriations, may be carried forward for the operation of the Office of Attorney General.

45.3. (AG: Reimbursement for Expenditures) The Office of the Attorney General may retain for general operating purposes, any reimbursement of funds for expenses incurred in a prior fiscal year.

45.4. (AG: Donation Carry Forward) All revenue derived from donations received at the Office of the Attorney General shall be retained, carried forward, and expended according to agreement reached between the donor, or donors, and the Attorney General.

45.5. (AG: Water Litigation) Unexpended Water Litigation funds must be transferred to the Tax Relief Reserve Fund.

45.6. DELETED

45.7. DELETED

45.8. (AG: Securities Fee Revenue) After the provisions of Section 35-1-702(b) of the 1976 Code have been satisfied, and upon notification to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee that such provisions have been satisfied, the next \$20,500,000 of Securities Fee revenues collected during the current fiscal year by the Office of the Attorney General shall be remitted to the General Fund of the State. The Office of the Attorney General may retain the next \$300,000 collected and may utilize these funds for operations to include expert witness expenses, investigative costs, trial preparation, and other related expenses associated with the increase in licensed securities agents. These funds may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose.

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Remaining Securities Fee revenues collected during the current fiscal year shall be remitted to the General Fund of the State.

45.9. (AG: Savannah River Maritime Commission Funds) The Office of the Attorney General is authorized to use funds appropriated in Fiscal Year 2012-13 for litigation expenses related to the Savannah River Maritime Commission to reimburse litigation expenditures incurred by the Office of the Attorney General on behalf of the Savannah River Maritime Commission during Fiscal Year 2011-12. Following the conclusion of these litigation matters any remaining funds shall be deposited in the General Fund.

**SECTION 46 - E21-PROSECUTION COORDINATION
COMMISSION**

46.1.(PCC: Solicitor Salary) The amount appropriated in this section for salaries of solicitors shall be paid to each full-time solicitor. Each full-time circuit solicitor shall earn a salary not less than each full-time circuit court judge.

46.2. (PCC: Solicitor Expense Allowance) Each solicitor shall receive five hundred dollars (\$500.00) per month as expense allowance.

46.3. (PCC: Judicial Circuits State Support) The amount appropriated and authorized in this section for Judicial Circuits (16) State Support shall be apportioned among the circuits on a per capita basis based upon the current official census . Payment shall be made as soon after the beginning of each quarter as practical.

46.4. (PCC: Solicitor Carry Forward) Any unexpended balance on June 30, of the prior fiscal year, may be carried forward into the current fiscal year and expended for the operation of the solicitor's office relating to operational expenses.

46.5. (PCC: Solicitor's Office - County Funding Level) It is the intent of the General Assembly that the amounts appropriated for solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services without any additional charges. If the county reduces the amount of support provided to solicitors' offices below the level provided in the prior fiscal year, the Solicitor shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the amount of such reduced support.

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COMMISSION**

46.6. (PCC: Solicitors Victim/Witness Assistance Programs) When funds are available, the amount appropriated and authorized in Part IA, Section 46 for Solicitors Victim/Witness Assistance Programs shall be apportioned among the circuits on a per capita basis and based upon the current official census . Payment shall be made as soon after the beginning of each quarter as practical.

46.7. DELETED

46.8. DELETED

46.9. (PCC: CDV Prosecution) The amount appropriated and authorized in this section for Criminal Domestic Violence Prosecution shall be apportioned among the circuits on a pro-rata basis. If not privileged information, the Prosecution Coordination Commission shall collect and retain information and data regarding Criminal Domestic Violence Prosecution and shall include: the number of dispositions, types of dispositions and county in which the disposition took place and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal year.

46.10. (PCC: Victim Assistance Programs) It is the intent of the General Assembly that the amounts appropriated in this section for victim assistance programs in solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services. Any reduction by any county in funding for victim assistance programs in solicitors' offices shall result in a corresponding decrease of state funds provided to the solicitors' office in that county for victim assistance services. Each solicitor's office shall submit an annual financial and programmatic report which describes the use of these funds. The report shall be submitted to the Governor, the Attorney General, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on October 1, for the preceding fiscal year.

46.11. (PCC: Establish Victim/Witness Program) The funds appropriated in this section for Victim/Witness Program must be equally divided among the judicial circuits, less any adjustments made for budget reductions. The funds for each circuit must be distributed to the solicitor's office of that circuit and only used by the solicitor for the purpose of establishing a Victim/Witness Program in the circuit which shall provide, but not be limited to, the following services:

(1) Make available to victims/witnesses information concerning their cases from filing in general sessions court through disposition.

**SECTION 46 - E21-PROSECUTION COORDINATION
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(2) Keep the victim/witness informed of his rights and support his right to protection from intimidation.

(3) Inform victims/witnesses of and make appropriate referrals to available services such as medical, social, counseling, and victims' compensation services.

(4) Assist in the preparation of victims/witnesses for court.

(5) Provide assistance and support to the families or survivors of victims where appropriate.

(6) Provide any other necessary support services to victims/witnesses such as contact with employers or creditors.

(7) Promote public awareness of the program and services available for crime victims.

The funds may not be used for other victim-related services until the above functions are provided in an adequate manner.

SECTION 47 - E23-COMMISSION ON INDIGENT DEFENSE

47.1. (INDEF: Defense of Indigents Formula) The amount appropriated in this Act for "Defense of Indigents" shall be apportioned among counties in accord with Section 17-3-330, 1976 Code, but on a per capita basis and based upon the most current official decennial census of the United States; provided that no county shall receive funding in an amount less than the amount apportioned to it as of July 1, 2005. The level of contribution of each county as of July 1, 2001, must be maintained. No county shall be permitted to contribute less money than the amount the county contributed in the prior fiscal year. Within the amount of money established for indigent defense services, the State shall set aside \$3,000,000 (Death Penalty Trial Fund) annually exclusively for use of the defense in capital cases pursuant to Section 16-3-26 of the 1976 Code, and for the expenses of the operation of the Commission on Indigent Defense to include salaries and operations expenses of the Death Penalty Trial Division. The State also shall set aside \$2,500,000 annually to pay fees and expenses of private counsel appointed in non-capital cases pursuant to Section 17-3-50 (Conflict Fund). Of the funds generated from the fees imposed under Sections 14-1-206(C)(4), 14-1-207(C)(6) and 14-1-208(C)(6) and the application fee provided in Section 17-3-30(B), on a monthly basis, fifty percent must be deposited into the Death Penalty Trial Fund, fifteen percent must be deposited into the Conflict Fund , and the

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remaining funds each month must be apportioned among the counties' public defender offices pursuant to Section 17-3-330. At the end of each fiscal year any leftover funds shall carryover to the next fiscal year. All applications for the payment of fees and expenses in capital cases shall be applied for from the Death Penalty Trial Fund which shall be administered by the Commission on Indigent Defense. All applications for the payment of fees and expenses of private counsel or expenses of public defenders pursuant to Section 17-3-50 shall be applied for from the Conflict Fund administered by the Commission on Indigent Defense. Reimbursement in excess of the hourly rate and limit set forth in Section 17-3-50 is authorized only if the court certifies, in a written order with specific findings of fact, prior to the fees being incurred, that reimbursement in excess of the rates or limit is necessary to provide reimbursement adequate to ensure effective assistance of counsel and reimbursement in excess of the limit is appropriate because the services to be provided are reasonable and necessary. If prior approval by written order of the court is not obtained, no additional fees shall be paid under any circumstances.

Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the representation of the defendant, the court shall authorize the defendant's attorney to obtain such services on behalf of the defendant and shall authorize the payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed five hundred dollars as the court considers appropriate. Payment in excess of the five hundred dollar limit is authorized only if the court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall be made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of the court is not obtained, no additional expenses shall be paid under any circumstances.

Indigent defense vouchers authorized in this provision must be reviewed and paid pursuant to procedures and policies established by the Commission on Indigent Defense. The commission shall provide a copy of the established procedures and policies to the Senate Finance Committee and the House Ways and Means Committee.

47.2. (INDEF: State Employee Compensation Prohibited) Except as otherwise provided in Section 89.5, no money appropriated pursuant to Defense of Indigents shall be used to compensate any state employees

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appointed by the court as examiners, guardians ad litem or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.

47.3. (INDEF: Appellate Conflict Fund) The purpose of the Appellate Conflict Fund is to provide money to pay attorneys for representing indigent defendants on appellate review when the Office of Appellate Defense is unable to do so. Funds designated for appellate use in conflict cases shall be administered by the Commission on Indigent Defense. The Office of Appellate Defense must first determine that it is unable to provide representation. Fees shall be \$40 per hour for out of court work and \$60 for in court work, with a maximum of \$3,500 per case for non-capital appeals. Fees shall be \$50 per hour for out of court work and \$75 per hour for in court work in capital appeals with a maximum of \$10,000 per capital appeal. The appropriate appellate court shall review and approve vouchers for payment for appellate conflict cases. The Office of Appellate Defense shall continue to provide printing and other support functions currently provided from their resources. On June thirtieth of each year, the Commission on Indigent Defense shall review all outstanding obligations in this fund. Any unspent and unobligated money shall be used to pay outstanding vouchers in the Death Penalty Trial Fund or the Conflict Fund, provided the designated fund has become exhausted during the year.

47.4. (INDEF: SC Appellate Court Rule 608 Appointments) The funds appropriated under "SC Appellate Court Rule 608 Appointments" shall be used for Civil Court Appointments including Termination of Parental Rights, Abuse and Neglect, Probate Court Commitments, Sexually Violent Predator Act, and Post Conviction Relief (PCR) and Criminal Conflict appointments to reimburse court appointed private attorneys and for other expenditures as specified in this provision. SC Appellate Court Rule 608 Appointments funds may not be transferred or used for any other purpose.

A portion of the funds appropriated under "SC Appellate Court Rule 608 Appointments" shall be used for "Termination of Parental Rights" cases and "Abuse and Neglect" cases to reimburse private attorneys who are appointed by the Family Court to represent guardians ad litem, children, or parents under the provisions of S.C. Code Sections 20-7-110 et seq., 20-7-1570 et seq., 20-7-1695 (A)(2) et seq., 20-7-7205 et seq., and 20-7-8705 (4)(a) et seq.; for "Probate Court Commitment" cases to reimburse private attorneys who are appointed by the Probate

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Court to represent indigent persons; and for “ Sexually Violent Predator” cases to reimburse private attorneys who are appointed by the Circuit Court pursuant to Sections 44-48-10, et seq., to represent indigent persons. When private counsel is appointed pursuant to these provisions, counsel shall be reimbursed a reasonable fee to be determined on the basis of fifty dollars per hour or reimbursement may also be made on the basis of a set (flat) fee. The method of payment and the amount of the set fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed two thousand dollars for any case under which such private attorney is appointed.

A portion of the funds appropriated under “SC Appellate Court Rule 608 Appointments” shall be used for non-capital Post Conviction Relief Cases. Any attorney appointed shall be compensated at a rate not to exceed forty dollars per hour for time expended out of court and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The method of payment and amount of set (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed one thousand dollars in any single case.

A portion of the funds appropriated under “SC Appellate Court Rule 608 Appointments” shall be used for non capital criminal cases pursuant to Section 17-3-50 (Conflict Fund). Any attorney appointed shall be compensated at a rate not to exceed forty dollars per hour for time expended out of court and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The method of payment and amount of set (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed three thousand five hundred dollars in any single felony case or one thousand dollars in any single misdemeanor case.

Reimbursement in excess of the hourly rate and limit set forth herein is authorized only if the court certifies, in a written order with specific findings of fact, prior to the fees being incurred, that reimbursement in excess of the rates or limit is necessary to provide reimbursement adequate to ensure effective assistance of counsel and reimbursement in excess of the limit is appropriate because the services to be provided are reasonable and necessary. If prior approval by written order of the court is not obtained, no additional fees shall be paid under any circumstances.

Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the representation of the defendant, the court shall authorize the defendant’s attorney to obtain such services on behalf of the defendant and shall authorize the

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payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed five hundred dollars as the court considers appropriate. Payment in excess of the five hundred dollar limit is authorized only if the court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall be made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of the court is not obtained, no additional expenses shall be paid under any circumstances.

Indigent defense vouchers authorized in this provision must be reviewed and paid pursuant to procedures and policies established by the Commission on Indigent Defense. The commission shall provide a copy of the established procedures and policies to the Senate Finance Committee and the House Ways and Means Committee.

A portion of the funds appropriated under “ SC Appellate Court rule 608 Appointments” may be used by the Commission on Indigent Defense to retain, on a contractual basis, the services of attorneys qualified to handle civil and criminal court appointments, to be reimbursed in accordance with applicable provisos and statutes.

47.5. (INDEF: Volunteer Guardian Ad Litem Appointments and Attorney Representation) The Commission on Indigent Defense working with the Guardian ad Litem’s Office of the Division of Children’s Services, shall allocate a portion of the funds provided for SC Appellate Court Rule 608 Appointments for payments of contracts with attorneys who agree to represent volunteer Guardians ad Litem in child abuse and neglect and termination of parental rights actions in Family Court, based on the rate of \$100 per completed hearing. In determining the amount to be allocated, the commission must take into account the total funds appropriated and weigh this sum against the other demands and obligations of the SC Appellate Court Rule 608 Appointment Fund. The Commission on Indigent Defense shall report to the Senate Finance Committee and the House Ways and Means Committee any payments to individual guardians ad litem from funds provided from the SC Appellate Court Rule 608 Appointment Fund.

47.6. (INDEF: Carry Forward) To offset budget reductions, the Commission on Indigent Defense may carry forward and utilize any unencumbered balances available in the Appellate Conflict Fund and

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the SC Appellate Court Rule 608 Appointment Fund at the end of the prior fiscal year.

47.7. (INDEF: Public Defender Fee) Every person placed on probation on or after July 1, 2003, who was represented by a public defender or appointed counsel, shall be assessed a fee of five hundred dollars. The revenue generated from this fee must be collected by the clerk of court and sent on a monthly basis to the Commission on Indigent Defense. However, if a defendant fails to pay this fee, this failure alone is not sufficient basis for incarceration for a probation violation. This assessment shall be collected and paid over before any other fees.

47.8. (INDEF: Defense of Indigents Civil Action Application Fee)

(A) A person requesting appointment of counsel in any termination of parental rights (TPR), abuse and neglect, or any other civil court action in this state shall execute an affidavit that the person is financially unable to employ counsel and that affidavit shall set forth all of the person's assets. This affidavit must be completed before counsel may be appointed. If it appears that the person has some assets but they are insufficient to employ private counsel, the court, in its discretion, may order the person to pay these assets or a portion thereof to the Commission on Indigent Defense.

(B) A forty dollar application fee for appointed counsel services must be collected from every person who executes an affidavit that they are financially unable to employ counsel. The person may apply to the court, the clerk of court, or other appropriate official for a waiver or reduction in the application fee. If it is determined that the person is unable to pay the application fee, the fee may be waived or reduced, provided that if the fee is waived or reduced, the clerk or appropriate official shall report the amount waived or reduced to the trial judge and the trial judge shall order the remainder of the fee paid by a time payment method or such method as the trial judge deems appropriate. The clerk of court or other appropriate official shall collect the application fee imposed by this section and remit the proceeds to the Commission on Indigent Defense on a monthly basis. The monies must be deposited in an interest-bearing account separate from the general fund and used only to provide for indigent defense services. The monies shall be administered by the Commission on Indigent Defense. The clerk of court or other appropriate official shall maintain a record of all persons applying for representation and the disposition of the application and shall provide this information to the Commission

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on Indigent Defense on a monthly basis as well as reporting the amount of funds collected or waived.

(C) In matters in which a juvenile is brought before a court, the parents or legal guardian of such juvenile shall execute the above affidavit based upon their financial status and shall be responsible for paying any fee. In matters concerning juveniles, the parents or legal guardians of said juvenile, shall be advised in writing of this requirement at the earliest stage of the proceedings against said juvenile.

(D) Nothing contained above shall restrict or hinder a court from appointing counsel in any emergency proceedings or where existing statutes do not provide sufficient time for an individual to complete the application process.

(E) The appointment of counsel, as herein before provided, creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in an amount equal to the costs of representation as determined by a voucher submitted by the appointed counsel and approved by the court, less that amount that the person pays to the appointed counsel.

(F) Such claim shall be filed in the office of the clerk of court in the county where the person is assigned counsel, but the filing of a claim shall not constitute a lien against real or personal property of the person unless, in the discretion of the court, part or all of such claim is reduced to judgment by appropriate order of the court, after serving the person with at least thirty days' notice that judgment will be entered. When a claim is reduced to judgment, it shall have the same effect as judgments, except as modified by this provision.

47.9. (INDEF: Exemption for Pass Through Funding) The funds distributed by the Commission on Indigent Defense to the Legal Services Corporation in accordance with Section 14-1-204 of the 1976 Code shall not be considered part of the commission's budget for purposes of calculating budget reductions.

47.10. (INDEF: Reporting Requirement) Circuit Public Defenders shall provide, in a manner and form as the agency head requires, information and data concerning caseloads, dispositions, and other information as required by the agency head or General Assembly. The agency shall withhold payments and transfers to Circuit Public Defenders who are not in compliance with the agency reporting requirements.

47.11. DELETE

SECTION 48 - D10-STATE LAW ENFORCEMENT DIVISION

48.1. (SLED: Special Account Carry Forward) Funds awarded to the State Law Enforcement Division by either court order or from donations or contributions shall be deposited in a special account with the State Treasurer, and shall be carried forward from year to year, and withdrawn from the Treasurer as needed to fulfill the purposes and conditions of the said order, donations or contributions, if specified, and if not specified, as may be directed by the Chief of the State Law Enforcement Division. Funds expended from the special account must be annually reported by October first to the Senate Finance Committee and the Ways and Means Committee.

48.2. (SLED: Computer/Communications Center Carry Forward) Revenue generated from the operation of the division's criminal justice computer/communications center and not expended during the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

48.3. (SLED: Agents Operations Carry Forward) Any unexpended balance on June thirtieth, of the prior fiscal year, in Part IA, subsection 48 of the section "Agents Operations" may be carried forward and expended for the same purpose in the current fiscal year.

48.4. (SLED: Match for Federal Grants Carry Forward) State appropriations to SLED that are required to provide match for federal grant programs in the prior fiscal year may be carried forward into the current fiscal year and expended for the same purpose as originally appropriated.

48.5. (SLED: Clothing Allowance) The State Law Enforcement Division is hereby authorized to provide agents and criminalists with an annual clothing allowance (on a pro rata basis) not to exceed \$600 per agent/criminalist for required clothing used in the line of duty.

48.6. (SLED: Witness Fee) The State Law Enforcement Division is hereby authorized to charge a witness fee of \$130.00 per hour up to \$1,000 per day for each employee testifying in civil matters which do not involve the State as a part in interest. This fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial appearances and deposited into a designated revenue account.

48.7. (SLED: Commissioned Officers' Physicals) The department is authorized to pay for the cost of physical examinations for department personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

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48.8. (SLED: Meals in Emergency Operations) The State Law Enforcement Division may provide meals to employees of SLED who are not permitted to leave assigned duty stations and are required to work during deployment, emergency simulation exercises and when the Governor declares a state of emergency.

48.9. (SLED: Hazardous Materials Security Detail) The State Law Enforcement Division (SLED) is authorized to be reimbursed for security related law enforcement services provided to entities authorized to transport sensitive materials within the borders of South Carolina. SLED shall determine all costs associated with security details and is authorized to coordinate the collection, retention, and distribution to any assisting agency. SLED and each assisting agency shall expend any funds associated with minimizing risks related to the transportation of these hazardous materials for the implementation of homeland security initiatives.

48.10. (SLED: Sex Offender Registry Fee) Each Sheriff is authorized to charge and collect an annual amount of one hundred fifty dollars from each sex offender required to register by law. If such sex offender has been declared indigent by the Sheriff of the county in which the offender must register and provides proof of the declaration at the time of registration, the fee will automatically be waived. If an offender is not declared indigent and fails to pay the fee, he is officially declared unregistered. This fee shall be divided between the Sheriffs and the State Law Enforcement Division with one hundred dollars of the fee retained by the Sheriffs and the remaining fifty dollars remitted by the Sheriffs to SLED on a quarterly basis. These funds must be used to support the Statewide Sex Offender Registry.

48.11. (SLED: Private Detective Fees Criminal History Checks) The State Law Enforcement Division is authorized to charge private detective companies, individual private detectives, private security companies, armed security guards, and proprietary security companies a fee of twenty-five dollars to process state criminal history checks and fifty dollars for federal fingerprint based criminal history checks. These funds shall be collected, retained, expended and carried forward by the State Law Enforcement Division.

48.12. (SLED: CWP Instructors Certification) The State Law Enforcement Division is authorized to charge one hundred dollars for the issuance of a Certified Concealable Weapons Permit Instructor certificate, and one hundred dollars every three years for each renewal.

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These funds shall be collected, retained, expended and carried forward by the State Law Enforcement Division.

48.13. (SLED: Expungement Requests) The State Law Enforcement Division is authorized to collect a twenty-five dollar expungement fee for each request to expunge criminal records. These funds shall be used to offset the operational and research expenses associated with processing these expungement requests. SLED is authorized to collect, retain, expend, and carry forward these funds. Persons found not guilty by a court of competent jurisdiction or where charges have been dismissed or nolle prossed shall be excluded from the fee requirement.

48.14. (SLED: Retention of Funds Reimbursed by State or Federal Agencies) The State Law Enforcement Division is authorized to collect, expend, retain, and carry forward all funds received from other state or federal agencies in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year.

48.15. (SLED: Monies Associated with Illegal Gaming Devices) The State Law Enforcement Division is authorized to retain, expend, and carry forward all monies associated with illegal gaming devices seized by the division, once orders of destruction and awarding of these monies have been received from a court of competent jurisdiction.

48.16. (SLED: Use of PIP Funds) The agency is authorized to use approved permanent improvement funds for projects 9807 and 9845 toward construction of a storage and logistics facility.

48.17. DELETED

48.18. (SLED: Private Detective/Security Fee) The license and registration fees set by the State Law Enforcement Division for private detective businesses, private security businesses, including employees of these businesses, and companies which provide private security on their own premises must not exceed those fees set by regulation as of January 1, 2011, unless otherwise approved by the General Assembly. From the funds collected from these fees, the State Law Enforcement Division must transfer \$480,000 to the Department of Public Safety which shall be used for the purpose of providing security in the Capitol Complex area.

48.19. (SLED: Criminal Record Search Fees) The State Law Enforcement Division is authorized to charge and collect a fee of eight dollars for a criminal record search for local park and recreation volunteers through a commission, municipality, or county. Any organization that is authorized to receive the reduced fee must not charge the volunteer, mentor, member, or employee more than the eight dollars or any additional fee that is not required by the State Law

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Enforcement Division. All criminal record searches conducted under this provision must be for a volunteer, mentor, member or employee performing in an official capacity of the organization and must not be resold.

SECTION 49 - K05-DEPARTMENT OF PUBLIC SAFETY

49.1. (DPS: Special Events Traffic Control) The highway patrol must not charge any fee associated with special events for maintaining traffic control and ensuring safety on South Carolina public roads and highways unless approved by the General Assembly. Nothing shall prohibit the Treasury of the State from accepting voluntary payment of fees from private or public entities to defray the actual expenses incurred for services provided by the Department of Public Safety.

49.2. (DPS: Retention of Private Detective Fees) The Department of Public Safety is hereby authorized to receive, expend, retain, and carry forward all funds transmitted from SLED related to fees charged and collected by SLED from license and registration fees for private detective businesses, private security businesses, including employees of these businesses, and companies which provide private security on their own premises. The funds transferred are to be used in the Bureau of Protective Services Program to provide security for state agencies and the Capitol Complex.

49.3. (DPS: Motor Carrier Advisory Committee) From the funds appropriated and/or authorized to the Department of Public Safety and the Department of Motor Vehicles, the departments are directed to jointly establish a Motor Carrier Advisory Committee to solicit input from the Trucking Industry and other interested parties in developing policies and procedures for the regulation of this industry. The members of the advisory committee shall serve without compensation.

49.4. (DPS: Sale of Real Property) At such time as any portion of the Laurens Road property in Greenville is declared to be surplus by the agency or agencies which occupy said portion, and after receiving approval from the Budget and Control Board for the sale of the property, the Department of Public Safety, the Department of Transportation, and the Department of Motor Vehicles are authorized to receive, retain, expend, and carry forward funds derived from the sale of the real property in which each agency holds an interest or title. No portion of the property may be declared as surplus by one agency if another agency is occupying said property. The Department of Public

SECTION 49 - K05-DEPARTMENT OF PUBLIC SAFETY

Safety is directed to use these funds to defray the operating expenses of the Highway Patrol and the Department of Transportation and the Department of Motor Vehicles are directed to use their portion of these funds for department operating expenses.

49.5. (DPS: CMV Driver Rest Areas) A joint working group is to be established between the Department of Transportation, Department of Public Safety, State Transport Police and the South Carolina Trucking Association to review and evaluate where critical rest areas may be made available for commercial motor vehicle drivers to park and obtain their federally mandated required rest.

49.6. (DPS: SC Law Enforcement Officers Hall of Fame Scholarships) The Department of Public Safety is hereby authorized to accept donations from the public in order to provide scholarships to the children of law enforcement officers killed in the line of duty. The South Carolina Law Enforcement Officers Hall of Fame Advisory Committee is authorized to set the criteria for awarding such scholarships. All revenue received for this purpose shall be used to provide scholarships and shall be retained, carried forward, and expended for the same purpose.

49.7. (DPS: Retention of DMV Cash Transfer) The Department of Public Safety is hereby authorized to retain, expend, and carry forward funds transmitted by the Department of Motor Vehicles without any specific restrictions for the utilization of these funds pursuant to Proviso 90.20 (SR: DMV Cash Transfer) of Act 23 of 2009.

49.8. DELETED

**SECTION 50 - N20-LAW ENFORCEMENT TRAINING
COUNCIL**

50.1. (LETC: CJA-Federal, Other Flow Through Funds) In order to complete projects begun in a prior fiscal year, the Law Enforcement Training Council, Criminal Justice Academy is authorized to expend federal and earmarked funds in the current fiscal year for expenditures incurred in the prior fiscal year.

50.2. (LETC: CJA-Retention of Emergency Expenditure Refunds) The Law Enforcement Training Council, Criminal Justice Academy is authorized to collect, expend, retain, and carry forward all funds received from other state or federal agencies in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year when personnel and equipment are mobilized and expenses incurred due to an emergency.

SECTION 51 - N04-DEPARTMENT OF CORRECTIONS**51.1. DELETED**

51.2. (CORR: Canteen Operations) Revenue derived wholly from the canteen operations within the Department of Corrections on behalf of the inmate population, may be retained and expended by the department for the continuation of the operation of said canteens and the welfare of the inmate population or, at the discretion of the Director, used to supplement costs of operations. The canteen operation is to be treated as an enterprise fund within the Department of Corrections and is not to be subsidized by state appropriated funds.

51.3. DELETED

51.4. (CORR: E.H. Cooper Trust Fund) Any unclaimed funds remaining in any inmate account, after appropriate and necessary steps are taken to determine and contact a rightful owner of such funds, shall be deposited into the Inmate Welfare Fund.

51.5. (CORR: Instructional Salaries) The certified instructional personnel of the Department of Corrections shall receive a percentage increase in their annual salary for the current fiscal year equal to the percentage allocated to the instructional personnel throughout the State.

51.6. (CORR: Funding Through State Criminal Assistance Program) All funds received by the State from the United States Department of Justice, State Criminal Alien Assistance Program, for care and custody of illegal aliens housed in the state correctional facilities shall be retained by the South Carolina Department of Corrections to offset incurred expenses.

51.7. (CORR: Remedial Education Funding) A criminal offender committed to the custody of the Department of Corrections, who has been evaluated to function at less than an eighth grade educational level, or less than the equivalent of an eighth grade educational level, may be required by department officials to enroll and actively participate in academic education programs. Funds appropriated to the Department of Corrections for educational programs shall be prioritized to assure such remedial services are provided.

51.8. (CORR: Tire Retreading Program Restriction) The tire retreading program at the Lieber Correctional Institution shall be limited to the marketing and sale of retreads to state governmental entities.

51.9. (CORR: Social Security Administration Funding) All funds received by the South Carolina Department of Corrections from the Social Security Administration under Section 1611 (e)(1)(I) of the

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Social Security Act, which provides payment for information regarding incarcerated Social Security Insurance recipients, shall be retained by the South Carolina Department of Corrections and credited to a fund entitled "Special Social Security" for the care and custody of inmates housed in the state correctional facilities.

51.10. (CORR: Medical Expenses) The Department of Corrections shall be authorized to charge inmates a nominal fee for any medical treatment or consultation provided at the request of or initiated by the inmate. A nominal co-pay shall be charged for prescribed medications. Inmates shall not be charged for psychological or mental health visits.

51.11. (CORR: Prison Industry Funds) The Director of the Department of Corrections, at his discretion, is hereby authorized to utilize prison industry funds for projects or services benefiting the general welfare of the inmate population or to supplement costs of operations.

51.12. (CORR: Reimbursement for Expenditures) The Department of Corrections may retain for general operating purposes any reimbursement of funds for expenses incurred in a prior fiscal year.

51.13. (CORR: Sale of Real Property) Funds generated from the sale of real property owned by the Department of Corrections shall be retained by the department to offset renovation and maintenance capital expenditures.

51.14. (CORR: Major Renovations and Repairs) The Department of Corrections may utilize any existing bond funds approved by the 1997 Bond Act for major renovations and repairs and/or the construction of new beds as the budget and inmate population dictate.

51.15. (CORR: Funds From Vehicle Cleaning) Monies generated by inmates engaged in the cleaning and waxing of private vehicles, or any other adult work activity center, shall be placed in a special account and utilized for the welfare of the inmate population.

51.16. (CORR: Release of Inmates) The Director of the Department of Corrections and other persons having charge of prisoners who are required to serve a period of six months or more, may release all such prisoners, including prisoners to whom Section 24-13-150, subsection (A) of the 1976 Code applies, on the first day of the month in which their sentences expire, and if the first day of the month falls on a Saturday, Sunday, or a legal holiday, such prisoners may be released on the last weekday prior to the first of the month which is not a holiday.

51.17. (CORR: Western Union Funding) All funds received by the South Carolina Department of Corrections from the Western Union Quick Collect Revenue Sharing Program or similar private sector

SECTION 51 - N04-DEPARTMENT OF CORRECTIONS

entities, which provides payment for processing electronic transfers into the E. H. Cooper Trust Fund, shall be retained by the South Carolina Department of Corrections and credited to a fund entitled "Inmate Welfare Fund" to be expended for the benefit of the inmate population.

51.18. (CORR: Monitoring Fees) The Department of Corrections is authorized to charge an inmate who participates in community programs a reasonable fee for the cost of supplying electronic and telephonic monitoring. The fees charged may not exceed the actual cost of the monitoring.

51.19. (CORR: Inmate Insurance Policies) The Department of Corrections may collect and record private health insurance information from incarcerated individuals. The department may file against any private insurance policy covering an inmate to recoup any health care expenditures covered by the policy. Health care will be provided in accordance with law and standards regardless of whether or not an inmate is covered by insurance.

51.20. (CORR: Work Release Transportation Fee) The South Carolina Department of Corrections is authorized to charge a \$4.00 per-day transportation fee to participants in the work release program only when such transportation is provided by the department. Monies collected shall be credited to the South Carolina Department of Corrections, and utilized solely to fund transportation of work release participants and vehicle replacement for the work release program.

51.21. (CORR: Special Assignment Pay Level 2 & 3 Facilities) Funds appropriated for special assignment pay at the Department of Corrections are for the purpose of addressing vacancies and turnover of staff by providing a pay differential for certain employees assigned to institutions with a Level II or Level III security designation. The funds are to be used for special assignment pay only and may not be transferred to any other program. If the employee leaves one of the qualifying job classes or leaves a Level II or Level III institution for a non-Level II or non-Level III facility, they shall no longer be eligible for this special assignment pay. Only employees in full-time equivalent positions are eligible for this special assignment pay.

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The special assignment pay is not a part of the employee's base salary, but is a percentage thereof, and is to be paid as follows:

- (A) At Level II institutions:
 - (1) 4% for Correctional Officers including Class Code JD-30 (cadets and Officer I and II positions) and Corporals I and II;
 - (2) 2% for Sergeants and Lieutenants;
 - (3) 1% for Captains and Majors;
 - (4) 2% for Nursing staff; and
 - (5) 2% for Food Service staff.
- (B) At Level III institutions:
 - (1) 8% for Correctional Officers including Class Code JD-30 (cadets and Officer I and II positions) and Corporals I and II;
 - (2) 3% for Sergeants and Lieutenants;
 - (3) 1% for Captains and Majors;
 - (4) 3% for Nursing staff; and
 - (5) 3% for Food Service staff.

51.22. (CORR: Quota Elimination) Pursuant to Section 24-3-60 of the 1976 Code, upon notification by the county, the Department of Corrections shall accept newly sentenced inmates from each local jail and detention center.

For sentenced inmates who the county is willing to transport, the department may limit the acceptance at the Kirkland Correctional Institution to the hours of 8:00 a.m. to 1:00 p.m., Monday through Friday, excluding holidays, and at the Perry and Lieber Correctional Institutions to the hours of 8:00 a.m. to 10:30 a.m., Monday through Friday, excluding holidays.

By mutual agreement between the Department of Corrections and a local jail or detention center, the department may establish an alternate admissions schedule for receiving inmates at the Reception and Evaluation Center.

At the time of transfer of the inmate to the department, the county shall provide the sentencing order, and if available copies of medical screening records, booking reports, and other documents to assist the department in its intake processing. Counties that have not completed medical screenings at the time of transfer shall not be required to do so.

In the event there are inadequate beds within the Reception and Evaluation Center, the Department of Corrections may create a "jail" within the Kirkland Correctional Institution using one or more of the available 192-bed housing units to accept newly sentenced state

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inmates who are awaiting R & E processing. The department may operate such "jail," to the extent feasible, in accordance with standards applicable to the local jails.

The department shall use the funds appropriated in this Act for "Quota Elimination" to accomplish this initiative and to open a 96-bed unit at the MacDougall Correctional Institution and the 192-bed housing units at Kirkland Correctional Institution. The funds may not be transferred to any other program or used for any other purpose.

51.23. (CORR: Public/Private Partnerships for Construction) Funds appropriated in Act 407 of 2006, Item 23, shall be used to construct as many multi-purpose buildings at Department of Corrections institutions as possible. For such facilities at Lieber, McCormick, Leath, or Allendale Correctional Institution, at least \$150,000 in matching funds and/or construction materials or services must be donated before construction of the facility may begin. At other Department of Corrections locations, the Director may require that donated funds and/or materials or services equal one-half of the cost of construction, including design and engineering costs.

51.24. (CORR: Inmate Barbering Program) Inmate barbers in the Inmate Barbering Program at the Department of Corrections, shall not be subject to the licensing requirement of Section 40-7-30 of the 1976 Code.

51.25. (CORR: Executed Inmate Autopsy) For the current fiscal year, the autopsy requirements of Section 17-7-10 of the 1976 Code are suspended when an inmate is executed by the Department of Corrections pursuant to a valid order of the Supreme Court of South Carolina.

51.26. (CORR: Recoupment of Expenses Associated with Inmate Cremation) If the Department of Corrections incurs expenses for cremating and disposing of an unclaimed deceased inmate, the department may recoup all associated costs of cremation, including transportation, through the deceased inmate's E.H. Cooper account, providing funds are available.

51.27. (CORR: Credited Jail Time; DNA Sample Collection) Inmates committed to the Department of Corrections for sentences greater than 90 days, but who have credit for jail time in excess of their sentence to incarceration are not required to be transported to the Reception and Evaluation Center of the Department of Corrections. Cities and counties housing inmates who have credit for jail time in excess of their sentence may, through written agreement with the

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Department of Corrections, transfer required commitment records to the department electronically or by other means. The Department of Corrections must establish reasonable documentation requirements to facilitate the implementation of this cost savings measure. Employees of the Department of Probation, Parole, and Pardon Services assigned to the court or employees of the Department of Corrections, as applicable, shall obtain DNA samples from the offenders who are required to submit DNA samples. This provision does not exempt the above referenced inmates from the \$250 DNA fee as required by Section 23-3-670 of the 1976 Code. The \$250 fee shall be collected in the same manner as other fines and fees and submitted to the State Treasurer for remittance to SLED.

51.28. (CORR: Cell Phone Interdiction) The Director of the Department of Corrections is granted the right to add a surcharge to all inmate pay phone calls to offset the cost of equipment and operations of cell phone interdiction measures. The surcharge will be added to the cost per call, collected by chosen telephone vendor and paid to the department of a monthly basis. The department is authorized to retain the funds to pay, either directly or through the State lease program, for equipment required to enact cell phone interdiction. When the equipment has been paid in full, the surcharge amount will be reviewed and adjusted to cover the cost of ongoing operational expenses of the interdiction equipment. Any unexpended balance may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose.

**SECTION 52 - N08-DEPARTMENT OF PROBATION, PAROLE
& PARDON SERVICES**

52.1. (DPPP: Sale of Equipment) All revenue generated by the Department of Probation, Parole and Pardon Services from the sale of various equipment in excess of \$575, less the cost of disposition incurred by the Budget and Control Board, Division of Operations, may be retained and carried forward into the current fiscal year and expended for the purpose of purchasing like items.

52.2. (DPPP: Interstate Compact Application Fee) The department may charge offenders an application fee set by the department, not to exceed \$100, to offenders applying for transfers out of or into the state under the Interstate Compact Act. The application fee shall be retained by the department to offset the cost of the Interstate Compact Act. All

**SECTION 52 - N08-DEPARTMENT OF PROBATION, PAROLE
& PARDON SERVICES**

unexpended funds at year-end may be retained and carried forward by the department to be expended for the same purpose.

52.3. (DPPP: GED Learn and Earn Program) From the funds appropriated in Part IA, the department may enter into agreements with statewide colleges, technical colleges, and school districts for the purpose of providing GED and GED Prep education to offenders. Offenders of the department enrolled in the program must repay the department the cost of the course and materials within six months of obtaining their GED.

52.4. (DPPP: Sex Offender Monitoring Carry Forward) The Department of Probation, Parole and Pardon Services is authorized to carry forward any unexpended funds in the Sex Offender Monitoring program. These funds must be used for the sex offender monitoring program. For the purpose of calculating the amount of funds which may be carried forward by the department, Sex Offender Monitoring program funds carried forward by this provision shall be excluded from the calculation of the carry forward authorized by provision elsewhere in this Act.

52.5. (DPPP: Offender Drug Testing Fee) The department may charge offenders a fee set by the department, not to exceed \$50, for the purpose of drug testing. If it is determined that the offender is indigent, this fee must be waived. The fee shall be retained by the department to offset the cost of drug testing. All unexpended funds at year-end may be retained and carried forward by the department to be expended for the same purpose.

52.6. (DPPP: Public Service Employment Set-Up Fee) In addition to any other fee, the department may charge an adult offender placed under the jurisdiction of the department, who is ordered to public service employment by the court, a twenty-five dollar Public Service Employment set-up fee. The fee must be retained by the department and applied to the department's supervision process. The department shall submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the number of offenders who were assessed the set-up fee and the amount of funds collected.

SECTION 53 - N12-DEPARTMENT OF JUVENILE JUSTICE

53.1. (DJJ: Meal Ticket Revenue) The revenue generated from sale of meal tickets by the Department of Juvenile Justice shall be retained and carried forward into the current fiscal year by the agency and expended for the operation of the agency's cafeterias and food service programs.

53.2. (DJJ: Interstate Compact Revenue) The revenue returned to the Interstate Compact Program shall be retained and carried forward into the current fiscal year by the agency and expended for the operation of the program.

53.3. (DJJ: Children's Projects Revenue) Funds generated from the projects undertaken by children under the supervision of the Department of Juvenile Justice may be retained by the department and utilized for the benefit of those children. Such funds may be carried forward into the following fiscal year.

53.4. (DJJ: Instructional Salaries) The certified instructional personnel of the Department of Juvenile Justice shall receive a percentage increase in their annual salary for the current fiscal year equal to the percentage allocated to the instructional personnel throughout the State.

53.5. (DJJ: Reimbursements for Expenditures) The Department of Juvenile Justice may retain for general operating purposes any reimbursement of funds for expenses incurred in a prior fiscal year.

53.6. (DJJ: Juvenile Arbitration/Community Advocacy Program) The amount appropriated and authorized in this section for the Juvenile Arbitration Program shall be retained and expended by the Department of Juvenile Justice for the purpose of providing juvenile arbitration services through the sixteen (16) Judicial Circuit Solicitors' offices in the state and used to fund necessary administrative and personnel costs for the programs.

The Department of Juvenile Justice shall contract with Solicitors to administer the Juvenile Arbitration Program and disburse up to \$60,000 per Judicial Circuit based on services rendered. The amount payable to Solicitors may vary based on consistent adherence to established statewide program guidelines to assess program performance.

The \$250,000 appropriated for the Community Advocacy Program in the first Judicial Circuit, will be used to fund necessary administrative and personnel costs for this status offender diversion program. The Department of Juvenile Justice shall monitor and provide support to this program.

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All unexpended funds may be retained and carried forward from the prior fiscal year to be used for the same purposes.

53.7. (DJJ: Sale of Real Property) After receiving approval from the Budget and Control Board for the sale of property, the department is authorized to retain revenues associated with the sale of department-owned real property and may expend these funds on capital improvements reviewed by the Joint Bond Review Committee and approved by the Budget and Control Board.

53.8. (DJJ: Sale of Timber) The Department of Juvenile Justice is hereby authorized to sell mature trees and other timber suitable for commercial purposes from lands owned by the department. Prior to such sales, the director shall consult with the State Forester to determine economic and environmental feasibility and to obtain approval for such sales. Funds derived from timber sales shall be retained and utilized for family support services after setting aside a reasonable amount, as determined by the State Forester, for reforestation of the lands from which the trees and timber are sold.

53.9. (DJJ: Drug Free Workplace) The critical mission of the Department of Juvenile Justice requires a safe and drug free work environment. In order to accomplish this, the department may conduct and pay for the cost of pre-employment drug testing and random employee drug testing. The department is authorized to expend funds in order to provide or procure these services.

53.10. (DJJ: Definition of Juveniles) The Department of Juvenile Justice is authorized to place juveniles in marine and wilderness programs or other community residence programs operated by non-governmental entities. Juveniles receiving services in these community residence programs must either be referred to such a program by the Family Court as a condition of probation, released to such a program by the Board of Juvenile Parole, or voluntarily agree to be assigned and released to such a program by the Department of Juvenile Justice.

53.11. (DJJ: Adult Education - GED) Juveniles committed to the Department of Juvenile Justice who have been enrolled in, but not yet completed, a GED educational program while at the department, at the discretion of the local school district, upon release from the department shall be allowed to enroll in either the juvenile's local school district's regular education program, in their appropriate grade placement, or allowed to enroll in that district's or county's adult education program. If enrolled in an adult education program, the juvenile's eligibility for taking the GED shall be based upon the regulations promulgated by the

SECTION 53 - N12-DEPARTMENT OF JUVENILE JUSTICE

Department of Education for youth who are confined in, or under the custody of, the Department of Juvenile Justice.

53.12. (DJJ: Local District Effort) Upon commitment or confinement to a Department of Juvenile Justice facility, the school district in which that child resides shall pay an amount equivalent to the statewide average of the local base student cost (30%), multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to out-of-district students to the Department of Juvenile Justice for the time period in which the child is committed or confined to a department facility. EFA funding for school districts is provided for a one hundred eighty day school year. The billing provided by the department shall be calculated by dividing the local base student cost by two hundred twenty-five days to determine the daily rate. The department shall notify the school district in writing within forty-five calendar days that a student from the non-resident district is receiving education services pursuant to this provision. The notice shall also contain the student's name, date of birth, disabling condition if available, and dates of service.

The invoice shall be paid within sixty days of billing, provided the department has provided a copy of the invoice to both the superintendent and the finance office of the school district being invoiced. Should the school district fail to pay the invoice within sixty days, the department can seek relief from the Department of Education. The Department of Education shall withhold EFA funding equal to the billing from the district refusing to pay and submit the funding (equal to the invoice) to the department. If adequate funding is not received, the department shall have the flexibility to use funds from other programmatic areas to maintain an appropriate level of service.

53.13. (DJJ: Emergency Authority to Transfer PIP Funds) The Department of Juvenile Justice is authorized to transfer to its operational and/or personnel accounts up to \$1,500,000 of Permanent Improvement Project (PIP) funds, excluding Capital Improvement Bond funds, that have been previously allocated to the department by the General Assembly/Joint Bond Review Committee and approved by the Budget and Control Board, if those funds are unobligated or not otherwise committed by the department for active permanent improvement projects. The department may utilize these funds in Fiscal Year 2012-13 as necessary in order to maintain constitutional conditions in its institutional facilities and residential programs.

53.14. (DJJ: Emergency Release for Community Evaluation) The Department of Juvenile Justice is authorized to allow any child

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adjudicated delinquent for a status offense, for a misdemeanor offense other than Assault and Battery of a High and Aggravated Nature or Assault with Intent to Kill, or for violation of probation/contempt for any offense who is temporarily committed to its custody for a residential evaluation, to reside in that child's home or in his home community while undergoing a community evaluation, unless the committing judge finds and concludes in the order for evaluation, that a community evaluation of the child shall not be conducted because the child presents an unreasonable flight or public safety risk to his home community.

53.15. (DJJ: Earned Compliance Credit) In order to avoid unconstitutional levels of overcrowding and other unconstitutional conditions from occurring in residential programs operated for the Department of Juvenile Justice, and in order to reduce caseloads of the Department's probation and parole officers so that these officers can better focus their attention and limited resources on those offenders who pose a greater threat to public safety, the Department is authorized to grant up to a ten day reduction of their probationary or parole term to probationers and parolees who are under its supervision for each month they are compliant with the terms and conditions of their probation or parole order.

53.16. (DJJ: Early Release Authorization) In order to avoid unconstitutional levels of overcrowding and other unconstitutional conditions from occurring in facilities operated by the department and in residential programs operated for the department, the number of children housed in residential placements (either committed to the custody of the Department of Juvenile Justice or who are under the department's supervision) shall not exceed the number of beds available to the department to house them. Should appropriation reductions necessitate that the department close any additional facility, program, or housing unit it operates, or to be unable to fund any additional residential program operated for its benefit, the department is authorized and empowered to release from its residential placements sufficient numbers of children committed to its custody or supervision for a status offense, a misdemeanor offense, other than Assault and Battery of a High and Aggravated Nature and Assault with Intent to Kill, or for violation of probation/contempt of a status offense or a misdemeanor offense, other than Assault and Battery of a High and Aggravated Nature and Assault with Intent to Kill, so that the number of children in its custody or under its supervision and placed in these

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residential placements does not exceed the number of housing units/beds available to properly house those children. No child adjudicated delinquent for a violent crime as defined in Section 16-1-60 of the 1976 Code, a felony offense as defined in Section 16-1-90 of the 1976 Code, or a sexual offense shall be released pursuant to this proviso.

SECTION 54 - L36-HUMAN AFFAIRS COMMISSION**54.1. DELETED**

54.2. (HAC: Human Affairs Forum Carry Forward) All revenue derived from donations and registration fees received for attendance at Human Affairs Forums shall be retained and carried forward and expended for the purpose of general operations of the Human Affairs Commission.

54.3. (HAC: Training Revenue) All revenue derived from fees received from training and technical assistance provided by the Human Affairs Commission to entities other than state agencies shall be retained, carried forward, and expended for the purpose of general operations of the Human Affairs Commission.

54.4. (HAC: Revenue from Copying Fees) All revenue derived from providing requested copies of commission files, final opinions, orders, and determinations shall be retained, carried forward, and expended for the purpose of general operations of the Human Affairs Commission.

SECTION 55 - L46-COMMISSION FOR MINORITY AFFAIRS

55.1. (CMA: Private Contributions and Sponsorship) Monies derived from private sources for agency research, forums, training, and institutes may be retained and expended by the commission for the said purpose. Any remaining balance may be carried forward and expended for the same purpose.

55.2. (CMA: Carry Forward Registration Fees) Revenue derived from registration fees received from training and institutes may be retained and carried forward for the purpose of conducting future training and institutes.

55.3. (CMA: Carry Forward Grant Awards) Revenues pooled from public and private sources for the purpose of awarding grants to address problems in the minority community may be retained and carried forward by the commission.

SECTION 55 - L46-COMMISSION FOR MINORITY AFFAIRS

55.4. (CMA: Carry Forward Bingo Revenues) Bingo revenues received by the commission in the prior fiscal year pursuant to Section 12-21-4200(3) of the 1976 Code which are not expended during that fiscal year may be carried forward to be expended in the current fiscal year.

55.5. (CMA: Retention of Photocopy Fees) Revenue derived from photocopy fees and other fees related to Freedom of Information Act requests from the general public may be retained and carried forward by the Commission.

SECTION 57 - R06-OFFICE OF REGULATORY STAFF

57.1. (ORS: Transportation Fee Refund) The Transportation Department of the Office of Regulatory Staff is hereby authorized to make refunds of fees which were erroneously collected.

57.2. (ORS: Assessment Certification) Office of Regulatory Staff shall certify to the Department of Revenue the amounts to be assessed to cover appropriations in this section as follows: (1) the amount applicable to the assessment on public utility, telephone utility, radio common carrier and electric utility companies as provided for by Section 58-4-60, Code of Laws of 1976, (2) the amount to be assessed against gas utility companies as provided for in Section 58-5-940, Code of Laws of 1976, (3) the amount to be assessed against electric light and power companies as provided for in Sections 58-4-60 and 58-27-50, Code of Laws of 1976, and (4) the amount to be covered by revenue from motor transport fees as provided for by Section 58-23-630, and other fees as set forth in Section 58-4-60, Code of Laws of 1976. The amount to be assessed against railroad companies shall consist of all expenses related to the operations of the Railway subprogram of the Agency's Transportation Division, to include the related distribution of salary increments and employer contributions not reflected in the related subprogram of this act as set forth in Section 58-4-60, Code of Laws of 1976.

57.3. (ORS: Assessment Adjustments) If the Office of Regulatory Staff determines that a person or entity subject to Title 58 of the 1976 Code has been assessed an amount greater than that authorized by Sections 58-4-60, 58-3-100 and 58-3-540, the Office of Regulatory Staff shall, at its discretion:

(a) refund the person or entity the amount of over collection using funds from the current fiscal year;

SECTION 57 - R06-OFFICE OF REGULATORY STAFF

(b) refund the person or entity the amount of over collection using any unexpended funds from the prior fiscal year;

(c) credit the amount the person or entity will be assessed in the next fiscal year for the amount of over collection; or

(d) any combination of these.

The Office of Regulatory Staff, when determining the amount to be assessed in the next fiscal year, may take into consideration any underpayment or overpayment by a person or entity during a given year. Any unexpended funds from revenue generated pursuant to this section may be retained and carried forward and expended for the same purposes.

**SECTION 58 - R08-WORKERS' COMPENSATION
COMMISSION**

58.1. (WCC: Medical Services Provider Manual Revenue) All revenue earned from the sale of the commission's publication Medical Services Provider Manual shall be retained by the agency to be used for the printing and distribution of subsequent revised editions of the schedule.

58.2. (WCC: Educational Seminar Revenue) All revenue earned from educational seminars shall be retained by the agency to be used for the printing of educational materials and other expenses related to conducting the seminar.

58.3. (WCC: Retention of Filing Fees) The Workers' Compensation Commission is authorized to retain and expend all revenues received as a result of a \$25.00 filing fee for each requested hearing, settlement, or motion. If it is determined that the individual is indigent, this filing fee must be waived.

SECTION 59 - R12-STATE ACCIDENT FUND

59.1. (SAF: Educational Seminar Revenue) The State Accident Fund is authorized to set and collect fees for educational seminars. All revenue earned from educational seminars shall be retained by the agency and used for supplies, materials, and other expenses relating to the seminars.

SECTION 62 - R20-DEPARTMENT OF INSURANCE

62.1. (INS: Examiners Travel/Subsistence Reimbursement) Notwithstanding the limitations in this act as to amounts payable or reimbursable for lodging, meals, and travel, the Department of Insurance is authorized to reimburse department examiners in accordance with guidelines established by the National Association of Insurance Commissioners only when the State is reimbursed by an insurance company for the travel and subsistence expenses of Insurance Department examiners pursuant to Section 38-13-10 of the 1976 Code.

62.2. (INS: Reimbursement Carry Forward) Reimbursements received for Data Processing Services, Revenue, Miscellaneous Revenue and Sale of Listings and Labels shall be retained for use by the department. These funds may be carried forward in the current fiscal year. The Department of Insurance is authorized to pay the annual dues, not to exceed \$10,000 for the South Carolina Senate and the South Carolina House of Representatives for membership in the National Council of Insurance Legislators from funds collected under this proviso.

62.3. (INS: Fees for Licenses) The Department of Insurance shall be authorized to charge a twenty-five dollar initial producer license fee; a twenty-five dollar biennial producer license renewal fee; and a two hundred-fifty dollar penalty fee for late appointment renewals. The director shall specify the time and manner of payment of these fees. These fees shall be retained by the department for the administration of Title 38.

SECTION 63 - R23-BOARD OF FINANCIAL INSTITUTIONS

63.1. (FI: Supervisory Fees) The Board of Financial Institutions shall fix supervisory fees of banks, savings and loan associations and credit unions on a scale which, together with fees collected by the Consumer Finance Division will fully cover the total funds expended under this section.

SECTION 64 - R28-DEPARTMENT OF CONSUMER AFFAIRS

64.1. (CA: Consumer Protection Code Violations Revenue) Funds, paid to the department in settlement of cases involving violations of the South Carolina Consumer Protection Code and other statutes enforced

SECTION 64 - R28-DEPARTMENT OF CONSUMER AFFAIRS

by the department be retained and expended within the agency's budget to help offset the costs of investigating, prosecuting, and the administrative costs associated with these violations, may be carried forward and expended for the same purposes in the current fiscal year.

64.2. (CA: Student Athlete/Agents Registration) Funds received by the department of Consumer Affairs pursuant to registrations under Chapter 102, Title 59 of the 1976 Code may be retained by the department for its enforcement duties relating to athlete agents and student athletes under that chapter.

64.3. (CA: Expert Witness/Assistance Carry Forward) Unexpended encumbered appropriated funds for the Consumer Advocacy expert witness/assistance program (under Section 37-6-603) may be carried forward into the next fiscal year to meet contractual obligations existing at June thirtieth and not paid by July thirty-first.

64.4. (CA: Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention) The Department of Consumer Affairs may retain all Consumer Credit Grantor Notification filing fees collected under Section 37-6-203 and all Maximum Rate Schedules filing fees collected under Section 37-2-305 and Section 37-3-305. These fees shall be used to offset the cost of administering and enforcing Chapters 2 and 3, Title 37 of the 1976 Code and may be applied to the cost of operations. Unexpended balances may be carried forward for the prior fiscal year into the current fiscal year and be utilized for the same purposes.

64.5. (CA: Retention of Fees) For Fiscal Year 2012-13, the department may retain all fees collected pursuant to Sections 39-61-80, 39-61-120, 40-39-120, and 44-79-80 of the 1976 Code. The funds retained shall be utilized to implement the requirements of the programs mandated by those sections of the code.

**SECTION 65 - R36-DEPARTMENT OF LABOR, LICENSING
AND REGULATION**

65.1. (LLR: Fire Marshal - Authorization to Charge Fees for Training) The Fire Academy may charge participants a fee to cover the cost of education, training programs, and operations. The revenue generated may be applied to the cost of operations, and any unexpended balance may be carried forward to the current fiscal year and utilized for the same purposes.

65.2. (LLR: Real Estate - Special Account) Revenue in the Real Estate Appraisal Registry account shall not be subject to fiscal year

**SECTION 65 - R36-DEPARTMENT OF LABOR, LICENSING
AND REGULATION**

limitations and shall carry forward each fiscal year for the designated purpose.

65.3. (LLR: POLA - 10%, Other Funds) The Professional and Occupational Offices in Program II.F. Professional and Occupational Licensing must remit annually an amount equal to 10% of the expenditures to the general fund. The Contractor's Licensing Board must remit all revenues above their expenditures to the general fund. The revenue remitted by the Contractor's Licensing Board to the general fund includes the 10%.

65.4. (LLR: Fire Marshal Fallen Firefighters Memorial) The Department of Labor, Licensing and Regulations - Division of the State Fire Marshal is authorized to accept gifts or grants of services, properties, or monies from individuals or public and private organizations to honor South Carolina firefighters who have died in the line of duty. All excess monies collected to erect a memorial are to be placed in a fund for upkeep and maintenance. Any later contributions are to be used for upkeep and maintenance.

65.5. (LLR: Firefighter Mobilization Project) The Department is directed to utilize \$165,000 of the funds derived under Section 2 of Act 1377 of 1968, as amended by Act 60 of 2001 from the tax of thirty-five one-hundredths percent imposed annually on the gross premium receipts less premiums returned on canceled policy contracts and less dividends and returns of unabsorbed premium deposits of all fire insurance companies doing business in the State to fund the Firefighter Mobilization Project.

65.6. (LLR: Match for Federal Funds) State appropriations to the Department of Labor, Licensing, and Regulation that are required to provide match for federal grant programs in the prior fiscal year may be carried forward into the current fiscal year and expended for the same purpose as originally appropriated.

65.7. (LLR: Flexibility) In order to provide maximum flexibility in absorbing the general fund reductions to the OSHA and OSHA Voluntary Programs, the Department of Labor, Licensing, and Regulation shall be authorized to spend agency earmarked and restricted accounts to maintain these critical programs previously funded with general fund appropriations. Any increase in spending authorization for these purposes must receive the prior approval of the Office of State Budget.

**SECTION 65 - R36-DEPARTMENT OF LABOR, LICENSING
AND REGULATION**

65.8. (LLR: Immigration Bill Funding) Prior to any funds carried forward from the prior fiscal year in Subfund 3135 being transferred to fund any other purpose, \$250,000 must be retained by the Department of Labor, Licensing, and Regulation to fund the department's responsibilities under the South Carolina Illegal Immigration Reform Act. The department shall compile an accountability report outlining expenditures of the Immigration Bill funding to be issued to the President Pro Tempore of the Senate, the Chairman of the Senate Finance Committee, the Chairman of the Senate Finance Natural Resources and Economic Development Subcommittee, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, and the Chairman of the House Ways and Means Transportation and Regulatory Subcommittee. Said report must be issued on the first Tuesday of February 2012.

65.9. (LLR: Authorized Reimbursement) The Director of the Department of Labor, Licensing, and Regulation cannot authorize reimbursement under Section 40-1-50(A) of the 1976 Code to members of any board listed in Section 40-1-40(B) for meetings held at any location other than the offices of the department unless there has been a determination that the department is unable to provide space for the meeting in a state owned or leased facility in Richland or Lexington County.

65.10. (LLR: Illegal Immigration Hotline Assistance) Upon the request of the Commission on Minority Affairs, the Department of Labor, Licensing, and Regulation shall provide assistance to establish and maintain a twenty-four hour toll free telephone number and electronic website to receive, record, collect, and report allegations of violations of federal immigration laws or related provisions of South Carolina law by any non-United States citizen or immigrant, and allegations of violations of any federal immigration laws or related provisions in South Carolina law against any non-United States citizen or immigrant.

Such violations shall include, but are not limited to, E-Verify or other federal work authorization program violations, violations of Chapter 83, Title 40 of the 1976 Code relating to immigration assistance services, or any regulations enacted governing the operation of immigration assistance services, false or fraudulent statements made or documents filed in relation to an immigration matter, as defined by Section 40-83-20, violation of human trafficking laws, as defined in Section 16-3-930, landlord tenant law violations, or violations of any

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law pertaining to the provision or receipt of public assistance benefits or public services.

65.11. (LLR: Board of Pharmacy) The Board of Pharmacy must accept affidavits of practical experience from interns whose practical experience internships occurred in this State. The affidavit must provide that the supervising pharmacist and the site of experience is licensed and in good standing with the board and that the internship falls within the criteria for internships set by the board. The affidavit must be accompanied by a ten dollar fee to cover administrative costs associated with compliance with this proviso.

65.12. (LLR: Office of State Fire Marshal - Clothing) The Department of Labor, Licensing, and Regulation is authorized to purchase and issue clothing to the non-administrative staff of the Office of the State Fire Marshal that are field personnel working in a regulatory aspect and/or certified to be a resident state fire marshal.

65.13. DELETED

SECTION 66 - R40-DEPARTMENT OF MOTOR VEHICLES

66.1. (DMV: Miscellaneous Revenue) Revenue received from the sale of legal manuals and other publications, postal reimbursement, third party commercial driver license testing, photo copying, sale of miscellaneous refuse and recyclable materials, insurance claim receipts, and tuition from non-mandated, advanced, or specialized courses shall be retained by the department and expended in budgeted operations and other related services or programs as the Director of the Department of Motor Vehicles may deem necessary. The Department of Motor Vehicles shall report annually to the General Assembly the amount of miscellaneous revenue retained and carried forward.

66.2. (DMV: Federal, Other Flow Through Funds) In order to complete projects begun in a prior fiscal year, the Department of Motor Vehicles is authorized to expend federal and earmarked funds in the current fiscal year for expenditures incurred in the prior fiscal year.

66.3. (DMV: Publish County DMV Local Telephone Number) From the funds appropriated in Part IA, Section 66 to the Department of Motor Vehicles, it is the intent of the General Assembly that the Department of Motor Vehicles in each county should have a local telephone number that is published.

SECTION 66 - R40-DEPARTMENT OF MOTOR VEHICLES

66.4. (DMV: Cost Recovery Fee/Sale of Photos or Digitized Images) The Department of Motor Vehicles may collect processing fees and fees to recover the costs of the production, purchase, handling and mailing of documents, publications, records and data sets. The amount charged by the Department of Motor Vehicles for any fees collected pursuant to this proviso may not exceed the rates that the department charged as of February 1, 2001. The Department of Motor Vehicles may not sell, provide or otherwise furnish to private parties, copies of photographs, whether digitized or not, taken for the purpose of a driver's license or personal identification card. Photographs and digitized images from a driver's license or personal identification card are not considered public records. Funds derived from these sources shall be retained by the department.

66.5. (DMV: DPPA Compliance Audit) The Department of Motor Vehicles may charge fees to defray the costs associated with auditing and enforcing compliance of all Federal or State statutes and regulations pertaining to personal information for customers receiving information disseminated by the department as allowed by law. This provision does not pertain to state agencies. The Comptroller General shall place the funds into a special restricted account to be used by the department.

66.6. (DMV: Motor Carrier Advisory Committee) From the funds appropriated and/or authorized to the Department of Motor Vehicles, the department is directed to establish a Motor Carrier Advisory Committee to solicit input from the Trucking Industry and other interested parties in developing policies and procedures for the regulation of this industry. The members of the advisory committee shall serve without compensation.

66.7. (DMV: Underutilized Offices) The Director of the Department of Motor Vehicles is authorized to develop and implement a plan to reduce the hours of operation in underutilized DMV field offices; however the legislative delegation of the county in which the affected field office is located must be notified prior to implementation of the plan. In addition, the director shall review field offices which have a high volume of traffic to determine whether it would be beneficial to expand the hours of operation.

**SECTION 67 - R60-DEPARTMENT OF EMPLOYMENT AND
WORKFORCE**

67.1. (DEW: SCOICC User Fee Carry Forward) All user fees collected by the South Carolina Occupational Information Coordinating Committee through the Department of Employment and Workforce may be retained by the SCOICC to be used for the exclusive purpose of operating the South Carolina Occupational Information System. All user fees not expended in the prior fiscal year may be carried forward for use in the current fiscal year.

67.2. (DEW: Consortium Contracts: Training-Development Sessions and Media Services) All earmarked funds collected for the LMI - Training-Development Sessions; Media Services and Program Contracts through the Department of Employment and Workforce may be retained by the agency to be used for the exclusive purpose of operating these programs. All funds not expended in the prior fiscal year may be carried forward for use in the current fiscal year.

67.3. DELETED

67.4. (DEW: Federal and Earmarked Prior Year Payments) The Department of Employment and Workforce shall be allowed to pay federal and earmarked prior year obligations with current year funds.

67.5. (DEW: WIA Prior Year Payments) The Department of Employment and Workforce shall be allowed to pay Workforce Investment Act prior-year obligations with current year funds.

67.6. (DEW: Transparency of Funding Appropriation) In order to promote accountability and transparency, the Department of Employment and Workforce must provide and release to the public via the agency's website, a report of all aggregate amounts of taxes, fees and payments that were charged, collected and paid by that state agency in the prior fiscal year. The report shall include, but not be limited to: (1) SUTA taxes collected per Tier; (2) unemployment benefit claims paid; (3) how many unemployment claims were made in error; (4) loan repayments made to the federal government; and (5) the amount of funds left in the agency's account at the end of the fiscal year. The report must be posted online by September first of the current fiscal year. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first. Funds appropriated to and/or authorized for use by the department shall be used to accomplish this directive.

**SECTION 67 - R60-DEPARTMENT OF EMPLOYMENT AND
WORKFORCE**

67.7. (DEW: SUTA Contingency Assessment Funds) Thirty percent of the funds appropriated through the contingency assessment funds collected on taxable wages paid by employers shall be spent on enforcement of Section 41-35-110(3) and Section 41-35-120(5) of the 1976 Code, via Eligibility Reviews, Random Verification of Job Contacts and Wage Cross Matches during those weeks covered by the South Carolina State Unemployment Tax Authority (SUTA), and to ensure seated meetings with Unemployment Insurance claimants and requiring that one of the four job search contacts required per week be conducted through SC Works Online System (SCWOS), so that it can be electronically verified. The agency must also inform claimants in advance that Eligibility Reviews and Random Verification of Job Contacts will be used by the Department to verify compliance with laws administered by the agency.

67.8. (DEW: Negotiation of Interest) By October 1, 2012, the Department of Employment and Workforce must develop and implement a plan to seek a waiver of interest on the state's FUA loan debt in order to mitigate the impact of the interest payments on South Carolina employers.

***67.9. (DEW: Benefit Amount) Section 41-31-20(A) of the 1976 Code is suspended. In the current fiscal year, the department shall maintain a separate account for each employer and shall accurately record the data used to determine an employer's experience for the purpose of rate assignments. Nothing in Chapters 27 through 41 of this title shall be construed to grant any employer or individual in his service prior claims or rights to the amounts paid by him into the fund either on his behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged proportionally, in the amounts provided in Chapters 27 through 41 of this title, against the accounts of his four most recent employers. No employer shall be deemed as one of the individual's four most recent employers for the purpose of this section unless the eligible person to whom benefits are paid earned wages in the employ of the employer equal to at least eight times the weekly benefit amount of the eligible claimant.**

* See note at end of Act.

SECTION 68A - U12-DEPARTMENT OF TRANSPORTATION

68A.1. (DOT: Expenditure Authority Limitation) The Department of Transportation is hereby authorized to expend all cash balances brought forward from the previous year and all income including all federal funds, unexpended general funds and proceeds from bond sales accruing to the Department of Transportation, but in no case shall the expenditures of the Department of Transportation exceed the amount of cash balances brought forward from the preceding year plus the amount of all income including federal funds, general funds and proceeds from bond sales.

68A.2. (DOT: Special Fund Authorization) The Department of Transportation with the approval of the State Treasurer, is hereby authorized to set up with the State Treasurer such special funds out of the Department of Transportation funds as may be deemed advisable for proper accounting purposes.

68A.3. (DOT: Secure Bonds & Insurance) The Department of Transportation is hereby authorized to secure bonds and insurance covering such activities of the department as may be deemed proper and advisable, due consideration being given to the security offered and the service of claims.

68A.4. (DOT: Benefits) Employees of the Department of Transportation shall receive equal compensation increases, health insurance benefits and employee bonuses provided in this act for employees of the State generally. The amount will be funded from Department of Transportation funding sources.

68A.5. (DOT: Document Fees) The Department of Transportation is hereby authorized to establish an appropriate schedule of fees to be charged for copies of records, lists, bidder's proposals, plans, maps, etc. based upon approximate actual costs and handling costs of producing such copies, lists, bidder's proposals, plans, maps, etc.

68A.6. DELETED

68A.7. (DOT: Meals in Emergency Operations) The Department of Transportation may provide meals to employees of the department who are not permitted to leave assigned duty stations and are required to work during deployment, emergency simulation exercises, and when the Governor declares a state of emergency.

68A.8. (DOT: Rest Area Water Rates) For the current fiscal year, rest areas of the Department of Transportation shall be charged in-district water rates by providers of water and sewer services, unless the rate currently charged by the provider is less than in-district rates.

SECTION 68A - U12-DEPARTMENT OF TRANSPORTATION

68A.9. (DOT: Shop Road Farmers Market Bypass Carry Forward) Unexpended funds appropriated for the Shop Road Farmers Market Bypass may be carried forward into the current fiscal year and expended for the matching requirement for the widening and expansion of Leesburg Road from Fairmont to Wildcat Road (Lower Richland roads-Phase I).

68A.10. (DOT: Utilities Relocation) (A) From the funds appropriated to the Department of Transportation, there is established the Utilities Relocation Study Committee to review, study, and make recommendations concerning the need for improved coordination and funding of the relocation of water and sewer facilities, and the facilities of public utilities as defined in Title 58 of the 1976 Code, located within the public rights-of-way when such relocation is required due to the construction or improvement of roads and bridges in the state.

(B) The Utilities Relocation Study Committee is to:

(1) identify and categorize a statewide estimate of the historical, current and anticipated costs associated with the relocation of water and sewer and public utilities inside and outside the rights-of-way owned by state agencies, counties, municipalities, or local water or sewer districts resulting from highway projects;

(2) determine as accurately as possible the percentage of the statewide cost estimate attributable to South Carolina Department of Transportation projects, State Transportation Infrastructure Bank projects, local-option sales tax projects involving state roads, local road projects, and County Transportation Committee projects;

(3) identify potential sources of sustainable funds that may be used by state agencies, counties, municipalities, local water or sewer districts, or public utilities for utility relocation costs including, but not limited to, existing state and federal loan and grant programs, appropriations from the state general fund, contributions from public utilities, and other sustainable sources;

(4) identify any legal obstacles that impact the ability of state agencies, counties, municipalities, or local water or sewer districts to fund the relocation of utilities;

(5) investigate the creation of a utilities relocation trust fund to assist in relocation costs either through loans, grants, matching funds, or other means, and recommend the appropriate entity to house and administer the trust fund, the terms and conditions under which funding might be provided, and the general criteria used for evaluating funding applications;

SECTION 68A - U12-DEPARTMENT OF TRANSPORTATION

(6) identify ways to improve coordination and reduce impacts through the use of communication, technology and improved management techniques; and

(7) recommend changes to public policy, regulations, or statutes that would improve funding or reduce costs associated with utility relocations resulting from road and bridge projects.

(C) The Utilities Relocation Study Committee must be composed of fifteen members. Notwithstanding the provisions of Section 8-13-770, the committee is composed of:

(1) one member appointed by the President Pro Tempore of the Senate;

(2) one member appointed by the Speaker of the House of Representatives;

(3) one member appointed by the Majority Leader of the Senate;

(4) one member appointed by the Majority Leader of the House of Representatives;

(5) one member appointed by the Minority Leader of the Senate;

(6) one member appointed by the Minority Leader of the House of Representatives;

(7) one member appointed by the Governor;

(8) the Secretary of Transportation, or his designee;

(9) the Chairman of the South Carolina Department of Transportation Commission, or his designee;

(10) one member representing the South Carolina Rural Water Association;

(11) one member representing the Water Utility Council of South Carolina;

(12) one member representing the South Carolina Water Quality Association;

(13) one member representing the Municipal Association of South Carolina;

(14) one member representing the South Carolina Association of Counties; and

(15) one member representing the South Carolina Association of Special Purpose Districts.

(D) The members of the study committee shall serve without compensation and may not receive mileage or per diem.

SECTION 68A - U12-DEPARTMENT OF TRANSPORTATION

(E) The Utilities Relocation Study Committee shall make a report of its findings and recommendations to the General Assembly no later than June 30, 2013, at which time the study committee terminates.

SECTION 68D - U30 - DIVISION OF AERONAUTICS

68D.1. (AERO: Reimbursement for Services Carry Forward) The Division of Aeronautics may retain and expend reimbursements derived from charges to other government agencies for service and supplies for operating purposes and that a reserve not to exceed \$300,000 may be carried forward to the current fiscal year for the replacement of time limit aircraft components.

68D.2. (AERO: Office Space Rental) Revenue received from rental of Division of Aeronautics office space may be retained and expended to cover the cost of building operations.

68D.3. (AERO: Funding Sequence) All General Aviation Airports will receive funding prior to the four air carrier airports (i.e. Columbia, Charleston, Greenville-Spartanburg, Myrtle Beach Jetport) as these qualify for special funding under the DOT/FAA appropriations based on enplanements in South Carolina. This policy may be waived to provide matching state funds for critical FAA safety or capacity projects at air carrier airports.

68D.4. (AERO: Hangar/Parking Facilities) The Division of Aeronautics will provide hangar/parking facilities for government owned and/or operated aircraft on a first come basis. Funds shall be retained by the division for the purpose of hangar and parking facility maintenance. The Hangar Fee Schedule shall be determined by the division and shall not exceed local average market rates.

Personnel from the agencies owning and/or operating aircraft will be responsible for ground movement of their aircraft.

68D.5. (AERO: Airport Development) Any line item appropriation for airports shall be disbursed for eligible airport development items as approved by the Aeronautics Commission.

68D.6. (AERO: Grant Funds Carry Forward) Any unexpended balance on June thirtieth, of the prior fiscal year, for Matching National Grant Funds, may be carried forward to the current fiscal year and used for matching committed and/or unanticipated grant funds.

68D.7. DELETED

68D.8. (AERO: Aviation Grants) The funds appropriated for Aviation Grants, in this bill or any bill supplemental thereto, shall be

SECTION 68D - U30 - DIVISION OF AERONAUTICS

credited to the State Aviation Fund within the Division of Aeronautics for the following purposes:

- (1) to allow the maximization of grant funds available through the Federal Aviation Administration for capital improvement projects;
- (2) for maintenance projects of general aviation airports; and or
- (3) for aviation education related programs including, but not limited to, educating young people about careers in the aviation industry and/or the promotion of aviation in general.

Sponsors of publicly owned airports for public use are eligible to receive grants pursuant to this provision, but the airport must have a current development plan that meets the planning requirements of the National Plan of Integrated Airports Systems.

The Aeronautics Commission shall promulgate regulations establishing the grants program that, at a minimum, address: (1) priorities among improvements qualifying for grants; (2) an airport selection process to ensure an equitable distribution of funds among eligible airports; and (3) the criteria for distribution of funds among eligible airports.

Enabling airport sponsors to meet basic Federal Aviation Administration safety guidelines for obstruction clearance must be a major factor in the priority guidelines established by the Aeronautics Commission pursuant to this provision. The Commission also shall have discretion consistent with Section 55-5-170 of the 1976 Code to establish a program to grant Aviation Fund dollars for these purposes at the ratio of eighty percent from the fund to twenty percent from the local airport sponsor, or any ratio with a smaller relative contribution from the fund.

A report on the expenditure of these funds shall be submitted to the Senate Finance Committee and the House Ways and Means Committee.

Unspent funds from the prior fiscal year may be carried forward to the current fiscal year and spent for like purposes.

68D.9. (AERO: Grant Match Funds) The funds appropriated to the Division of Aeronautics for FAA grant matching, may be used to match state and local aviation airports projects whether or not they have received FAA funding. Any funds must be approved by the Aeronautics Commission prior to being awarded.

68D.10. DELETED

SECTION 69 - Y14-STATE PORTS AUTHORITY

69.1. (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, 2012, pay to the State Transportation Infrastructure Bank one million dollars before June 30, 2013, to continue the Charleston Cooper River Bridge Project.

69.2. (SPA: Georgetown Port Marketing) The State Ports Authority will continue its cargo diversification strategy which enhances the marketing of all terminal capabilities in Charleston and Georgetown highlighting cruise, breakbulk, bulk, and roll on/roll-off.

69.3. (SPA: Harbor Deepening Reserve Fund) There is created within the State Ports Authority the Harbor Deepening Reserve Fund. This fund shall be separate and distinct from the General Fund and interest accrued by the fund must remain in the fund. This fund must be used exclusively by the South Carolina Ports Authority for the activities associated with deepening the state's harbors. Prior to expending any amount from the fund, the State Ports Authority must present a comprehensive plan for the use of the fund for harbor deepening to the Joint Bond Review Committee for review and comment. These funds shall be carried forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.

***69.4.** *(SPA: Joint Project Office Funding Approval) The State Ports Authority may not utilize any source of funds at its disposal in order to expend, allocate, or approve any monies to be provided to the Joint Project Office unless at least a majority of the members of the South Carolina Delegation on the Joint Project Office vote in favor of the action requiring such expenditure, appropriation, allocation, or approval.*

***69.5.** *(SPA: Dredge Disposal Material) The State Ports Authority may not utilize any source of funds at its disposal in order to expend, allocate, or approve any monies to be provided to the Joint Project Office for any project related to the placement of dredge disposal material or any project related to facilitating the placement of dredge disposal material unless (1) the Savannah River Maritime Commission first finds that the expenditure is necessary to facilitate a high priority project for the State and that the dredge material is derived from a project that is being undertaken within the parameters of any permit issued by the commission and (2) at least a majority of*

* See note at end of Act.

SECTION 69 - Y14-STATE PORTS AUTHORITY

the members of the South Carolina Delegation on the Joint Project Office vote in favor of the action requiring the expenditure.

SECTION 70 - A99-LEGISLATIVE DEPARTMENT

70.1. (LEG: Legislative Employee Designations) The positions included in this section designated (P) shall denote a permanent employee and the salary is an annual rate. The positions designated (T) shall denote a temporary employee and the salary is for a period of six months to be paid at that rate only while the General Assembly is in session. The positions designated as (Interim) shall denote a temporary employee and the salary is for a period of six months to be paid at that rate while the General Assembly is not in session. The positions designated (PTT) shall denote part-time temporary employees on a twelve-months basis. The positions designated (PPT) shall denote permanent part-time employees retained for full-time work for a period of months or the duration of the legislative session. The House of Representatives shall maintain an internal record denoting permanent, temporary, interim, part-time temporary, and permanent part-time employees.

70.2. (LEG: Legislative Employee BPI/Merit) Legislative employees designated (P) or (PPT) shall receive base pay and average merit pay in the same manner as such pay is granted to classified state employees, but for purposes of this paragraph, the term "legislative employees" does not include employees of the House of Representatives. From the funds appropriated for Employee Pay Increases, the Speaker of the House and the President Pro-Tem of the Senate shall determine the amount necessary for compensation of the employees of the House and Senate.

70.3. (LEG: Interim Expenses Allowance) The Chairman of the Standing House and Senate Committees shall each be allowed the sum of six hundred and fifty dollars for expenses during the interim, between sessions of the General Assembly, to be paid from the House or Senate approved accounts, with each body paying the expense allowance of the chairman in its membership. The Speaker of the House is authorized to approve not more than six hundred and fifty dollars for expenses during the interim for Chairmen of the Standing Committees of the House.

70.4. (LEG: Subsistence/Travel Regulations) (A) Members of the General Assembly shall receive subsistence for each legislative day

SECTION 70 - A99-LEGISLATIVE DEPARTMENT

that the respective body is in session and in any other instance in which a member is allowed subsistence expense. No member of the General Assembly except those present are eligible for subsistence on that day. Legislative day is defined as those days commencing on the regular annual convening day of the General Assembly and continuing through the day of adjournment sine die, excluding Friday, Saturday, Sunday, and Monday.

(B) Standing Committees of the Senate and House of Representatives are authorized to continue work during the interim; however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the members of the General Assembly shall not be paid the per diem authorized in this provision. When certified by the Speaker of the House, President Pro Tempore of the Senate, or Standing Committee Chairman, the members serving on such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for allowances specified in this proviso shall be paid to the members of the Senate or House of Representatives from the Approved Accounts of the respective body except as otherwise may be provided.

(C) Joint Study Committees created pursuant to Acts and Resolutions of the General Assembly are authorized to continue work during the interim to secure such information and complete such investigations as may be assigned to the respective committees; however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the House and Senate members of the Joint Study Committee shall not be paid the per diem authorized in this provision. When certified by the appropriate authority, the members appointed to such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The

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allowances specified in this proviso shall be paid from funds appropriated to the respective committees for such purposes, or from Approved Accounts of the respective body of the General Assembly if no funds have been appropriated to such a committee for these purposes.

(D) Members of the Senate and the House of Representatives when traveling on official State business shall be allowed a subsistence and transportation expenses as provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees upon approval of the appropriate chairman. When traveling on official business of the Senate or the House of Representatives not directly associated with a committee of the General Assembly, members shall be paid the same allowance upon approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives. In either instance, the members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for the allowances specified in this proviso shall be paid from the Approved Accounts of the Senate or the House of Representatives or from the appropriate account of the agency, board, commission, task force or committee upon which the member serves.

(E) Members of the House of Representatives shall not be reimbursed for per diem, subsistence, or travel in connection with any function held outside of the regular session of the General Assembly unless prior approval has been received from the Speaker of the House.

(F) Notwithstanding any other provision of law, subsistence and mileage reimbursement for members of the General Assembly shall not exceed the level authorized by the Internal Revenue Service as of June 30, 2008 for the Columbia area.

70.5. (LEG: Senate Voucher Approval) All payroll vouchers, disbursement vouchers, and interdepartmental transfers of the Senate shall only require the approval of the Clerk of the Senate.

70.6. (LEG: Supplies Approval) All supplies for the Senate shall be purchased only upon the authority of the Clerk of the Senate and all supplies for the House of Representatives shall be purchased only upon the authority of the Clerk of the House.

70.7. (LEG: House Pages) Up to one hundred forty-four Pages may be appointed pursuant to House policies and procedures and they shall be available for any necessary service to the House of Representatives.

70.8. DELETED

SECTION 70 - A99-LEGISLATIVE DEPARTMENT

70.9. (LEG: Senate Research Personnel Compensation) Senate Research personnel other than Directors of Research and the committee research staff shall be paid from funds appropriated for Senate Research at the direction of the Clerk of the Senate.

70.10. (LEG: Contract for Services) The Standing Committees of the Senate may, upon approval of the President Pro Tempore, contract with state agencies and other entities for such projects, programs, and services as may be necessary to the work of the respective committees. Any such projects, programs, or services shall be paid from funds appropriated for contractual services.

70.11. (LEG: Jt. Leg. Committee Operational Authorization) Only the Joint Legislative Committees for which funding is provided herein are authorized to continue operating during the current fiscal year under the same laws, resolutions, rules or regulations which provided for their operations during the prior fiscal year.

70.12. (LEG: Legislative Carry Forward) In addition to the funds appropriated in this section, the funds appropriated under Part IA, Sections 70A, 70B, 70C, 70D, and 70E for the prior fiscal year which are not expended during that fiscal year may be carried forward to be expended for the same purposes in the current fiscal year.

70.13. (LEG: Senate Expenditures/O&M Committee) Notwithstanding any limitation or other provisions of law to the contrary, funds expended by the Senate for salary adjustments, professional fees and dues, and necessary expenses, supplies, and equipment for Senate employees, must be paid from funds appropriated to the Senate Operations and Management Committee and funds available in approved accounts of the Senate, and shall be authorized and allocated in such manner as determined by the Senate Operations and Management Committee. From the funds annually allocated to each Senator and Representative for postage and telephone, \$250 may be used to purchase American and State flags.

70.14. (LEG: In-District Compensation) All members of the General Assembly shall receive an in-district compensation of \$1,000 per month effective January 1, 1995.

70.15. (LEG: Additional House Support Personnel) From the funds appropriated to the House of Representatives in Part IA, \$287,500 shall be dedicated for the administration and operation of the Legislative Aide program pursuant to the policies and procedures as determined by the House Operations and Management Committee.

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70.16. (LEG: House Postage) The Speaker of the House is authorized to approve no more than \$600 per member per fiscal year for postage.

70.17. (LEG: Legislative Dual Employment) Each committee and joint legislative committee provide a list to the members of the General Assembly of all employees who hold dual positions of state employment.

70.18. DELETED

70.19. (LEG: Code of Law Reimbursement) The Legislative Council may require reimbursement from public sector recipients except for the General Assembly of its cost of acquiring codes of law, supplements, or replacement volumes distributed to them.

70.20. (LEG: Bonded Indebtedness Oversight Study) The Senate Finance Committee shall undertake a study of the state's processes for oversight of bonded indebtedness. Funds provided herein for this purpose shall be used to enable the committee to obtain assistance and expertise as necessary to fully evaluate the processes. The Chairman of the Senate Finance Committee may engage consultants or experts in the field of bond financing or in other fields of expertise as necessary to provide the committee with timely and accurate information.

70.21. DELETED

70.22. (LEG: Statewide Acts Availability) From the funds appropriated in Part IA, Section 70D of this Act, for the current fiscal year the clerks of the House of Representatives and the Senate are to make all statewide Acts available to the public electronically. The provisions of this section are in lieu of the House and Senate Clerks' duties related to the printing and mailing of acts as set forth in Sections 2-7-80, 2-13-190, 2-13-210, and 11-25-640 through 11-25-680 of the 1976 Code.

70.23. (LEG: LAC Matching Federal Funds) The Legislative Audit Council is authorized to use funds appropriated in this act as state matching funds for federal funds available for audits and reviews. The council is also authorized to charge state agencies for federal funds, if available, for the costs associated with audits and reviews. Agencies shall remit the federal funds to the Legislative Audit Council as reimbursement for the costs of audits and reviews.

70.24. (LEG: Other Funds Oversight Committee) There is created a joint committee of the Senate and of the House of Representatives entitled the Other Funds Oversight Committee. The committee shall consist of eight members as follows: the Chairman of the Senate

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Finance Committee, or his designee; one member of the Senate Finance Committee appointed by the Chairman of the Senate Finance Committee; the Chairman of the House of Representatives Ways and Means Committee, or his designee; one member of the House Ways and Means Committee appointed by the Chairman of the House Ways and Means Committee; the Senate Majority Leader, or his designee; the Senate Minority Leader, or his designee; the House Majority Leader, or his designee; and the House Minority Leader, or his designee.

The committee shall review and examine the source of other funds in this State and recommend to the General Assembly the appropriate policy for the receipt, appropriation, expenditure, and reporting of other funds. In making its determination, the committee shall solicit and receive testimony from state agencies, departments, boards or commissions regarding the status of the receipt of other funds, the conditions of receipt, the expenditure of other funds, and any relevant statistic or measurement. The committee shall make recommendations to the General Assembly regarding any necessary action.

Each state agency, department, board, or commission shall cooperate with the committee and provide any information the committee determines is necessary.

The Office of State Budget must notify the committee of any request for an increase in interim budget authorization resulting from other funds collections that is made by any state agency, department, board, or commission. The committee shall review each request and recommend appropriate action.

Members of the committee shall serve without compensation, but are allowed the usual per diem and mileage as provided by law for members of boards, commissions, and committees while on official business.

For purposes of the proviso, 'other funds' means any revenues received by an agency which are not federal funds and are not general funds appropriated by the General Assembly in the appropriations act.

70.25. (LEG: Suspend LAC Evaluation) For Fiscal Year 2012-13, the provisions of Section 43-5-1285 of the 1976 Code are suspended. Any savings generated by the suspension of the evaluation of the South Carolina Family Independence Act of 1995 shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

70.26. (LEG: DMV Audit Review) For Fiscal Year 2012-13, the provisions of Section 56-1-5(F) are suspended. Any savings generated

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by not conducting the review shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

70.27. (LEG: Electronic Correspondence) For Fiscal Year 2012-13, the House of Representatives may not expend any funds for the printing or mailing of bills, summaries, committee agendas, etc. to committee members. The House of Representatives shall send all relevant information concerning committee meetings to committee members via electronic means.

70.28. DELETED

70.29. (LEG: Teacher Salary Study Committee) There is created the Joint Teacher Salary Study Committee. The committee shall examine the current teacher salary schedule; its relationship to the Education Finance Act, the Education Improvement Act and its relationship to a district's ability to hire and retain quality teachers. The committee will examine potential changes to the salary schedule that may include a pay for performance model, step increases, frozen salary schedules, National Board Certification Incentive, or anything else related to teacher salaries.

The committee shall be composed of eight members, which shall be appointed as follows:

The committee shall consist of eight members as follows: one member of the Senate appointed by the Chairman of the Senate Finance Committee; one member of the Senate appointed by the Chairman of the Senate Education Committee; one member of the House of Representatives appointed by the Chairman of the House Ways and Means Committee; one member of the House of Representatives appointed by the Chairman of the House Education and Public Works Committee; two members of the Senate to be appointed by the President Pro Tempore of the Senate and two members of the House of Representatives to be appointed by the Speaker of the House. The members shall elect a chairman at the first meeting of the committee.

No later than December 1, 2012, the committee shall prepare and deliver a report and recommendation to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of House Education and Public Works Committee.

Staff will be provided by the House Ways and Means Committee and Senate Finance Committee. Members of the study committee shall serve without compensation for per diem, mileage, and subsistence.

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70.30. DELETED

70.31. DELETED

**** 70.32. (LEG: EOC Efficiency Review) Funds appropriated to the Education Oversight Committee for the School District Efficiency Review Pilot Program shall be used to review certain school districts' central operations with a focus on non-instructional expenditures so as to identify opportunities to improve operational efficiencies and reduce costs for the district. The Education Oversight Committee shall make the school districts aware of the pilot program, and accept applications to participate in the program. In the current fiscal year, the Education Oversight Committee shall select at least three applicant school districts to participate. The Education Oversight Committee may contract with an independent entity to perform the review. The review shall include, but not be limited to, examinations of (i) overhead, (ii) human resources, (iii) procurement, (iv) facilities use and management, (v) financial management, (vi) transportation, (vii) technology planning, and (viii) energy management. The review shall not address the effectiveness of the educational services being delivered by the district. The review shall be completed no later than June 30, 2013. Upon completion, the Education Oversight Committee shall submit a report to the Chairman of the Senate Finance Committee, Chairman of the Senate Education Committee, Chairman of the House Ways and Means Committee, Chairman of the House Education and Public Works Committee, and the Governor detailing the findings of the review including the estimated savings that could be achieved, the manner in which the savings could be achieved, and the districts' plan for implementation of the recommendations. Unexpended funds appropriated for this purpose may be carried forward from the prior fiscal year into the current fiscal year and expended for the same purpose.**

SECTION 71 - C05-ADMINISTRATIVE LAW COURT

71.1. (ALC: Copying Costs Revenue Deposit) The Administrative Law Court shall retain and expend, for the same purpose for which it is generated, all revenue received during the current fiscal year as payment for printing and distributing copies of court rules and other agency documents.

** See note at end of Act.

SECTION 71 - C05-ADMINISTRATIVE LAW COURT

71.2. (ALC: County Office Space for Judges) Every county shall provide for each Administrative Law Judge residing therein, upon their request, an office within the existing physical facilities if space is available, to include all utilities and a private telephone. The request shall only be made provided that the judge's residence is not within fifty miles of the official headquarters of the agency by which the Administrative Law Judge is employed.

71.3. (ALC: ALJ Travel) While holding court or on other official business outside the county in which he resides, within fifty miles of his residence, an Administrative Law Judge is entitled to a subsistence allowance in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a location fifty miles or more from his residence, an Administrative Law Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State. However, notwithstanding any other provision of law, the allowance as provided shall not exceed \$8,000 per judge in a fiscal year.

SECTION 72 - D21-OFFICE OF THE GOVERNOR

72.1. (GOV: OEPP - Grant Funds Carry Forward) Any unexpended balance on June thirtieth, of the prior fiscal year, in Part IA, Section 72B "Implementing Federal Programs" may be carried forward to the current fiscal year and used for matching committed and/or unanticipated grant funds.

72.2. (GOV: OEPP - Development Disabilities Case Coordination System) Of the funds appropriated to the Governor's Office of Executive Policy and Programs, \$50,000 must be used as state match for the Developmental Disabilities Council federal grant. These funds shall be excluded from the Governor's Office of Executive Policy and Programs' base budget calculation of any across-the-board agency base reductions mandated by the Budget and Control Board or General Assembly.

72.3. (GOV: OEPP - CCRS Evaluations & Placements) The amount appropriated in this section under Special Items Children's Case Resolution System for Private Placement of Handicapped School-Age Children must be used for expenses incurred in the evaluation of children referred to the CCRS to facilitate appropriate placement and to

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pay up to forty percent when placement is made in-state and up to thirty percent when placement must be made out-of-state of the excess cost of private placement over and above one-per-pupil share of state and local funds generated by the Education Finance Act, and the one-per-pupil share of applicable federal funds; provided it has been established that all other possible public placements are exhausted or inappropriate. The balance of funding responsibility necessary to provide the child with services must be determined by the Children's Case Resolution System (CCRS) and apportioned among the appropriate public agencies on the basis of the reasons for the private placement. When the amount appropriated in this section is exhausted, the funding responsibility must be apportioned according to the procedures of the CCRS.

72.4. (GOV: OEPP - CCRS Significant Fiscal Impact) In accordance with Section 20-7-5240(e) of the 1976 Code, "significant fiscal impact" in the current fiscal year shall be defined for each designated agency as the greater of (1) funds appropriated by the General Assembly for the current fiscal year on cases referred to, decided or placed through the Children's Case Resolution System or (2) that agency's assigned shares in the current fiscal year of five cases decided by the Children's Case Resolution System.

72.5. (GOV: Governor's Office Budget) All other provisions of law notwithstanding, the Executive Control of State section and Mansion and Grounds section shall be treated as a single budget section for the purpose of transfers and budget reconciliation.

72.6. DELETED

72.7. DELETED

72.8. DELETED

72.9. (GOV: OEPP - Victim/Witness Program Formula Distribution) If funds in the South Carolina Victims' Compensation Fund exceed the amount required to operate the State Office of Victims Assistance and pay claims of crime victims the first \$650,000 of such excess must be used for Victim/Witness programs by distribution to Judicial Circuits based on a formula and criteria developed by the policy committee, and otherwise subject to requirements of Section 72.7 and 72.9.

72.10. (GOV: OEPP - Physical Abuse Examinations) Of the funds appropriated in this section for Victims' Rights, up to \$120,000 may be expended for physical abuse examinations.

72.11. (GOV: OEPP - Foster Care-Private Foster Care Reviews) The Division of Foster Care is authorized to restructure its programs,

SECTION 72 - D21-OFFICE OF THE GOVERNOR

including but not limited to, suspending reviews of children privately placed in private foster care and/or changing the location of reviews of children in public foster care, to maintain continuous operations within existing resources as dictated by recent budget reductions. These decisions must be based upon the availability of existing funds. This provision supersedes any previous statutory or regulatory mandate.

72.12. (GOV: M&G - Mansion and Grounds Budget) The Governor's Office of Mansion and Grounds shall not exceed ten percent of its quarterly allocation of funds so as to provide for agency operations on a uniform basis throughout the fiscal year.

72.13. (GOV: OEPP - Guardian Ad Litem Program) Both the program and the funds appropriated to the Governor's Office, Division of Children's Services, Guardian ad Litem Program must be administered separately from other programs within the Division of Children's Services and must be expended for the exclusive use of the Guardian ad Litem Program.

For the current fiscal year, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by two percentage points. The revenue resulting from this reduction must be used exclusively for operations of the Guardian ad Litem program and be deposited in the State Treasury in a separate and distinct fund know as the "South Carolina Guardian ad Litem Trust Fund. Unexpended revenues in this fund carry forward to succeeding fiscal years, and earnings in this fund must be credited to it. The Guardian ad Litem program may carry forward the other funds authorized herein for its operations from the prior fiscal year into the current fiscal year.

72.14. (GOV: OEPP - Continuum of Care Carry Forward) The Division of Continuum of Care may carry forward funds appropriated herein to continue services.

72.15. (GOV: OEPP - Procuring Services) In order to maximize services for victims of crime, if the fulfilling of requirements pursuant to Section 16-3-1410 of the 1976 Code, necessitates hiring any outside entities, the State Office of Victims' Assistance must follow procedures established by the SC Consolidated Procurement Code. Any entity contracting with the agency will submit an annual report by August 1 to the Governor's Office and to the Chairmen of the Senate Finance Committee and House Ways and Means Committee detailing expenditures from the prior fiscal year in accordance with the State Office of Victims' Assistance. The Governor's Office of Executive Policy and Programs is directed to transfer \$122,032 of the funds

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carried forward from the prior fiscal year in the Victims' Compensation Fund, and up to \$41,892 from general funds from Program III.A.1 to pay for any contracts or services procured.

72.16. (GOV: OEPP - M.J. "Dolly" Cooper Veterans Cemetery Carry Forward) The Governor's Office of Executive Policy and Programs, Veterans' Affairs Program may carry forward unexpended funds appropriated and/or authorized for the M.J. "Dolly" Cooper Veterans Cemetery from the prior fiscal year and shall use such funds for the same purpose. In addition, any unexpended funds in the Veterans' Affairs Program, including Special Line Items, shall be carried forward from the prior fiscal year into the current fiscal year and used for operation of the M.J. "Dolly" Cooper Veterans Cemetery. Funds carried forward in excess of the amount needed for the operation of the Cemetery may be used for other expenses of the Veterans' Affairs Program. Funds carried forward may not be transferred to any other Governor's Office programs.

72.17. (GOV: M&G - Mansion and Grounds Maintenance and Complex Facilities) Revenue collected from rental of Mansion Complex facilities and grounds must be retained and expended by the Governor's Office, Mansion and Grounds to support its operations. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and be utilized for the same purposes.

72.18. (GOV: OEPP - Crime Victims Ombudsman) For the current fiscal year, the State Office of Victims Assistance shall transfer \$71,000 to the Crime Victims Ombudsman's Office to be used for administrative and operational support.

72.19. (GOV: OEPP - Veterans' Affairs Budget Reduction Exemption) Funds appropriated for the Veterans' Affairs Program shall be excluded from the Governor's Office of Executive Policy and Programs base budget in the calculation of any across-the-board agency base reductions mandated by the Budget and Control Board or General Assembly.

72.20. (GOV: Use of Funds Report) In order to ensure transparency and accountability, the Governor's Office of Executive Control of State shall report quarterly to the Senate Finance Committee and House Ways and Means Committee on financial transactions that have taken place between Executive Control of State, Office of Executive Policy and Programs, and Mansion and Grounds. These transactions shall include, but are not limited to, any transfer of funds or payments or reimbursements for services rendered. For each transfer, payment, or reimbursement the report must specify the amount, the reason for, or

SECTION 72 - D21-OFFICE OF THE GOVERNOR

circumstance that necessitated the transaction, and the source of funds used. In the event federal or other funds were utilized, the source from which the revenue was generated must also be included. The report must be submitted as soon after the end of each quarter as practicable.

72.21. DELETED

SECTION 73 - E04-OFFICE OF THE LIEUTENANT GOVERNOR

73.1. (LTG: State Matching Funds Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of the required state matching funds appropriated in Part IA, Section 73, Distribution to Subdivisions, shall be carried forward into the current fiscal year to be used as required state match for federal funds awarded to subdivisions on or before September thirtieth of the current fiscal year.

73.2. (LTG: State Match Funding Formula) Of the state funds appropriated under "Distribution to Subdivisions", the first allocation by the Office on Aging shall be for the provision of required State matching funds according to the Office on Aging formula for distributing Older Americans Act funds. The balance of this item shall be distributed to the planning and service areas of the State. In the event state appropriations are reduced, reductions to the planning and service areas shall be based on amounts distributed in accordance with the previous requirements.

73.3. (LTG: Registration Fees) The Office on Aging is authorized to receive and expend registration fees for educational, training and certification programs.

73.4. (LTG: Loan Forgiveness Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated in Part IA, Section 73, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.

73.5. (LTG: Council Meeting Requirements) The duties and responsibilities, including the statutory requirement to hold meetings of the Coordinating Council established pursuant to Section 43-21-120 and of the Long Term Care Council established pursuant to Section 43-21-130, both under the Office on Aging in the Office of the Lieutenant Governor, are suspended for the current fiscal year.

**SECTION 73 - E04-OFFICE OF THE LIEUTENANT
GOVERNOR**

73.6. (LTG: Home and Community Based Services Carry Forward) Unexpended funds from appropriations to the Lieutenant Governor's Office on Aging for Home and Community Based Services shall be carried forward from the prior fiscal year and used for the same purpose.

73.7. (LTG: Geriatric Loan Forgiveness Program Payment) In lieu of quarterly payments to a recipient of the Geriatric Loan Forgiveness Program, the Lieutenant Governor's Office on Aging is authorized to make a single lump sum payment to the lending institution of up to \$35,000 or the loan balance, whichever is less.

SECTION 74 - E08-OFFICE OF SECRETARY OF STATE

74.1. (SS: UCC Filing Fees) Revenues from the fees raised pursuant to Section 36-9-525(a), not to exceed \$180,000, may be retained by the Secretary of State for purposes of UCC administration.

SECTION 75 - E12-OFFICE OF COMPTROLLER GENERAL

75.1. (CG: Signature Authorization) The Comptroller General is hereby authorized to designate certain employees to sign, in his stead, warrants drawn against the State Treasurer and the State Treasurer is hereby authorized to accept such signatures when notified by the Comptroller General. This provision shall in no way relieve the Comptroller General of responsibility.

75.2. (CG: GAAP Implementation & Refinement) It is the intent of the General Assembly that the State of South Carolina issue financial statements in conformance with Generally Accepted Accounting Principles (GAAP). To this end, the Comptroller General is directed, as the State Accounting Officer, to maintain a Statewide Accounting and Reporting System that will result in proper authorization and control of agency expenditures, including payroll transactions, and in the preparation and issuance of the official financial reports for the State of South Carolina. Under the oversight of the General Assembly, the Comptroller General is given full power and authority to issue accounting policy directives to state agencies in order to comply with GAAP. The Comptroller General is also given full authority to conduct surveys, acquire consulting services, and implement new procedures required to implement fully changes required by GAAP.

SECTION 75 - E12-OFFICE OF COMPTROLLER GENERAL

75.3. (CG: Payroll Deduction Processing Fee) There shall be a fee for processing payroll deductions, not to exceed twenty cents, for insurance plans, credit unions, deferred compensation plans, benefit providers, and professional associations per deduction per pay day. This fee shall not be applied to charitable deductions. The revenues generated from these fees and those provided for child support deductions in accordance with Section 20-7-1315(F)(3), South Carolina Code of Laws, 1976, as amended, may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and utilized for the same purposes.

75.4. (CG: Unemployment Compensation Fund Administration) The lesser of two percent or \$200,000 of the fund balance of the Unemployment Compensation Fund shall be paid out annually to the Office of Comptroller General to be used by that agency to recover the costs of administering the fund. The Unemployment Compensation Fund is provided for in Section 41-31-820, S. C. Code of Laws, 1976, as amended. Any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and used for the same purposes.

75.5. (CG: Purchasing Card Rebate Program) The Office of Comptroller General is authorized to retain the first \$100,000 of rebate associated with the Purchasing Card Program and \$200,000 of agency incentive rebates.

The funds retained may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year into the current fiscal year and be utilized for the same purposes.

75.6. DELETED

75.7. (CG: Payroll System Maintenance for State Optional Retirement Program) The Comptroller General is hereby authorized to contract on mutually agreeable terms with the South Carolina Retirement System to maintain the State's payroll and accounting systems to accommodate the requirements of the State Optional Retirement Program (ORP). The Office of the Comptroller General is authorized to seek cost recovery not to exceed \$100,000 from the SC Retirement System for those services. The cost recovery may be used to support the operations of the Office of the Comptroller General and any unexpended balance may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purposes.

SECTION 76 - E16-OFFICE OF STATE TREASURER

76.1. (TREAS: Nat'l. Forest Fund - Local Govt. Compliance) In order to conform to federal requirements local governments receiving distributions of National Forest Fund revenues are required to report annually to the State Treasurer indicating compliance with authorized purposes.

76.2. (TREAS: STARS Approval) Decisions relating to the Statewide Accounting and Reporting System (STARS) and the South Carolina Enterprise Information System (SCEIS) which involve the State Treasurer's Banking Operations and other functions of the State Treasurer's Office shall require the approval of the State Treasurer.

76.3. (TREAS: Investments) The State Treasurer may pool funds from accounts for investment purposes and may invest all monies in the same types of investments as set forth in Section 11-9-660.

76.4. (TREAS: Management Fees) The State Treasurer is authorized to charge a fee for the operating and management costs associated with the Local Government Investment Pool, the Deferred Compensation Program, the Tuition Prepayment Program, and the College Investment Program and is further authorized to retain and expend the fees to provide these services. The fees assessed may not exceed the cost of the provision of such services.

76.5. (TREAS: Investment Management Fees) Unless otherwise prohibited by law, the State Treasurer may charge a fee for the operating and management costs associated with the investment management and support operations of various state funds and programs, and further, may retain and expend the fees to provide these services. The fees assessed may not exceed the actual cost of the provision of these services or the earnings on these investments.

76.6. (TREAS: Debt Management Cost Allocation) Unless otherwise prohibited by law, the State Treasurer may charge actual costs associated with the administration and management of the indebtedness of the State, its agencies and institutions, and further, may retain and expend any amounts so allocated to provide these services. Costs associated with the original issuance of bonds and other indebtedness must be assessed on an hourly basis, must be taken from the costs of issuance of any bond issue or other indebtedness, and must not exceed the actual cost of providing these services. Ongoing costs of administration and maintenance must be assessed against expenses of debt service, and must not exceed the actual costs of providing these services.

SECTION 76 - E16-OFFICE OF STATE TREASURER

76.7. (TREAS: Withheld Accommodations Tax Revenues) Revenues withheld pursuant to Sections 6-4-35(B)(1)(a) and 6-4-35(B)(1)(b) prior to July 1, 2006 must be returned to the entity from which revenues were withheld, in the same amount and manner that they were withheld. After July 1, 2006, before non-compliant expenditures and penalties withheld pursuant to Sections 6-4-35(B)(1)(a) and 6-4-35(B)(1)(b) are reallocated, the Tourism Expenditure Review Committee must certify to the Office of State Treasurer that the time period for an appeal of the committee's action to the Administrative Law Court has expired or that the action of the committee has been upheld or overturned by the Administrative Law Court. Non-compliant expenditures and penalties withheld must be reallocated annually after August first. Allocations withheld must be reallocated proportionately based on the most recent completed fiscal year's total statewide collections of the accommodations tax revenue according to the Office of State Treasurer records. Each annual reallocation of withheld funds to non-offending counties and municipalities must be calculated separately then combined if necessary. Each reallocation to a county or municipality calculated less than a dollar must be transferred to the General Fund of the State.

76.8. (TREAS: Tuition Prepayment Program) The South Carolina Tuition Prepayment Program shall not accept any new enrollment in the current fiscal year. The annual increase in tuition for the purposes of the Tuition Prepayment Program, for an institution cannot exceed seven percent per year from the 2006-07 level. To the extent that actual tuition for an institution exceeds an annual growth of seven percent per year since Fiscal Year 2006-07, colleges and universities must grant a waiver of the difference to the designated beneficiary and shall not pass along this difference to any student.

76.9. (TREAS: Penalties for Non-reporting) If a municipality fails to submit the audited financial statements required under Section 14-1-208 of the 1976 Code to the State Treasurer within thirteen months of the end of their fiscal year, the State Treasurer must withhold all state payments to that municipality until the required audited financial statement is received.

If the State Treasurer receives an audit report from either a county or municipality that contains a significant finding related to court fine reports or remittances to the Office of State Treasurer, the requirements of Proviso 89.59 shall be followed if an amount due is specified, otherwise the State Treasurer shall withhold twenty-five percent of all

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state payments to the county or municipality until the estimated deficiency has been satisfied.

If a county or municipality is more than ninety days delinquent in remitting a monthly court fines report, the State Treasurer shall withhold twenty-five percent of state funding for that county or municipality until all monthly reports are current.

After ninety days, any funds held by the Office of State Treasurer will be made available to the State Auditor to conduct an audit of the entity for the purpose of determining an amount due to the Office of State Treasurer, if any.

76.10. (TREAS: Signature Authorization) The State Treasurer is hereby authorized to designate certain employees to sign payments for the current fiscal year in accordance with Section 11-5-140 of the 1976 Code to meet the ordinary expenses of the State. This provision shall in no way relieve the State Treasurer of responsibility.

76.11. DELETED

76.12. DELETED

76.13. DELETED

76.14. (TREAS: Unclaimed Property) The State Treasurer may not expend funds to retain a third party, private sector auditor, or auditing firms to fulfill his duties pursuant to the South Carolina Uniform Unclaimed Property Act on a contingency basis or any basis other than an hourly basis, with the exception that the State Treasurer may join other state(s) in multi-state contingent fee auditors' examinations, not to include companies whose parent company is headquartered or incorporated in South Carolina, when there is a reason to believe that those companies being audited are holding funds belonging to South Carolina citizens. The Office of State Treasurer shall retain \$200,000 from the Unclaimed Property Program for the sole purpose of employing internal compliance auditors to enforce the Unclaimed Property Act.

SECTION 78 - E24-OFFICE OF ADJUTANT GENERAL

78.1. (ADJ: Unit Maintenance Funds) The funds appropriated as unit maintenance funds shall be distributed to the various National Guard units at the direction of the Adjutant General.

78.2. (ADJ: Revenue Collections) All revenues collected by National Guard units from county and city appropriations, vending machines, rental of armories, court martial fines, federal

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reimbursements to armories for utility expenses, and other collections may be retained and expended in its budgeted operations.

78.3. (ADJ: Rental Fee for Election Purposes) The maximum fee that an armory may charge for the use of its premises for election purposes shall be the cost of providing custodial services, utilities and maintenance.

78.4. (ADJ: Parking Lot Revenues) Notwithstanding other provisions of this act, as a security measure for the State Military Department's headquarters building and grounds, the Adjutant General may control and contractually lease the headquarters' building parking facilities, during events at the University of South Carolina's Williams-Brice Stadium, to a state chartered and federally recognized 501(c)(4) tax exempt agency employees' association who may then sub-lease individual parking spaces. Such a contract must require the employees association to obtain liability insurance against wrongful death or injury. The contract must clearly hold the Adjutant General's Office, its officers, and the State of South Carolina harmless from any liability resulting from the use of the parking lot when rented by the employees association. In addition, the contract must specify that the State of South Carolina's Military Department shall receive no less than thirty-three percent of the gross profits from the sub-leasing of the parking spaces. The contract must allow the State to audit the employees association's funds. Funds at the Adjutant General's Office derived wholly from the rental of Adjutant General's headquarters' parking lot may be retained at the Adjutant General's Office, but may not be used for employee perquisites.

78.5. (ADJ: Armory Rental Program) The Adjutant General is authorized to develop and implement an armory rental program to recoup costs associated with the use of armories by state agencies or other non-Guard organizations. The rental program must be uniform in its application to the maximum extent possible. Funds generated by this program may be retained and expended for armory maintenance and operations.

78.6. (ADJ: Meals in Emergency Operations Centers) The cost of meals, or the advanced purchase of food products to be stored and prepared for meals, may be provided to state employees who are required to work at the State Emergency Operations Centers during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

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78.7. (ADJ: Educational Seminar Revenue) All revenue earned from educational seminars shall be retained by the agency to be used for the printing of materials and other expenses related to conducting the seminars. The balance of funds shall be reported annually to the General Assembly.

78.8. (ADJ: Retention of Lease Property Revenue) The Adjutant General is authorized to lease all real property under the control of SCMD. All revenue generated by the lease program may be retained for SCMD armory operations and maintenance as authorized by the Adjutant General or Deputy Adjutant General.

78.9. (ADJ: Billeting and Dining Facility Operations) All revenues collected by the Billeting and Dining Facility operations at the R. L. McCrady Training Center shall be retained and expended in their budgeted operations or be expended in support of SCMD operations, including use for matching federal funds, and armory maintenance and operations. Expenditures from these funds shall be determined by the Billeting Committee for Billeting operations and the Deputy Adjutant General for state operations for the Dining Facility operation.

78.10. (ADJ: EMD Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the Emergency Management Division may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the Agency Director, and providing funds are available.

78.11. (ADJ: Civil Air Patrol) The funds appropriated in this section for the Civil Air Patrol shall be expended by the Civil Air Patrol so as to discharge the state's obligations in conjunction with the Civil Air Patrol as outlined in the SARDA Plan, the South Carolina Operational Radiological Emergency Response Plan, and to assist county and local authorities and other state agencies as permitted by the regulations governing the Civil Air Patrol. All expenditures for equipment and services shall be in accordance with state fiscal policies.

78.12. (ADJ: Citadel-S.C. National Guard Readiness Center) The Adjutant General's Office, during Fiscal Year 2012-13, shall repay to the General Fund of the State \$300,000, plus interest, of the \$2,500,000 appropriated by Proviso 73.12 of the Fiscal Year 2007-08 Appropriation Act to the Adjutant General's Office for the Citadel-South Carolina National Guard Readiness Center. It is the intent of the General Assembly that \$300,000, plus interest, shall be repaid annually until the \$1,250,000 balance has been repaid to the General Fund.

78.13. (ADJ: Parking Lot Revenues-Columbia Armory, Buildings and Grounds) The Adjutant General may control and contractually

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lease the Columbia Armory, and its buildings and grounds parking facilities during events at the University of South Carolina's Williams-Brice Stadium. Funds derived wholly from the rental of the Columbia Armory, and its buildings and grounds parking facilities may be retained by the Adjutant General's Office and used for the Funeral Caisson and for SCMD operations, including matching federal funds and armory maintenance and operations. These funds may not be used for any other purpose.

78.14. (ADJ: Emergency Commodities) The Emergency Management Division shall be allowed to rotate and replace water and Meals Ready to Eat (MREs) emergency commodities housed in the state's Logistic Center through the provision of said commodities to neighboring states, counties, municipalities and other state agencies, and shall be allowed to accept compensation for said commodities not to exceed replacement costs. Revenues from this exchange shall be utilized solely for the replacement of state emergency commodities.

78.15. (ADJ: Funeral Caisson) In the event of a mandated general fund budget reduction, the Adjutant General's Office is prohibited from reducing the funds appropriated for the Funeral Caisson. In addition, these funds shall not be transferred to any other program or be used for any other purpose by the Office of Adjutant General.

78.16. DELETED

SECTION 79 - E28-ELECTION COMMISSION

79.1. (ELECT: County Registration Board and County Election Commission Compensation) The amounts appropriated in this section for "County Registration Board Members and County Election Commissioners," shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed \$12,500 per county. The County Treasurer shall use these funds only for the compensation of County Registration Board Members and County Election Commissioners. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Budget and Control Board or the General Assembly, the amount of funds appropriated for compensation of County Registration Board Members and County Election Commissioners shall be excluded from the agency's base budget.

SECTION 79 - E28-ELECTION COMMISSION

79.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of \$60.00; but managers shall not be paid for more than two days for any election and clerks for not more than three days for any election. The commission may adjust the per diem of \$60.00 for the managers and clerks of the statewide election to a higher level only to the extent that the appropriation for the statewide election is sufficient to bear the added cost of increasing the per diem and the cost of the statewide election. Up to three additional managers per county may be appointed to assist county registration boards with the absentee/fail safe voting process prior to, on election day, and immediately following statewide elections. Managers assisting the registration board in the absentee/fail safe process may receive a per diem of \$60.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used.

79.3. (ELECT: Board of State Canvassers Compensation) \$100.00 additional compensation per day may be paid to each member of the Board of State Canvassers up to a total of fifteen days that may be required for hearings held by the members of the Board of State Canvassers.

79.4. (ELECT: Sale of Lists Revenue Carry Forward) Any revenue generated from the sale of election lists may be retained and expended by the South Carolina Election Commission to reimburse the Budget and Control Board, Division of Operations, for the printing of such lists and to pay expenses of postage and shipment of these lists to electors who purchase them. After such reimbursement has been made an amount, not to exceed \$400,000, shall be used for non-recurring expenses in conjunction with extraordinary special election and legal costs and costs for upgrading the Statewide Voter Registration System. Any balance in the Sale of Lists Account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year.

79.5. (ELECT: Budget Reduction Exemption) Funds appropriated for non-recurring general and primary election expenses are exempted from mandated across the board reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Budget and Control Board or the General Assembly, the amount of funds appropriated for non-recurring primary and general election expenses shall be excluded from the agency's base budget.

79.6. (ELECT: Primary and General Election Carry Forward) Filing fees received from candidates filing to run in statewide or

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special primary elections may be retained and expended by the State Election Commission to pay for the conduct of primary elections. Any balance in the filing fee accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, any balance in the Primary and General Election Accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, the aforementioned funds may also be utilized to conduct the Presidential Preference Primary elections.

79.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and County Election Commissions will receive a common curriculum to include core courses on the duties and responsibilities of county registration boards and county election commissions and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June 30, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Sections 7-5-10, 7-5-35 and 7-13-70 of the 1976 Code. Additionally, funds will also be withheld if a board or commission member completes the training and certification program, but fails to complete at least one training course per year. The board or commission member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. Funds will be retained by the State Election Commission until the board or commission member has completed the program or completes the training course required for continuing education. If a board or commission member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board or commission member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board or commission

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member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board or commission.

79.8. (ELECT: Penalty for Late Submission of Reimbursable Expenses) In the event that a county submits reimbursable election expenses to the Commission for payment more than thirty (30) days after the election is held, the Commission may deduct a penalty of ten (10) percent of the late-submitted amount. The county is responsible for payment of this amount. If the Commission finds good reason for such late submission, the penalty may be waived. The Election Commission shall be authorized to expend funds appropriated/authorized in the current fiscal year to pay election expenses incurred by a county in the prior fiscal year.

79.9. (ELECT: Help America Vote Act) Of funds appropriated to the commission for primary and general elections, the commission shall utilize any excess funds to match the Help America Vote Act program to the greatest extent possible, and also ensure compliance with the Uniformed and Overseas Citizens Absentee Voting Act of 1986.

79.10. (ELECT: HAVA Carry Forward) The Election Commission shall be authorized to carry forward unexpended Help America Vote Act funds into the current fiscal year and to use these funds for the same purpose.

79.11. DELETED

79.12. (ELECT: HAVA Match Funds) Funds appropriated through the General Fund for the purpose of providing a match for federal funds received through the Help America Vote Act (HAVA) shall be moved to a restricted account in order that the funds may accrue interest as per Section 254 (b) (1) of the Help America Vote Act.

79.13. DELETED

79.14. (ELECT: Use of Election Funds) Notwithstanding any other flexibility authorized in this act, funds appropriated to the Election Commission for the purpose of conducting elections shall not be used for any other purpose unless specifically authorized in this act.

SECTION 80A - F03-BUDGET AND CONTROL BOARD

80A.1. (BCB: Southern Maritime Collection) The Budget and Control Board, on behalf of the Hunley Commission is authorized to expend funds appropriated for such purpose to pay the outstanding note

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entered into to finance the purchase of the Southern Maritime Collection and the Hunley Commission will assume custody and management of the Collection for the State. The board is authorized to use up to \$500,000 of the funds transferred for implementation of this proviso. The balance of the funds transferred may be used by the board for costs associated with other Museum operations. The General Assembly will provide for funds in future fiscal years to cover the costs of the financing of the Southern Maritime Collection.

80A.2. (BCB: Procurement of Art Objects) Before any governmental body, with the exception of the South Carolina Museum Commission, the Budget and Control Board and the South Carolina Hunley Commission as defined under the South Carolina Consolidated Procurement Code, procures any art objects such as paintings, antiques, sculptures, or similar objects above \$1,000, the head of the Purchasing Agency shall prepare a written determination specifying the need for such objects and benefits to the State. The South Carolina Arts Commission shall review such determination for approval prior to any acquisition.

80A.3. (BCB: State House Operation & Maintenance Account) Funds appropriated to the Budget and Control Board - for State House Maintenance & Operations & Renovations must be set aside in a separate account for the operation and maintenance of the State House. The Budget and Control Board shall report annually to the State House Committee on the amount expended from this fund.

80A.4. (BCB: Wireless Communications Tower) The Budget and Control Board is directed to coordinate tower and antenna operations within South Carolina state government. The Board shall (1) approve all leases regarding antenna placement on state owned towers and buildings, (2) coordinate all new tower construction on state owned property, (3) promote and market excess capacity on the State's wireless communications infrastructure, (4) generate revenue by leasing, licensing, or selling excess capacity on the State's wireless communications infrastructure, and (5) construct new communications assets on appropriate state owned property for the purpose of generating revenue pursuant to this proviso. All revenue from tower and antenna leases and contracts after July 1, 2001 must be remitted to a separate fund established by the Board and shall be transferred to the Educational Television Commission which shall retain and expend such funds for agency operations. The commission shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year. Agencies owning tower and antenna assets will be

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allowed to recover expenses associated with implementing this proviso from this fund. The Board shall annually report to the Chairmen of the Senate Finance and House Ways and Means Committees by October first of each year all revenue collected and disbursed. This report shall also include a summary of each agency's overall revenues, whether retained by the agency or remitted to the separate fund.

80A.5. (BCB: Compensation - Reporting of Supplemental Salaries) No supplement shall be paid to an agency's employee unless the agency head or designated official of the employing agency has approved the conditions and amount of salary supplement. Any compensation, excluding travel reimbursement, from an affiliated public charity, foundation, clinical faculty practice plan, or other public source or any supplement from a private source to the salary appropriated for a state employee and fixed by the State must be reported by the employing agency to the Division of Budget and Analyses of the Budget and Control Board. The report must include the amount, source, and any condition of the supplement. The employing agency must report this information on or before August thirty-first of each year and must include the total amount and source of the salary supplement received by the employee during the preceding fiscal year (July first through June thirtieth). The Office of Human Resources of the Budget and Control Board shall formulate policies and procedures to ensure compliance with the reporting provisions of this proviso.

80A.6. (BCB: Compensation Increase - Appropriated Funds Ratio) Appropriated funds may be used for compensation increases for classified and unclassified employees and agency heads only in the same ratio that the employee's base salary is paid from appropriated sources.

80A.7. (BCB: Vacant Positions) In the event that any permanent position in an agency remains vacant for more than twelve months the position may be deleted by the Budget and Control Board.

80A.8. (BCB: Carry Forward - Local Government Assistance) The Budget and Control Board may carry forward from prior fiscal years to the current fiscal year funds appropriated for the purpose of providing financial assistance and for matching federal funds for financial assistance to local governments with water, wastewater, and sewer projects.

80A.9. (BCB: State Water Pollution Control Revolving Fund) In the event that any state funds remain after fully matching federal grants for the State Revolving Funds under the Clean Water Act or Safe

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Drinking Water Act, such funds may be deposited into the South Carolina Infrastructure Revolving Loan Fund established pursuant to Section 11-40-50.

80A.10. (BCB: Carry Forward Calculation) For purposes of calculating the amount of funds which may be carried forward by the Budget and Control Board, grant and loan program funds carried forward by the Office of Local Government shall be excluded from the calculation of the carry forward authorized by provision elsewhere in this Act.

80A.11. (BCB: Local Provider Health Insurance) The local health care providers of the Department of Disabilities and Special Needs shall be awarded funding increases as prescribed for state agencies to cover the employer's share for the cost of providing health and dental insurance to their employees.

80A.12. (BCB: Geodetic Mapping Program) Funds appropriated or authorized to the Budget and Control Board as a Special Item for Mapping, shall be used for county boundary determination and resolution of the boundary between the states of South Carolina and North Carolina.

80A.13. (BCB: Lottery & Infrastructure Bank Health Insurance) South Carolina Lottery Commissioners and South Carolina Transportation Infrastructure Bank Board members and their eligible dependents are eligible to participate in the State Health and Dental Insurance Plan, upon paying the full premium costs as determined by the Budget and Control Board.

80A.14. (BCB: Adoption Assistance Program) The Employee Adoption Assistance Program is established to provide grants to eligible employees to assist them with the direct costs of adoption. The program shall be an employee benefit through the Employee Insurance Program(EIP) and shall be funded from the appropriation for the State Health Plan as provided in this act. Total funding for the Adoption Program shall not exceed the amount authorized by the General Assembly in the annual appropriations act. Employees are eligible for the Adoption Program if they participate in the EIP, have adopted a child during the prior fiscal year, apply for the grant during the annual application period, and meet any other Adoption Program criteria. The application period shall be July first through September thirtieth of the current fiscal year for an adoption in the prior fiscal year. The maximum grant amounts shall be \$10,000 in the case of the adoption of a special needs child and \$5,000 for all other child adoptions. Should

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the total amount needed to fund grants at the maximum level exceed the amount authorized, the amount of a grant to an eligible employee shall be determined by dividing the authorized amount evenly among qualified program applicants, with the adoption of a special needs child qualifying for two times the benefit of a non-special needs child.

80A.15. (BCB: Military Service) Notwithstanding the provisions of Section 8-11-610 of the 1976 Code, a permanent full-time state employee who serves on active duty as a result of an emergency or conflict declared by the President of the United States, and performs such duty, may use up to forty-five days of accumulated annual leave and may use up to ninety days of accumulated sick leave in a calendar year as if it were annual leave.

80A.16. (BCB: Antenna and Tower Placement) All leases for antenna and tower operations within institutions of higher learning campuses must conform to master plans for such property, as determined solely by the institution of higher learning.

80A.17. (BCB: Lawsuit Funding) The Executive Director shall pay from the Insurance Reserve Fund the defense costs of the State, which are incurred in the current fiscal year, in the Abbeville school funding litigation and the prisoner mental health care litigation. The appropriate official from the House of Representatives and the Senate must certify to the Executive Director on a monthly basis the costs incurred in defense of this litigation. Upon receipt of the certification, the Executive Director shall pay the provider of these services the amount certified.

80A.18. (BCB: Election File Merge) In order to assist the County Registration and Election Commissions to ensure that registered voters are assigned to proper election districts, the Office of Research and Statistics, in conjunction with the South Carolina Election Commission, shall merge the voter registration file with the office's Geocoded Address List and the district boundaries of the Congress, South Carolina Senate, South Carolina House of Representatives, county councils, and such other districts as the office possesses official district boundary records in electronic format. The merged systems will allow the Office of Research and Statistics to provide the respective county officials with a list of potential voters who are possibly assigned to the wrong election district. Counties and municipalities shall release GIS to the Office of Research and Statistics upon the Office's written request. Written request must be sent to the chief administrative officer of the county or municipality and advise the county or municipality that failure to comply within thirty days of

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request may result in the withholding of ten percent of the county's or municipality's state aid. The Director of the Office of Research and Statistics may grant additional time for good cause and must waive release if the county or municipality does not possess GIS data. For counties and municipalities that possess GIS data but do not release it, the Director of the Office of Research and Statistics shall notify the State Treasurer of the failure to comply with this provision after the required notice. Notification shall result in the withholding of ten percent of subsequent payments of state aid to the entity until the GIS data is provided. Municipal and county data acquired by the Office of Research and Statistics in the course of performing its responsibilities under this provision may be used for other functions of the office.

80A.19. DELETED

80A.20. (BCB: Base Closure Carry Forward) Of the funds appropriated to the Budget and Control Board for the Base Closure Fund, up to a maximum of \$300,000 shall be carried forward into the current fiscal year and shall be used for the South Carolina Military Base Task Force. The Task Force shall coordinate efforts among the public and the private sectors to maintain a significant United States Department of Defense presence in South Carolina.

80A.21. (BCB: SC/NC Boundary Dispute) The Budget and Control Board is directed to submit a report to the Senate Finance Committee and the House Ways and Means Committee regarding the progress of the South Carolina and North Carolina Boundary Dispute within sixty days of the close of each fiscal year until such dispute is resolved.

80A.22. (BCB: SC Boundary Commission) There is hereby created the South Carolina Boundary Commission to be composed of seven members as follows: one member appointed by the President Pro Tempore of the Senate; one member appointed by the Speaker of the House of Representatives; one member appointed by the Chairman of the Senate Finance Committee; one member appointed by the Chairman of the House Ways and Means Committee; the Director of the Budget and Control Board's Office of Research and Statistics; the Director of the Department of Natural Resources, or his designee; and the technical advisor of the Geodetic and Mapping Survey Program appointed by the Director of the Office of Research and Statistics who shall serve as the coordinator and chairman of the commission. The purpose of the commission is to work with the North Carolina

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Boundary Commission to resolve undocumented boundaries between South Carolina and North Carolina.

80A.23. (BCB: SEC Legal Expenses) The Executive Director of the Budget and Control Board must reimburse the State Ethics Commission from the Insurance Reserve Fund for expenses incurred in the defense of South Carolinians for Responsible Government v. Krawcheck, et al., and South Carolina Citizens for Life v. Krawcheck, et al., both filed in the United States District Court of South Carolina, and where the Attorney General has refused to defend the action and the Budget and Control Board has refused to use the Civil Contingent Fund, as provided for in Section 8-13-1373, to pay for defense of such action. The appropriate official of the State Ethics Commission must certify to the Executive Director on a monthly basis the costs incurred in defense of these actions. Upon receipt of the certification the Executive Director shall reimburse the State Ethics Commission the amount certified.

80A.24. (BCB: First Responder Interoperability) The Budget and Control Board, through its Division of State Information Technology, is directed to administer and coordinate First Responder Interoperability operations for the statewide Palmetto 800 MHz radio system to better coordinate public safety disaster responses and communications. First Responder Interoperability administration and coordination shall be funded as provided in this Act. The cost-proportional funds shall be utilized for radio user fees of state agencies and public safety first responders (Fire, EMS and Law Enforcement) that participate in the statewide Palmetto 800 MHz radio system (Palmetto 800 participants). The Division of State Information Technology, in consultation with the State Law Enforcement Division, the Department of Public Safety, and the State Emergency Management Division, and a representative of the South Carolina Sheriff's Association, shall set a baseline number of radios used by each Palmetto 800 participant based on the technical aspects of the Palmetto 800 MHz radio system and the jurisdictional requirements of the participant. If a Palmetto 800 participant reduces the baseline number of radios in use, the amount of funds allocated for the participant's radio user fees shall be reduced in a proportional amount. The funds shall also be utilized to provide private county and city 800 MHz radio systems with grant funds to be used for purchases of equipment that support interoperability with the statewide Palmetto 800 MHz radio system and its users. Grant funds shall be allocated to private county and city 800 MHz radio systems based on the criteria

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used for Palmetto 800 Participants and in amounts proportional to the amounts allocated to support the per-site radio user fees of Palmetto 800 participants. A matching share is required by a Palmetto 800 participant or by a private county or city 800 MHz radio system in order to qualify for receipt of funds pursuant to this proviso. Each fiscal year the Budget and Control Board, through the Division of State Information Technology, shall establish the level of match required based upon funding provided by this Act. These entities shall be required to furnish such documentation as may be required by the Division of State Information Technology to verify that the matching funds requirement is met. Upon funding state agency and public safety first responder user fees and private county and city 800 MHz equipment purchases, any remaining funds may be used to enhance and expand the statewide Palmetto 800 MHz radio system. All funds shall be held in a separate account established by the Board for the purposes set forth herein. Any unexpended portion of these funds may be carried forward and used for the same purpose. In the calculation of any across-the-board budget reduction mandated by the Budget and Control Board or General Assembly, the amount appropriated to the Budget and Control Board for First Responder Interoperability must be excluded from the Board's base budget.

The Budget and Control Board shall provide a report on the status of the integration of the statewide Palmetto 800 MHz radio system which shall include, but not be limited to, a list of entities who are not integrated into the system as of the end of the immediately preceding fiscal year and the reason why they are not integrated. The report shall be submitted by October 1, of the current fiscal year to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

80A.25. (BCB: Employee Compensation) The amounts appropriated to the Budget and Control Board for Employee Pay Increases must be allocated by the Board to the various state agencies to provide for employee pay increases in accordance with the following plan:

1. With respect to classified and non-judge judicial classified employees, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified employees shall be increased by three percent.
2. With respect to unclassified and non-judge judicial unclassified employees or unclassified executive compensation system employees

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not elsewhere covered in this act, effective on the first pay date that occurs on or after July first of the current fiscal year the compensation of all unclassified employees shall be increased by three percent. Any employee subject to the provisions of this paragraph shall not be eligible for compensation increases provided in paragraphs 1, 3, 4, 5, or 6.

3. Effective on the first pay date that occurs on or after July first of the current fiscal year, agency heads not covered by the Agency Head Salary Commission, shall receive an annualized base pay increase of three percent.

4. With respect to local health care providers compensation increases shall be three percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to Area Agencies on Aging funded by the Lieutenant Governor's Office on Aging, compensation shall be increased by three percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to local councils on aging or local providers of services funded by the Lieutenant Governor's Office on Aging through Area Agencies on Aging, no pay increases will be allowed. School Bus Driver salary and fringe funding to school districts shall be increased by three percent.

5. Effective on the first pay date that occurs on or after July first of the current fiscal year, the Chief Justice and other judicial officers shall receive an annualized base pay increase of three percent.

6. Effective on the first pay date that occurs on or after July first of the current fiscal year, county auditors and county treasurers shall receive an annualized base pay increase of three percent.

7. The Budget and Control, the Office of Comptroller General, and state agencies whose payroll is not processed by the Office of Comptroller General are authorized to implement employee pay increases described in this provision retroactively to the first pay date that occurs on or after July first of the current fiscal year, if the Appropriations Act is ratified by the General Assembly after June 7, 2012.

The Budget and Control Board shall allocate associated compensation increases for retirement employer contributions based on the retirement rate of the retirement system in which individual employees participate.

The Executive Director of the Budget and Control Board is authorized to use excess appropriations for the current fiscal year, as determined by the Director of the Office of State Budget, designated

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for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the Budget and Control Board, such action may be considered a permanent transfer into the receiving agency's base budget.

Funds appropriated in Part IA, F30, Section 80C, Budget and Control Board, Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

80A.26. (BCB: Public Procurement Unit) For purposes of participation in the Minnesota Multi State Contracting Alliance for Pharmacy (MMCAP), a private, non-profit corporation that provides only free medical care may be allowed to participate as a local public procurement unit in the MMCAP cooperative purchase. The participation of non-profit corporations in the program is contingent upon approval of the Minnesota Multi-State Contracting Alliance for Pharmacy. Participating non-profit corporations must comply with all applicable federal laws or regulations for participation in the MMCAP cooperative purchase. The state shall not be liable for any action or inaction of such a non-profit corporation.

80A.27. (BCB: Sale of Surplus Real Property) Up to fifty percent of the proceeds, net of selling expenses, from the sale of surplus real properties shall be retained by the Budget and Control Board and used for the deferred maintenance of state-owned buildings. The remaining fifty percent of the net proceeds shall be returned to the agency that the property is owned by, under the control of, or assigned to and shall be used by that agency for non-recurring purposes. This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Columbia State Farmers Market; the Department of Agriculture's Columbia Metrology Lab building and property; the Charleston Naval Complex Redevelopment Authority; the Department of Commerce's Division of Public Railways; the Midlands Technical College Enterprise Campus Authority; the Trident Technical College Enterprise Campus Authority; the Commissioner's residence at the Department of Corrections and the Educational Television Commission's Key Road property.

The Educational Television Commission shall be authorized to retain the net proceeds from the sale of its property on Key Road, and such proceeds shall only be used for the renovation of the ETV Telecommunications Center. If it is determined that sufficient net

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proceeds are not to be derived from the sale of its property on Key Road to cover the cost of all renovations of the Telecommunications Center, the property on Key Road shall not be sold. Any proposed sale hereunder shall, prior to said sale, be submitted to the Budget and Control Board for approval as being in compliance with the requirements of this subsection.

The Department of Corrections shall be authorized to retain the net proceeds from the sale of the residence provided for the Commissioner of the Department of Corrections and use such proceeds for deferred maintenance needs at the Department of Corrections.

The Forestry Commission shall be authorized to retain the net proceeds from the sale of surplus land for use in firefighting operations and replacement of firefighting equipment.

The Department of Mental Health shall be authorized to retain the net proceeds it receives for sale of the property sold in accordance with, and identified in Exhibit A of the Sale and Purchase Agreement dated December 16, 2010 between the Department of Mental Health and Hughes Development Corporation for the sale of 165.79± acres on the Bull Street Campus, as approved by the Budget and Control Board on June 14, 2011.

The Department of Natural Resources shall be authorized to retain the net proceeds from the sale of existing offices originally purchased with a federal grant or with restricted revenue from hunting and fishing license sales for the improvement, consolidation, and/or establishment of regional offices and related facilities.

The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of Natural Resources, the Department of Mental Health and the Forestry Commission shall annually submit a report, within sixty days after the close of the fiscal year, to the Senate Finance Committee and the House Ways and Means Committee on the status of the sale of the identified property and a detailed accounting on the expenditure of funds resulting from such sale.

This provision is comprehensive and supersedes any conflicting provisions concerning disposition of state owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

Any unused portion of these funds may be carried forward into succeeding fiscal years and used for the same purposes.

80A.28. DELETED

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80A.29. (BCB: Health Plan Tobacco User Differential) For health plans adopted under the authority of Section 1-11-710 of the 1976 Code by the Budget and Control Board during the current fiscal year, the board is authorized to differentiate between tobacco users and non-users regarding rates charged to enrollees in its health plans by imposing a surcharge on enrollee rates based upon tobacco use. The surcharge for tobacco use may not exceed \$40 per month per subscriber or \$60 per month per subscriber and dependant(s).

80A.30. (BCB: Compensation - Agency Head Salary) In the event of an agency head or technical college president vacancy, the governing board of the agency or the Governor, or the appointing authority of a technical college president, must have the prior favorable recommendation of the Agency Head Salary Commission to set, discuss, offer, or pay a salary for the agency head or technical college president at a rate that exceeds the minimum of the range established by the Agency Head Salary Commission. No agency head or technical college president shall be paid a salary higher than that recommended by the commission. Boards and commissions, or the Governor if he is the appointing authority, of newly created agencies or technical colleges shall not offer or pay a salary to a prospective agency head until a salary range has been established and the salary approved by the Agency Head Salary Commission. The funding of the salaries of any agency head or technical college president should come from resources within the agency. The Budget and Control Board shall contract every four years for a study of agency head and technical college president compensation. The cost of the study must be shared by the participating agencies. The staff of the Budget and Control Board shall serve as the support staff to the Agency Head Salary Commission. Limited only by the maximum of the respective salary range, the General Assembly authorizes the respective appointing authority for an agency head or technical college president to provide salary increases for an agency head or technical college president not to exceed that recommended by the Agency Head Salary Commission. No agency head or technical college president shall be paid less than the minimum of the pay range nor receive an increase that would have the effect of raising the salary above the maximum of the pay range.

80A.31. DELETED

80A.32. (BCB: Rural Infrastructure) The Budget and Control Board, Office of Local Government, or its successor, shall transfer all monies under its control to the South Carolina Rural Infrastructure

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Fund, authorized by Act 171 of 2010. For purposes of this paragraph, the Budget and Control Board, Office of Local Government, or its successor, shall transfer all monies and balances from any appropriation, carry forward funds, earmarked and restricted accounts, or any other account under its control, except for the State Infrastructure Revolving Loan Fund and any federal monies and federal matching monies. Any unexpended and undisbursed portion of these funds may be carried forward and used by the Rural Infrastructure Authority for its purposes. The Rural Infrastructure Authority, created pursuant to Act 171 of 2010, by a majority vote of the board may hire a director for the authority, so long as one of the gubernatorial appointees and three of the legislative appointees votes in favor of the hiring.

80A.33. (BCB: Additional Tort Liability Insurance Coverage Authorized) The State Budget and Control Board, through the Insurance Reserve Fund, for Fiscal Year 2012-13, is also authorized to offer insurance coverage to an aging entity and its employees serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve Fund and the State of South Carolina shall not be liable to any person or entity, including an insured, for any insufficiencies of coverage provided hereunder.

80A.34. (BCB: Statewide Appropriations Budget Module) Funds provided for the Statewide Appropriations Budget Module known as PBF (the Public Budgeting Formulation Module) shall be used for the design and implementation of the statewide budgeting system to produce the state's annual operating budget through the passage of the Annual Appropriation Act. Project oversight and direction shall be the responsibility of the State Budget Division.

80A.35. DELETED

**SECTION 80B - F27-BUDGET AND CONTROL BOARD,
STATE AUDITOR'S OFFICE**

80B.1. DELETED

80B.2. (BCB/AUD: Annual Audit of Federal Programs) Each state agency receiving federal funds subject to the audit requirements of the Single Audit Act Amendments of 1996 and OMB Circular A-133, Audits of States, Local Governments and Nonprofit Organizations shall remit to the State Auditor an amount representing an equitable portion of the expense of contracting with a nationally recognized CPA firm to conduct a portion of the audit of the State's federal financial assistance.

**SECTION 80B - F27-BUDGET AND CONTROL BOARD,
STATE AUDITOR'S OFFICE**

Each state agency's equitable portion of the expense will be determined by a schedule developed by the State Auditor. Such remittance will be based upon invoices provided by the State Auditor. The audit shall be re-bid every five years. The State Auditor shall retain and expend the funds received and shall carry forward any unexpended funds from the prior fiscal year into the current fiscal year for the same purpose.

80B.3. (BCB/AUD: Medical Assistance Audit Carry Forward) The State Auditor's Office shall retain and expend the funds received from the Department of Health and Human Services for the Medical Assistance Audit Program pursuant to proviso 21.3 of this act and shall carry forward any unexpended funds from the prior fiscal year into the current fiscal year for the same purpose.

**SECTION 80C - F30-BUDGET AND CONTROL BOARD,
EMPLOYEE BENEFITS**

80C.1. (BCB/EB: Funding Abortions Prohibited) No funds appropriated for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except in cases of rape, incest or where the mother's medical condition is one which, on the basis of the physician's good faith judgment, so complicates the pregnancy as to necessitate an immediate abortion to avert the risk of her death or for which a delay will create serious risk of substantial and irreversible impairment of major bodily function, and the State Health Plan may not offer coverage for abortion services, including ancillary services provided contemporaneously with abortion services. The State Health Plan must determine the amount of the total premium paid for health coverage necessary to cover the risks associated with reimbursing participants in the plan for obtaining an abortion in the circumstances covered by this provision. The determination must be based on actuarial data and empirical study in the same manner and by the same method that other risks are adjusted for in similar circumstances. The plan must report this determination to the respective Chairmen of the Senate Finance Committee and the House Ways and Means Committee by November 15, 2012.

80C.2. (BCB/EB: Exempt National Guard Pension Fund) In the calculation of any across-the-board cut mandated by the Budget and Control Board or General Assembly, the amount of the appropriation for the National Guard Pension Fund shall be excluded.

**SECTION 80C - F30-BUDGET AND CONTROL BOARD,
EMPLOYEE BENEFITS**

80C.3. (BCB/EB: TRICARE Supplement Policy) The Employee Insurance Program shall offer in Plan Year 2013 a group TRICARE Supplement policy or policies to its TRICARE-eligible subscribers through its flexible benefits program to provide that subscribers may pay premiums for such policies on a pre-tax basis, in accordance with federal law and regulations. The Employee Insurance Program may charge TRICARE Supplement subscribers an amount not to exceed \$2 per subscriber per month for any associated administrative costs.

SECTION 81 - R44-DEPARTMENT OF REVENUE

81.1. (DOR: Subpoenaed Employee Expense Reimbursement) If any employee of the Department of Revenue is subpoenaed to testify during litigation not involving the Department of Revenue, the party subpoenaing the employee(s) to testify shall reimburse the State for expenses incurred by the employee(s) requested to testify. Expenses shall include but are not limited to the cost of materials and the average daily salary of the employee or employees.

81.2. (DOR: Court Order Funds Carry Forward) Funds awarded to the Department of Revenue by court order shall be retained in a special account and shall be carried forward from year to year, and expended as needed to accomplish the purposes and conditions of said order if specified, and if not specified, as may be directed by the Director of the Department of Revenue.

81.3. (DOR: Rural Infrastructure Fund Transfer) Notwithstanding Section 12-10-85, the Department of Revenue is authorized to deposit revenues from the Rural Infrastructure Fund in excess of \$12 million dollars to the Rural Infrastructure Bank Trust Fund under the Budget and Control Board, Office of Local Government. Any revenues in excess of \$17 million shall be deposited in the Rural Infrastructure Fund under the Department of Commerce, Coordinating Council. All monies in the Rural Infrastructure Bank Trust Fund under the Budget and Control Board, Office of Local Government, including those deposited in the fund pursuant to the provisions of this paragraph, must be transferred during Fiscal Year 2011-12 to the Rural Infrastructure Fund of the South Carolina Rural Infrastructure Authority established pursuant to Chapter 50 of Title 11 to be used for the purposes of the Rural Infrastructure Authority, which involve providing financial assistance for qualified rural infrastructure projects to include facilities and appurtenances to meet public health and environmental standards,

SECTION 81 - R44-DEPARTMENT OF REVENUE

to develop trade, commerce, and industry, to provide for potable water and wastewater services, and to provide for emergency preparedness infrastructure.

81.4. (DOR: SCBOS Funds) The Department of Revenue shall share equally the collection assistance fees imposed on overdue tax debt with the South Carolina Business One Stop program. The funds received by the department from this fee shall be used for continued administration of the revenue laws in a fair and impartial manner. Any unexpended funds generated by the fee shall be carried forward from the prior fiscal year into the current fiscal year and shall also be shared equally between the Department of Revenue and the South Carolina Business One Stop program.

81.5. (DOR: Across the Board Cut Exemption) Whenever the Budget and Control Board or General Assembly implements an across the board budget reduction, the funds appropriated to the Department of Revenue shall be exempt from any such mandated budget reduction.

81.6. (DOR: Candidate Tax Return Programs) (A) From the funds appropriated in this act, the department must develop a program to process inquiries from a candidate for an office of this State or its political subdivisions or any gubernatorial appointee concerning whether that candidate or appointee has filed annual state income tax returns that he was required to file during the past ten years, regardless of the source of income, has paid all income taxes due during that time period, and has satisfied all judgments, liens, or other penalties for failure to pay income taxes when due. The department may only respond to an inquiry if the inquiry is made by a candidate or appointee concerning that candidate's or appointee's own income tax returns.

(B) Unless a candidate or appointee requests otherwise, the department must post the results of all inquiries from candidates or appointees in a prominent place on its internet website. The information must be organized in the following manner: (1) the candidate's name as it will appear on the ballot or the appointee's name as it appears on his income tax returns; (2) identify the years that the candidate or appointee was required to file income tax returns and identify the years, if any, that the candidate or appointee was not required to file income tax returns; (3) state whether the candidate or appointee filed income tax returns in each year that the candidate or appointee was required to file income tax returns; (4) state whether the candidate or appointee paid income taxes due each year that the candidate or appointee was required to file income tax returns; and (5)

SECTION 81 - R44-DEPARTMENT OF REVENUE

state whether the candidate or appointee had a judgment, lien, or other penalty levied against him for failure to pay income taxes when due, the year of the levy, and whether that judgment, lien, or other penalty has been satisfied. The department may not post a candidate's complete income tax return when fulfilling its obligations under this proviso.

(C) (1) Participation in this program by a candidate or appointee is voluntary.

(2) A candidate's or appointee's inquiry constitutes a waiver of confidentiality with the department concerning the information posted.

81.7. (DOR: Admissions Tax Exemption) Any amount that an accredited college or university requires a season ticket holder to pay to a nonprofit athletic booster organization that is exempt from federal income taxation in order to receive the right to purchase athletic event tickets is exempt from admissions tax.

81.8. DELETED

SECTION 82 - R52 - STATE ETHICS COMMISSION

82.1. DELETED

SECTION 83 - S60-PROCUREMENT REVIEW PANEL

83.1. (PRP: Filing Fee) Requests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the S.C. Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6), 11-35-4330, and/or 11-35-4410. The funds generated by the filing fee shall be retained by the panel and carried forward to be used for the operation of the panel. Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed Request for Filing Fee Waiver form at the same time the request for review is filed. The panel shall make the Request for Filing Fee Waiver forms available to the Chief Procurement Officers to provide to parties along with notice of right to appeal to the panel. If the filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the filing fee. Requests for administrative review will not be accepted

SECTION 83 - S60-PROCUREMENT REVIEW PANEL

unless accompanied by the filing fee or a completed Request for Filing Fee Waiver form at the time of filing.

SECTION 84 - V04-DEBT SERVICE

84.1. (DS: Excess Debt Service Funds Carry Forward) Excess Debt Service funds from Fiscal Year 2011-12 may be carried forward and expended for debt service purposes in Fiscal Year 2012-13.

**SECTION 86 - X22-AID TO SUBDIVISIONS, STATE
TREASURER**

86.1. (AS-TREAS: Veterans' Affairs-Aid to Counties) In the allocation of the appropriation in Part IA, Section 86, as adjusted for "Aid to County Veteran Offices," each county shall receive an effective annual amount equal to one hundred percent of the amount allocated to it for the prior fiscal year plus an amount equivalent to base pay increases for state employees, less any adjustments made for budget reductions. This allocation shall be distributed on a quarterly basis to the County Treasurer who will handle and distribute these monies for the sole benefit and use of the County Veterans' Affairs Offices.

86.2. DELETED

86.3. (AS-TREAS: Quarterly Distributions) For Fiscal Year 2012-13, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with the four distributions together totaling the 2012-13 Part IA appropriation for the Local Government Fund.

86.4. (AS-TREAS: Salary Supplements) The amounts appropriated in Part IA, Section 86, for Aid Cnty-Clerks of Court, Aid Cnty-Probate Judges, Aid Cnty-Coroners, and Aid Cnty-Sheriffs shall be distributed by the State Treasurer to each county treasurer equally on a quarterly basis, and shall be used as a salary supplement for each clerk of court, probate judge, county coroner, and county sheriff. The amounts appropriated in Part IA, Section 86, for Aid Cnty-Register of Deeds, shall be equally distributed by the State Treasurer to the appropriate county treasurer on a quarterly basis, and shall be used as a salary supplement for registers of deeds.

**SECTION 86 - X22-AID TO SUBDIVISIONS, STATE
TREASURER**

The amount appropriated in Part IA, Section 86, for Aid Cnty-Auditors and Aid Cnty-Treasurers, shall be equally distributed to each county auditor and county treasurer as a salary supplement in addition to any amounts presently being provided by the county for these positions. It is the intent of the General Assembly that the amount appropriated by the county as salaries for these positions shall not be reduced as a result of the appropriation and that such appropriation shall not disqualify each county auditor and each county treasurer for salary increases that they might otherwise receive from county funds in the future. The salary supplement for each county auditor and county treasurer shall be paid in accordance with the schedule and method of payment established for state employees.

The amounts appropriated in Part IA, Section 86 for Clerks of Court, Probate Judges, Sheriffs, Register of Deeds, Coroners, Auditors, and Treasurers shall be exempt from any across the board cut mandated by the Budget and Control Board or General Assembly. However, the governing body of a county may reduce the expenditures in the operation of the offices of these officials without any required corresponding reduction in the county's state aid to subdivisions distribution. However, any reduction in these officials' budgets must be made in consultation with the affected official.

86.5. (AS-TREAS: Legislative Delegations) In the current fiscal year, a county government must fund its legislative delegation budget pursuant to Section 3, Act No. 283 of 1975. If a county council does not meet that funding level, the amount of the shortfall must be deducted from the responsible county's Aid to Subdivisions allocation and forwarded to the legislative delegation of the county. Additionally, the responsible county's remaining Aid to Subdivisions allotment must be reduced by twenty-five percent of the shortfall amount, which sum must be forwarded to the legislative delegation to be used for its administrative costs.

86.6. (AS-TREAS: LGF) For Fiscal Year 2012-13, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

86.7. DELETED

86.8. (AS-TREAS: Transparency-Political Subdivision Appropriation of Funds) (A) A political subdivision receiving aid from the Local Government Fund may not:

**SECTION 86 - X22-AID TO SUBDIVISIONS, STATE
TREASURER**

(1) appropriate money to any entity unless that appropriation appears as a separate and distinct line item in the political subdivision's budget or in an amendment to the political subdivision's budget; or

(2) except in cases of emergency or unforeseen circumstances, donate funds to a non-profit organization unless the amounts donated are appropriated on a separate and distinct line item in the political subdivision's budget or an amendment to the political subdivision's budget that includes the names of the entities to which the donations are being made. In the case of an emergency or unforeseen circumstances, a political subdivision may donate funds to a non-profit organization if the amount and purpose of the proposed donation and the nature of the emergency or unforeseen circumstances necessitating the donation are announced in open session at a public meeting held by the governing body of the political subdivision and the funds are not delivered to the organization for five days following the announced intent to make the donation.

(B) A political subdivision receiving aid from the Local Government Fund may not appropriate money to any entity without the requirement that the entity provides at the end of the fiscal year a detailed description of the purposes for which the money was used.

86.9. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year 2012-13, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters-in-Equity and their offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices.

SECTION 89 - X90-GENERAL PROVISIONS

89.1. (GP: Revenues, Deposits Credited to General Fund) For the current fiscal year, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and departmental

SECTION 89 - X90-GENERAL PROVISIONS

revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income derived from any other departmental or institutional source of activity, must be remitted to the State Treasurer at least once each week, when practical, and must be credited, unless otherwise directed by law, to the General Fund of the State. Each institution, department or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement, showing in detail the sources itemized according to standard budget classification from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller General and the Budget and Control Board. In order to facilitate the immediate deposit of collections, refunds of such collections by state institutions where properly approved by the authorities of same, may be made in accordance with directions from the State Comptroller General and State Treasurer. General fund appropriations herein made for the support of the public school system of the State must be greater than or equal to the revenues derived from the General Retail Sales Tax, the Soft Drinks Tax, and the state's portion of the Alcoholic Liquors Tax and Cable Television Fees as forecasted in the general fund revenue estimate of the Board of Economic Advisors as accounted for in Section 88 of this act. Appropriations in this act for the support of the public school system shall include the following:

- Department of Education;
- State Board for Technical and Comprehensive Education;
- Educational Television Commission;
- Wil Lou Gray Opportunity School;
- School for the Deaf and the Blind;
- John de la Howe School;
- Debt Service on Capital Improvement Bonds Applicable to Above Agencies;
- Debt Service on School Bonds;
- Other School Purposes.

Nothing contained herein shall be construed as diminishing the educational funding requirements of this section.

89.2. (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part, if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways and Public Transportation Fund, and other applicable funds, to meet the ordinary

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expenses of the state government for Fiscal Year 2012-13, and for other purposes specifically designated.

89.3. (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, "current fiscal year" means the fiscal year beginning July 1, 2012, and ending June 30, 2013, and "prior fiscal year" means the fiscal year beginning July 1, 2011, and ending June 30, 2012.

89.4. (GP: Descriptive Proviso Titles) Descriptive proviso titles listed in this act are for purposes of identification only and are not to be considered part of the official text.

89.5. (GP: Judicial & Involuntary Commitment, Defense of Indigents) It is the responsibility of all agencies, departments and institutions of state government, to provide at no cost and as a part of the regular services of the agency, department or institutions such services as are necessary to carry out the provisions of Chapter 52, Title 44 (Involuntary Commitment), Article 7, Chapter 17, Title 44 of the 1976 Code (Judicial Commitment), Chapter 3, Title 17 of the 1976 Code (Defense of Indigents), and Article 1, Chapter 3, Title 16 of the 1976 Code (Death Penalty), as amended, upon request of the Judicial Department and/or the appropriate court. To this end, state agencies are directed to furnish to the Judicial Department a list of their employees who are competent to serve as court examiners. The Judicial Department shall forward a copy of this list to the appropriate courts, and the courts shall utilize the services of such state employees whenever feasible. State employees shall receive no additional compensation for performing such services. For the purpose of interpreting this section, employees of the Medical University of South Carolina and individuals serving an internship or residency as an academic requirement or employees who are not full-time state employees and who are not performing duties as state employees are not considered state employees.

89.6. (GP: Case Service Billing Payments Prior Year) Agencies appropriated case services funds who routinely receive prior year case service billings after the old fiscal year has been officially closed are authorized to pay these case service obligations with current funds. This authorization does not apply to billings on hand that have been through a timely agency payment approval process when the old fiscal year closes.

89.7. (GP: Fee Increases) (A) No state agency, department, board, committee, commission, or authority, may increase an existing fee for

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performing any duty, responsibility, or function unless the fee for performing the particular duty, responsibility, or function is authorized by statutory law and set by regulation except as provided in this paragraph.

(B) This paragraph does not apply to:

- (1) state-supported governmental health care facilities;
- (2) state-supported schools, colleges, and universities;
- (3) educational, entertainment, recreational, cultural, and training programs;
- (4) the State Board of Financial Institutions;
- (5) sales by state agencies of goods or tangible products produced for or by these agencies;
- (6) charges by state agencies for room and board provided on state-owned property;
- (7) application fees for recreational activities sponsored by state agencies and conducted on a draw or lottery basis;
- (8) court fees or fines levied in a judicial or adjudicatory proceeding;
- (9) the South Carolina Public Service Authority or the South Carolina Ports Authority.

(C) This paragraph does not prohibit a state agency, department, board, committee, or commission from increasing fees for services provided to other state agencies, departments, boards, committees, commissions, political subdivisions, or fees for health care and laboratory services regardless of whether the fee is set by statute.

(D) Statutory law for purposes of this paragraph does not include regulations promulgated pursuant to the State Administrative Procedures Act.

89.8. (GP: State Institutions - Revenues & Income) The University of South Carolina, Clemson University, the Medical University of South Carolina (including the Medical University Hospital), The Citadel, Winthrop University, South Carolina State University, Francis Marion University, University of Charleston, Lander University, Coastal Carolina University, and the Wil Lou Gray Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Section 89.1 of this act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 11-3-185 of the

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1976 Code, and expended to fulfill the purpose for which such fees or income were levied, but no part of such income shall be used for permanent improvements without the express written approval of the Budget and Control Board and the Joint Legislative Capital Bond Review Committee; and it is further required that no such fee or income shall be charged in excess of the amount that is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. Notwithstanding other provisions of this act, funds at state institutions of higher learning derived wholly from athletic or other student contests, from the activities of student organizations, and from the operations of canteens and bookstores, and from approved Private Practice plans at institutions and affiliated agencies may be retained at the institution and expended by the respective institutions only in accord with policies established by the institution's Board of Trustees. Such funds shall be audited annually by the State but the provisions of this act concerning unclassified personnel compensation, travel, equipment purchases and other purchasing regulations shall not apply to the use of these funds.

89.9. (GP: Transfers of Appropriations) Agencies and institutions shall be authorized to transfer appropriations within programs and within the agency with notification to the Division of Budget and Analyses and Comptroller General. No such transfer may exceed twenty percent of the program budget. Upon request, details of such transfers may be provided to members of the General Assembly on an agency by agency basis. Transfers of appropriations from personal service accounts to other operating accounts or from other operating accounts to personal service accounts may be restricted to any established standard level set by the Budget and Control Board upon formal approval by a majority of the members of the Budget and Control Board.

89.10. (GP: Federal Funds - DHEC, DSS, DHHS - Disallowances) Amounts appropriated to the Department of Health and Environmental Control, Department of Social Services and Department of Health and Human Services may be expended to cover program operations of prior fiscal years where adjustment of such prior years are necessary under federal regulations or audit exceptions. All disallowances or notices of disallowances by any federal agency of any costs claimed by these agencies shall be submitted to the State Auditor, the Senate Finance Committee and the House Ways and Means Committee, within five days of receipt of such actions.

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89.11. (GP: Fixed Student Fees) During the current fiscal year, student fees at the state institutions of higher learning shall be fixed by the respective Boards of Trustees as follows:

(1) Fees applicable to student housing, dining halls, student health service, parking facility, laundries and all other personal subsistence expenses shall be sufficient to fully cover the total direct operating and capital expenses of providing such facilities and services over their expected useful life except those operating or capital expenses related to the removal of asbestos.

(2) Student activity fees may be fixed at such rates as the respective Boards shall deem reasonable and necessary.

89.12. (GP: Tech Educ. Colleges Student Activity Fees) Notwithstanding any other provisions of this act, funds at technical education colleges derived wholly from the activities of student organizations and from the operations of canteens and bookstores may be retained by the college and expended only in accord with policies established by the respective college's area commission and approved by the State Board for Technical and Comprehensive Education.

89.13. (GP: SC Health & Human Services Data Warehouse) There is hereby established within the Office of Research and Statistics, South Carolina Budget and Control Board, the South Carolina Health and Human Services Data Warehouse. The purpose of the Warehouse is to ensure that the operation of health and human services agencies may be enhanced by coordination and integration of client information. Client data is defined as person-level data that is created, received, and/or maintained by state agencies and other entities required to report client information to the Office of Research and Statistics under this provision. To integrate client information, client data from health and human services state agencies will be linked to improve client outcome measures, enabling state agencies to analyze coordination and continuity of care issues. The addition of these data will enhance existing agency systems by providing client data from other state agency programs to assist in the provision of client services. Certain client information shall be delivered to the Office of Research and Statistics in order to assist in the development and maintenance of this Warehouse. The following agencies shall report client information:

- Departments of
 1. Health and Human Services;
 2. Health and Environmental Control;
 3. Mental Health;
 4. Alcohol and Other Drug Abuse Services;

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5. Disabilities and Special Needs;
 6. Social Services;
 7. Vocational Rehabilitation;
 8. Education;
 9. Juvenile Justice;
 10. Corrections;
 11. Probation, Parole and Pardon Services;
- Office of the Governor
 1. Children's Foster Care Review Board;
 2. Continuum of Care;
 - Office of the Lieutenant Governor, Division on Aging;
 - South Carolina School for the Deaf and the Blind;
 - Commission for the Blind, and
 - Other entities as deemed necessary by the Office of Research and Statistics.

These agencies and departments shall collect and provide client data in formats and schedules to be specified by the Office of Research and Statistics (Office). The Office shall establish a Memorandum of Agreement with each agency, department or division. These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of client information, the conditions for the release of data that may identify agencies, departments, divisions, programs and services, or clients, any restrictions on the release of data so as to be compliant with state and federal statutes and regulations on confidentiality of data, conditions under which the data may be used for research purposes, and any security measures to be taken to insure the confidentiality of client information.

To ensure accountability and the coordinated, efficient delivery of health and human services, the Office shall implement, in consultation with state health and human services agencies and other entities as deemed necessary by the Office, an integrated data system that includes client data from all participating agencies.

In order to provide for inclusion of other entities into the South Carolina Health and Human Services Data Warehouse and other research and analytic-oriented applications that will assist the state in the efficient and effective provision of services, the Office shall have the authority to enter into agreements or transactions with any federal, state or municipal agency or other public institution or with any private individual, partnership, firm, corporation, association or other entity to provide statistical, research and information dissemination services

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including, but not limited to, program and outcomes evaluation, program monitoring/surveillance, projects to determine the feasibility of data collection and/or analyses, information dissemination and research. The confidentiality of data collected under these initiatives shall comply with applicable state and federal laws governing the privacy of data.

The Office shall have the power to promulgate regulations, policies and procedures, in consultation with the participating agencies, for the development, protection and operation of the Data Warehouse, other research and analytic-oriented applications, and their underlying processes.

The Office shall develop internet-accessible secure analytic query tools (such as analytic cubes) using integrated client data from the Warehouse. All agencies shall cooperate with the Office in the development of these analytic tools. It is the intent of this provision that the analytic tools developed under this provision shall be made available to members of the South Carolina General Assembly and their research staff members, state agencies, and researchers. To that end, the Office shall, in consultation with the participating agencies, promulgate regulations addressing access to and use and release of information generated through use of the query tools.

All state agencies participating in the Warehouse shall utilize it and its associated software applications in the day-to-day operation of their programs and for coordination, collaboration, program evaluation and outcomes analysis. The Department of Health and Environmental Control shall be exempt from usage of the integrated client management system and the analytic query tools in the day-to-day operation of their Client Automated Record and Encounter System and their South Carolina Community Assessment Network, but shall provide the Warehouse with client data from the system and network.

No state agency shall duplicate any of the responsibilities of this provision.

For purposes of this subsection, all state laws, regulations, or any rule of any state agency, department, board, or commission having the effect or force of law that prohibits or is inconsistent with any provision of this subsection is hereby declared inapplicable to this subsection.

89.14. (GP: Discrimination Policy) It is the policy of the State of South Carolina to recruit, hire, train, and promote employees without discrimination because of race, color, sex, national origin, age, religion or physical disability. This policy is to apply to all levels and phases of

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personnel within state government, including but not limited to recruiting, hiring, compensation, benefits, promotions, transfers, layoffs, recalls from layoffs, and educational, social, or recreational programs. It is the policy of the State to take affirmative action to remove the disparate effects of past discrimination, if any, because of race, color, sex, national origin, age, religion or physical disability.

Each state agency shall submit to the State Human Affairs Commission employment and filled vacancy data by race and sex by October thirty-first, of each year.

In accordance with Section 1-13-110 of the South Carolina Code of Laws of 1976, as amended, the Human Affairs Commission shall submit a report on the status of state agencies' Affirmative Action Plans and Programs to the General Assembly by February 1 each year. This report shall contain the total number of persons employed in each job group, by race and sex, at the end of the preceding reporting period, a breakdown by race and sex of those hired or promoted from within the agency during the reporting period, and an indication of whether affirmative action goals were achieved. For each job group referenced in the Human Affairs report, where the hiring of personnel does not reflect the percentage goals established in the agency's affirmative action plan for the year in question, the state agency shall submit a detailed explanation to the Human Affairs Commission by February fifteenth, explaining why goals were not achieved.

The Human Affairs Commission shall review the explanations and notify the Budget and Control Board of any agency not in satisfactory compliance with meeting its stated goals.

The Budget and Control Board shall notify any agency not in compliance that their request for additional appropriations for the current appropriation cycle, may not be processed until such time as the Budget and Control Board, after consultation with the Human Affairs Commission, is satisfied that the agency is making a good faith effort to comply with its affirmative action plan, and that the compliance must be accomplished within a reasonable length of time to be determined by the mission and circumstances of the agency. This requirement shall not affect additional appropriation requests for public assistance payments or aid to entities. This section does not apply to those agencies that have been exempted from the reporting requirements of the Human Affairs Commission.

89.15. (GP: Personal Service Reconciliation, FTEs) In order to provide the necessary control over the number of employees, the

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Budget and Control Board is hereby directed to maintain close supervision over the number of state employees, and to require specifically the following:

1. That no state agency exceed the total authorized number of full-time equivalent positions and those funded from state sources as provided in each section of this act except by majority vote of the Budget and Control Board.

2. That the Budget and Control Board shall maintain and make, as necessary, periodic adjustments thereto, an official record of the total number of authorized full-time equivalent positions by agency for state and total funding sources.

(a) That within thirty (30) days of the passage of the Appropriation Act or by August first, whichever comes later, each agency of the State must have established on the Budget and Control Board records all positions authorized in the Act. After that date, the Board shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established by the board in excess of the total number of authorized full-time equivalent positions. Each agency may, upon notification to the Budget and Control Board, change the funding source of state FTE positions established on the Budget and Control Board records as necessary to expend federal and other sources of personal service funds to conserve or stay within the state appropriated personal service funds. No agency shall change funding sources that will cause the agency to exceed the authorized number of state or total full-time equivalent positions. Each agency may transfer FTEs between programs as needed to accomplish the agency mission.

(b) That by September thirtieth, the board shall prepare a personal service analysis, by agency, which shows the number of established positions for the fiscal year and the amount of funds required, by source of funds, to support the FTE's for the fiscal year at a funding level of one hundred percent. The board shall then reconcile each agency's personal service detail with the agency's personal service appropriation as contained in the Act adjusted for any pay increases and any other factors necessary to reflect the agency's personal service funding level. The board shall provide a copy of each agency's personal service reconciliation to the Senate Finance and House Ways and Means Committees.

(c) That any position which is shown by the reconciliation to be unfunded or significantly underfunded may be deleted at the direction of the Budget and Control Board.

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3. That full-time equivalent (FTE) positions shall be determined under the following guidelines:

(a) The annual work hours for each FTE shall be the agency's full-time standard annual work hours.

(b) The state FTE shall be derived by multiplying the state percentage of budgeted funds for each position by the FTE for that position.

(c) All institutions of higher education shall use a value of 0.75 FTE for each position determined to be full-time faculty with a duration of nine (9) months.

The FTE method of accounting shall be utilized for all authorized positions.

4. That the number of positions authorized in this act shall be reduced in the following circumstances:

(a) Upon request by an agency.

(b) When anticipated federal funds are not made available.

(c) When the Budget and Control Board, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

5. That the Budget and Control Board shall annually reconcile personal service funds with full-time employee count. Unfunded positions will be eliminated no later than January fifteenth of the current fiscal year unless specifically exempted elsewhere in this act or by the Budget and Control Board. The Budget and Control Board must report the full-time employee count and unfunded position status to the Senate Finance Committee and the Ways and Means Committee by February first of the current fiscal year.

6. That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this act but temporary positions may be so funded.

7. That the provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan under item I of Section 8-11-260 of the 1976 Code.

The Governor, in making his appropriation recommendations to the Ways and Means Committee, must provide that the level of personal service appropriation recommended for each agency is at least ninety-seven percent of the funds required to meet one hundred percent of the funds needed for the full-time equivalents positions recommended by the Governor (exclusive of new positions).

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89.16. (GP: Allowance for Residences & Compensation Restrictions) That salaries paid to officers and employees of the State, including its several boards, commissions, and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee. The charge for these items may be payroll deducted at the discretion of the Comptroller General or the chief financial officer at each agency maintaining its own payroll system. This shall not apply to the Governor's Mansion, nor to guards at any of the state's penal institutions and nurses and attendants at the Department of Disabilities and Special Needs, and registered nurses providing clinical care at the MUSC Medical Center, nor to the Superintendent and staff of John de la Howe School, nor to the cottage parents and staff of Wil Lou Gray Opportunity School, nor to full-time or part-time staff who work after regular working hours in the SLED Communications Center or Maintenance Area, nor to adult staff at the Governor's School for Science and Mathematics and the Governor's School for Arts and Humanities who are required to stay on campus by the institution because of job requirements or program participation. Any state institution of higher learning may provide complimentary membership privileges to employees who work at their wellness centers. The presidents of those state institutions of higher learning authorized to provide on-campus residential facilities for students may be permitted to occupy residences on the grounds of such institutions without charge.

Any state institution of higher learning may provide a housing allowance to the president in lieu of a residential facility, the amount to be approved by the Budget and Control Board.

That the following may be permitted to occupy residences owned by the respective departments without charge: the Farm Director, Farm Managers, and Specialists employed at the Wateree River Correctional Institution; the South Carolina State Commission of Forestry fire tower operators, forestry aides, and caretaker at central headquarters; the Department of Natural Resources' Game Management Personnel, Fish Hatchery Superintendents, Lake Superintendent, and Fort Johnson Superintendent; the Department of Parks, Recreation and Tourism field personnel in the State Parks Division; Director of Wil Lou Gray Opportunity School; President of the School for the Deaf and the Blind; houseparents for the Commission for the Blind; South Carolina

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Department of Health and Environmental Control personnel at the State Park Health Facility and Camp Burnt Gin; Residence Life Coordinators at Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at Winthrop University; Farm Superintendent at Winthrop University; Residence Hall Directors at the College of Charleston; the Department of Disabilities and Special Needs' physicians and other professionals at Whitten Center, Clemson University Off-Campus Agricultural Staff and Housing Area Coordinators; and TriCounty Technical College's Bridge to Clemson Resident and Area Directors. Except in the case of elected officials, the fair market rental value of any residence furnished to a state employee shall be reported by the state agency furnishing the residence to the Agency Head Salary Commission, and the Division of Budget and Analyses by October first, of each fiscal year.

All salaries paid by departments and institutions shall be in accord with a uniform classification and compensation plan, approved by the Budget and Control Board, applicable to all personnel of the State Government whose compensation is not specifically fixed in this act. Such plan shall include all employees regardless of the source of funds from which payment for personal service is drawn. The Division of Budget and Analyses of the Budget and Control Board is authorized to approve temporary salary adjustments for classified and unclassified employees who perform temporary duties which are limited by time and/or funds. When approved, a temporary salary adjustment shall not be added to an employee's base salary and shall end when the duties are completed and/or the funds expire. Academic personnel of the institutions of higher learning and other individual or group of positions that cannot practically be covered by the plan may be excluded therefrom but their compensations as approved by the Division of Budget and Analyses shall, nevertheless, be subject to review by the Budget and Control Board. Salary appropriations for employees fixed in this act shall be in full for all services rendered, and no supplements from other sources shall be permitted or approved by the Budget and Control Board. With the exception of travel and subsistence, legislative study committees shall not compensate any person who is otherwise employed as a full-time state employee. Salaries of the heads of all agencies of the State Government shall be specifically fixed in this act and no salary shall be paid any agency head whose salary is not so fixed. As long as there is no impact on

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appropriated funds, state agencies and institutions shall be allowed to spend public funds and/or other funds for designated employee award programs which shall have written criteria approved by the agency governing board or commission. For purposes of this section, monetary awards, if any, shall not be considered a part of an employee's base salary, a salary supplement, or a perquisite of employment. The names of all employees receiving monetary awards and the amounts received shall be reported annually to the South Carolina Division of Budget and Analyses.

In the case of lodging furnished by certain higher education institutions to employees, the prevailing local rate does not apply if the institution meets the exceptions for inadequate rent described in the current Internal Revenue Code Section 119(d)(2). To meet the exception, rental rates must equal the lesser of five percent of the appraised value of the qualified campus lodging, or the average of the rentals paid by individuals (other than employees or students of the educational institution) during the calendar year for lodging provided by the educational institution which is comparable to the qualified campus lodging provided to the employee, over the rent paid by the employee for the qualified campus lodging during the calendar year. The appraised value shall be determined as of the close of the calendar year in which the taxable year begins, or, in the case of a rental period not greater than one year, at any time during the calendar year in which the period begins.

89.17. (GP: Universities & Colleges - Allowance for Presidents) Presidents of the University of South Carolina, Clemson University, the Medical University of South Carolina, The Citadel, Winthrop University, South Carolina State University, Francis Marion University, University of Charleston, Coastal Carolina University and Lander University must not be paid a fixed allowance for personal expenses incurred in connection with the performance of their official duties. Reimbursements may be made to the presidents from funds available to their respective institutions for any personal expenses incurred provided that all requests for reimbursement are supported by properly documented vouchers processed through the normal accounting procedures of the institutions.

89.18. (GP: Replacement of Personal Property) The Department of Juvenile Justice, Department of Corrections, Department of Probation, Parole and Pardon Services, Department of Mental Health, Department of Disabilities and Special Needs, Continuum of Care, Department of Social Services and School for the Deaf and the Blind may replace the

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personal property of an employee which has been damaged or destroyed by a client while in custody of the agency. The replacement of personal property may be made only if the loss has resulted from actions by the employee deemed to be appropriate and in the line of duty by the agency head and if the damaged or destroyed item is found by the agency head to be reasonable in value, and necessary for the employee to carry out the functions and duties of his employment. Replacement of damaged or destroyed items shall not exceed \$250 per item, per incident. Each agency must have guidelines to insure the reasonableness of the replacement payments.

89.19. (GP: Business Expense Reimbursement) Agency heads and deputy commissioners or deputy directors designated by agency heads may receive reimbursements for business expenses incurred while performing their official duties, provided that receipts are presented when seeking reimbursement and justification is submitted to document the time, place, and purpose of the expense as well as the names of the individuals involved. The Budget and Control Board shall promulgate regulations governing these expenses.

89.20. (GP: Per Diem) The per diem allowance of all boards, commissions and committees shall be at the rate of thirty-five (\$35) dollars per day. No full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions or committees.

89.21. (GP: Travel - Subsistence Expenses & Mileage) Travel and subsistence expenses, whether paid from state appropriated, federal, local or other funds, shall be allowed in accordance with the following provisions:

(A) Unless otherwise provided in paragraphs B through H of this section, all employees of the State of South Carolina or any agency thereof including employees and members of the governing bodies of each technical college while traveling on the business of the State shall, upon presentation of a paid receipt, be allowed reimbursement for actual expenses incurred for lodging, not to exceed the current maximum lodging rates, excluding taxes, established by the U.S. General Services Administration. The lodging reimbursement for employees of a school district must also conform to these rates when that employee's travel reimbursement is paid by state funds that are transferred to the school district. Agencies may contract with lodging facilities to pay on behalf of an employee. Failure to maintain proper control of direct payments for lodging may result in the revocation of

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the agency's authority by the Comptroller General or the State Auditor. The employee shall also be reimbursed for the actual expenses incurred in the obtaining of meals except that such costs shall not exceed \$25 per day within the State of South Carolina. For travel outside of South Carolina the maximum daily reimbursement for meals shall not exceed \$32. Agencies may contract with food or dining facilities to pay for meals on behalf of employees in accordance with rules and regulations established by the Budget and Control Board. It shall be the responsibility of the agency head to monitor the charges for lodging which might be claimed by his employees in order to determine that such charges are following maximum lodging rates as established by the U.S. General Services Administration. Any exceptions must have the written approval of the agency head, taking into consideration location, purpose of travel or other extenuating circumstances. The provisions of this item shall not apply to Section 42-3-40 of the 1976 Code, and when pertaining to institutions of higher learning, for travel paid with funds other than General Funds.

(B) That employees of the State, when traveling outside the United States, Canada, and Puerto Rico upon promotional business for the State of South Carolina shall be entitled to actual expenses for both food and lodging.

(C) The Governor, Lieutenant Governor, Secretary of State, Comptroller General, Attorney General, State Treasurer, Adjutant General, Superintendent of Education and the Commissioner of Agriculture shall be reimbursed actual expenses for subsistence.

(D) Non-legislative members of committees appointed pursuant to Acts and Resolutions of the General Assembly whose membership consists solely of members of the General Assembly or members of the General Assembly and other personnel who are not employees of the State of South Carolina shall be allowed subsistence expenses of \$35 per day while traveling on official business, unless otherwise designated by law. Members of such committees may opt to receive actual expenses incurred for lodging and actual expenses incurred in the obtaining of meals in lieu of the allowable subsistence expense.

(E) Members of the state boards, commissions, or committees whose duties are not full-time and who are paid on a per diem basis, shall be allowed reimbursement for actual expenses incurred at the rates provided in paragraph A and I of this section while away from their places of residence on official business of the State. One person accompanying a handicapped member of a state board, commission, or committee on official business of the State shall be allowed the same

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reimbursement for actual expenses incurred at the rates provided in paragraph A through I of this section.

(F) No subsistence reimbursement shall be allowed to a Justice of the Supreme Court or Judge of the Court of Appeals while traveling in the county of his official residence. When traveling on official business of said court within fifty miles outside the county of his official residence, a Supreme Court Justice and a Judge of the Court of Appeals shall be allowed subsistence expenses in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. When traveling on official business of said court fifty or more miles outside the county of his official residence, each Justice and Judge of the Court of Appeals shall be allowed subsistence expenses in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State. The Chief Justice, or such other person as the Chief Justice designates, while attending the Conference of Chief Justices and one member of the Supreme Court while attending the National Convention of Appellate Court Judges, and three Circuit Judges while attending the National Convention of State Trial Judges shall be allowed actual subsistence and travel expenses.

Upon approval of the Chief Justice, Supreme Court Justices, Judges of the Court of Appeals, Circuit Judges, and Family Court Judges shall be reimbursed for actual expenses incurred for all other official business requiring out-of-state expenses at the rate provided in paragraph A of this section.

(G) No subsistence reimbursements are allowed to a Circuit Judge, a Family Court Judge, or an Administrative Law Judge while holding court within the county in which he resides. While holding court or on other official business outside the county, within fifty miles of his residence, a Circuit Court Judge, Family Court Judge, or an Administrative Law Judge is entitled to a subsistence allowance in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a location fifty miles or more from his residence, a Circuit Court, Family Court or Administrative Law Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State.

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(H) Any retired Justice, Circuit Court Judge or Family Court Judge or Master-in-Equity appointed by the Supreme Court to serve as a Special Circuit Judge, Family Court Judge, Appeals Court Judge, or Acting Associate Justice shall serve without pay but shall receive the same allowance for subsistence, expenses, and mileage as provided in Part I for Circuit Court Judges.

(I) No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed except as provided in paragraph E, of this section. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities or sections of the State, expenses may be allowed for the necessary travel to his official headquarters. The members of the Workers' Compensation Commission may be reimbursed at the regular mileage rate of one round trip each week from their respective homes to Columbia. No subsistence reimbursement shall be allowed to a member of the Workers' Compensation Commission while traveling in the county of his official residence. When traveling on official business of the commission outside the county of his official residence, a member of the Workers' Compensation Commission shall be allowed subsistence expenses in the amount of \$35 per day. When traveling on official business of the commission fifty or more miles outside the county of his official residence, each member shall be allowed a subsistence allowance in the amount as provided in this act for members of the General Assembly. When out-of-state, members of the Workers' Compensation Commission and the members of the Appellate Panel of the Department of Employment and Workforce may claim the established amount of per diem, as stated in the General Appropriation Act, or actual expenses as deemed reasonable by the Comptroller General. The members of the Appellate Panel of the Department of Employment and Workforce may be reimbursed at the regular mileage rate when the member is on official business fifty miles or more outside of Columbia. The members of the Appellate Panel of the Department of Employment and Workforce shall be allowed subsistence allowance in the amount as provided in this act for members of the General Assembly when the member is on official business fifty miles or more outside of Columbia.

(J) When an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge to equal the standard business mileage rate as established by the Internal Revenue Service will be allowed for the use of such automobile and the

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employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. Whenever state provided motor pool vehicles are reasonably available and their use is practical and an employee of the State shall request for his own benefit to use his or her personal vehicle in traveling on necessary official business, a charge of four cents per mile less than the standard business mileage rate as established by the Internal Revenue Service will be allocated for the use of such vehicle and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof but no mileage will be allowed. Agencies and employees are directed to use state fueling facilities to the maximum extent possible, when such use is cost beneficial to the State. When using commercial fueling facilities, operators of State-owned vehicles are directed to use self-service pumps. In traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules and like factors.

Mileage between an employee's home and his/her place of employment is not subject to reimbursement. However, when an employee leaves on a business trip directly from his/her home, and does not go by the employee's headquarters, the employee shall be eligible for reimbursement for actual mileage beginning at his/her residence.

(K) That a state agency may advance travel and subsistence expense monies to employees of that agency for the financing of ordinary and necessary travel required in the conducting of the business of the agency. The Budget and Control Board is directed to develop and publish rules and regulations pertaining to the advancing of travel expenses and no state agency shall make such advances except under the rules and regulations as published. All advances for travel and subsistence monies shall be repaid to the agency within thirty days after the end of the trip or by July fifteenth, whichever comes first.

(L) That the state institutions of higher learning are authorized to reimburse reasonable relocation expenses for new employees when such reimbursements are considered by the agency head to be essential to successful recruitment of professionally competent staff members.

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(M) The Budget and Control Board is authorized to promulgate and publish rules and regulations governing travel and subsistence payments.

(N) No state funds may be used to purchase first class airline tickets.

89.22. (GP: Organizations Receiving State Appropriations Report) Each organization receiving a contribution in this act shall render to the state agency making the contribution by November first of the fiscal year in which funds are received, an accounting of how the state funds will be spent, a copy of the adopted budget for the current year, and also a copy of the organization's most recent operating financial statement. The funds appropriated in this act for contributions shall not be expended until the required financial statements are filed with the appropriate state agency. No funds in this act shall be disbursed to organizations or purposes which practice discrimination against persons by virtue of race, creed, color or national origin. The State Auditor shall review and audit, if necessary, the financial structure and activities of each organization receiving contributions in this act and make a report to the General Assembly of such review and/or audit, when requested to do so by the Budget and Control Board.

89.23. DELETED

89.24. (GP: State Owned Aircraft - Maintenance Logs) Each agency having in its custody one or more aircraft shall maintain a continuing log on all flights, which in order to promote accountability and transparency shall be open for public inspection and shall also be posted online. Any and all aircraft owned or operated by agencies of the State Government shall be used only for official business. The Division of Aeronautics and other agencies owning and operating aircraft may furnish transportation to the Governor, Constitutional Officers, members of the General Assembly, members of state boards, commissions, and agencies and their invitees for official business only; no member of the General Assembly, no member of a state board, commission, or committee, and no state official shall use any aircraft of the Division of Aeronautics unless the member or official files within forty-eight hours after the time of departure of the flight with the Division of Aeronautics a sworn statement certifying and describing the official nature of his trip; and no member of the General Assembly, no member of a state board, commission or committee, and no state official shall be furnished air transportation by a state agency other than the Division of Aeronautics unless such agency prepares and maintains in its files a sworn statement from the highest ranking

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official of the agency certifying that the member's or state official's trip was in conjunction with the official business of the agency. Official business shall not include routine transportation to and from meetings of the General Assembly or committee meetings for which mileage is authorized. Official business also does not include attending a press conference, bill signing, or political function.

All logs shall be signed by the parties using the flight and the signatures shall be maintained as part of the permanent record of any agency. All passengers shall be listed on the flight log by their legal name; passengers flying with an appropriate official of SLED or the Department of Commerce whose confidentiality must, in the opinion of SLED or the department, be protected shall be listed in writing on the flight log as "Confidential Passenger SLED or the Department of Commerce (strike one)" and the appropriate official of SLED or the department shall certify to the agency operating the aircraft the necessity for such confidentiality. The Division of Aeronautics shall post its flight logs on its website within one working day of completion of trips.

Violation of the above provisions of this section is prima facie evidence of a violation of Section 8-13-700(A) of the 1976 Code and shall subject a violating member of the General Assembly to the ethics procedure of his appropriate house and shall subject a violating member of a state board, commission or committee, or a state official to the applicable ethics procedure relating to them as provided by law. The above provisions do not apply to aircraft of the Division of Aeronautics when used by the Medical University of South Carolina, nor to aircraft of the athletic department or the educational foundations of any state-supported institution of higher education, nor to law enforcement officers when flying on state owned aircraft in pursuit of fugitives, missing persons, or felons or for investigation of gang, drug, or other violent crimes.

Aircraft owned by agencies of state government shall not be leased to individuals for their personal use.

89.25. (GP: Carry Forward) Each agency is authorized to carry forward unspent general fund appropriations from the prior fiscal year into the current fiscal year, up to a maximum of ten percent of its original general fund appropriations less any appropriation reductions for the current fiscal year. Agencies shall not withhold services in order to carry forward general funds.

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This provision shall be suspended if necessary to avoid a fiscal year-end general fund deficit. For purposes of this proviso, the amount of the general fund deficit shall be determined after first applying the Capital Reserve Fund provisions in Section 11-11-320(D) of the 1976 Code, and before any transfers from the General Reserve. The amount of general funds needed to avoid a year-end deficit shall be reduced proportionately from each agency's carry forward amount.

Agencies which have separate general fund carry forward authority must exclude the amount carried forward by such separate authority from their base for purposes of calculating the ten percent carry forward authorized herein. Any funds that are carried forward as a result of this provision are not considered part of the base of appropriations for any succeeding years.

89.26. DELETED

89.27. (GP: TEFRA-Tax Equity and Fiscal Responsibility Act) It is the intent of the General Assembly that the State Medicaid Plan be amended to provide benefits for disabled children as allowed by the Tax Equity and Fiscal Responsibility Act (TEFRA) option. State agencies, including but not limited to, the Department of Social Services - the Continuum of Care, the Department of Health and Environmental Control, the Department of Mental Health, the Department of Disabilities and Special Needs, and the Department of Health and Human Services shall collectively review and identify existing state appropriations within their respective budgets that can be used as state match to serve these children. Such funds shall be used effective January 1, 1995 to implement TEFRA option benefits. Agencies providing services under the provisions of this paragraph must not spend less in the current fiscal year than expended in the previous fiscal year.

89.28. (GP: Frequent Flyer Premiums) State agencies and employees shall select air carriers based on cost and time criteria, not on whether frequent flyer premiums are given. State agencies should ensure that employees earning frequent flyer premiums while traveling on state business use them to reduce the cost of subsequent business travel whenever possible.

89.29. (GP: Prison Industries) All agencies funded in this act, when procuring goods and services, shall first consider contracting for services or purchasing goods and services through the Department of Corrections' Prison Industries Program. The Department of Corrections shall furnish, upon request, to all agencies a catalogue of goods and services provided by Prison Industries. The department is

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hereby directed to develop and market a catalogue of Prison Industries products for nationwide circulation.

89.30. (GP: Travel Report) Annually on November first, the Comptroller General shall issue a report on travel expenditures for the prior fiscal year which shall be distributed to the Senate Finance Committee, the House Ways and Means Committee, and the Statehouse Press Room. The Comptroller General may use up to \$500 of general fund appropriations for the purpose of providing copies to the media or the public upon request. The report must contain a listing for every agency receiving an appropriation in the annual General Appropriations Act. The listing must show at a minimum the top ten percent of employees for whom travel expenses and registration fees were paid within each agency, not to exceed twenty-five employees per agency. Agencies should include position titles for each of the top twenty-five travelers for each agency. Expenditures must include state, federal and other sources of funds. Expenditures for in-state and out-of-state registration fees (fees to attend conferences, teleconferences, workshops, or seminars for training on a per person basis) must be shown as a separate subtotal within the grand total for the individual employees and the agency as a whole. The list for each agency must be in rank order with the largest expenditure first and the name of the employee must be shown with each amount. Agencies should include a brief summary of the type of travel the agency incurs. The Comptroller General may provide additional information as deemed appropriate. The Comptroller General shall provide no exceptions to this report in that the information contained is not considered confidential or restricted for economic development purposes. However, further disclosure of detailed information shall be restricted as provided for by law.

89.31. (GP: School Technology Initiative) From the funds appropriated/authorized for the K-12 technology initiative, the Department of Education, in consultation with the Budget and Control Board's Division of State Information Technology, the State Library and Educational Television Commission shall administer the K-12 technology initiative funds. These funds are intended to provide technology, encourage effective use of technology in K-12 public schools throughout the state, conduct cost/benefit analyses of the various technologies and should, to the maximum extent possible, involve public-private sector collaborative efforts. Funds may also be used to establish pilot projects for new technologies with selected

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school districts as part of the evaluation process. K-12 technology initiative funds shall be retained and carried forward to be used for the same purpose.

89.32. (GP: State Operated Day Care Facilities Fees) Any state agency receiving funding in this act and any higher education institution, including four-year institutions, two-year institutions, and technical colleges, that operates an early childhood development center or day care facility shall charge, at a minimum, fees that are comparable to those charged by private day care facilities in the local community. The institution or agency shall not restrict enrollment in the center solely to the children of faculty, staff, and students of the institution; nor shall fees be set at a lower level for faculty, staff, or students of the institution or agency.

89.33. (GP: Base Budget Analysis) Agencies' annual accountability reports for the prior fiscal year, as required in Section 1-1-810, must be accessible to the Governor, Senate Finance Committee, House Ways and Means Committee, and to the public on or before September fifteenth, for the purpose of a zero-base budget analysis and in order to ensure that the Agency Head Salary Commission has the accountability reports for use in a timely manner. Accountability Report guidelines shall require agencies to identify key program area descriptions and expenditures and link these to key financial and performance results measures. The Budget and Control Board is directed to develop a process for training agency leaders on the annual agency accountability report and its use in financial, organizational, and accountability improvement. Until performance-based funding is fully implemented and reported annually, the state supported colleges, universities and technical schools shall report in accordance with Section 59-101-350.

89.34. (GP: Collection on Dishonored Payments) In lieu of any other provision of law, any state agency may collect a service charge as provided in Section 34-11-70 to cover the costs associated with the processing and collection of dishonored instruments or electronic payments where any amount is not paid by the drawee due to insufficient funds on deposit with the bank or the person upon which it was drawn when presented, or the instrument has an incorrect or insufficient signature on it. Such funds shall be retained and expended by the agency in accordance with this purpose and any unused amount shall carry forward to the following fiscal year.

89.35. (GP: State DNA Database) Funds collected by the South Carolina Department of Corrections, the Department of Probation,

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Parole and Pardon, and Department of Juvenile Justice to process DNA samples must be remitted to the State Law Enforcement Division to offset the expenses incurred to operate the State DNA Database program. SLED may retain, expend, and carry forward these funds. Any carry forward funds resulting from the DNA Database program must be used solely to operate the DNA Database program.

89.36. (GP: Innovative Transportation) The Transportation Infrastructure Bank or the Railroad Commission may make grants for developing innovative transportation technology, such as light rail, mono-rail, or mono-beam.

89.37. (GP: Menu Option Telephone Answering Devices) From the funds appropriated to state agencies, state agencies and their departments shall not expend funds for any type of menu option telephone answering device, unless the menu option system provides the caller with access to a non-electronic attendant or automatically transfers the caller to a non-electronic attendant. This requirement applies during the hours of 8:30 a.m. until 5:00 p.m., Monday through Friday, excluding holidays. This requirement does not apply to integrated voice response systems that are specifically designed to exclude human interaction. No additional personnel may be hired to implement the requirements of this provision.

89.38. (GP: Voluntary Separation Incentive Program) State agencies may implement, in consultation with the Human Resources Division of the Budget and Control Board, a program to realign resources to include provisions for a separation incentive payment for employees which may include the employer portion of health and dental benefits not to exceed one year. Employees participating in such program shall not be eligible to participate in the Teacher and Employee Retention Incentive (TERI) program. Employees participating in such program shall be considered to have voluntarily quit their employment without good cause and be subject to the provisions of Section 41-35-120(1) of the South Carolina Employment Security Law. Any program developed under this provision will involve voluntary participation from employees and will be funded within existing appropriations. The program must be approved by the agency head and the Director of the Human Resources Division based on ability to demonstrate recurring cost savings for realignment and/or permanent downsizing. State agencies shall report the prior year's results to the Budget and Control Board by August fifteenth, of the current fiscal year. The Budget and Control Board, upon request, shall

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report to the Senate Finance Committee and the House Ways and Means Committee on these results.

89.39. (GP: Alternative Commitment to Truancy) As part of its plan for an alternative school, a school district receiving funds from the Department of Education for an alternative school shall identify available alternatives to commitment for children whose truancy is approaching the level of being referred to family court. When proceeding under S.C. Code Section 59-65-50 to bring an individual case before the family court, the school district must present this plan as well as the district's efforts with respect to the individual child to the court. Each school district's plan under this proviso shall include possible assignment to alternative school for a non-attending child before petitioning the court.

89.40. (GP: Debt Collection Reports) Each state agency shall provide to the Chairmen of the Senate Finance and House of Representatives Ways and Means Committees a report detailing the amount of its outstanding debt and all methods it has used to collect that debt. This report is due by the last day of February for the previous calendar year. For purposes of this provision, outstanding debt means a sum remaining due and owed to a state agency by a non-governmental entity for more than sixty (60) calendar days.

89.41. (GP: State Funded Libraries - Web Filters) (A) A library receiving state funds, directly, indirectly, by grant, or otherwise, other than a library at an institution of higher learning, that has computers available for use by the public or students, or both, must equip these computers with software incorporating web-filtering technology designed to eliminate or reduce the ability of the computer to access sites displaying pornographic pictures or text. However, up to ten percent, and at least one, of the library's computers must be unfiltered. Each library's governing officials shall determine the physical location of any unfiltered computer(s). The library also must have a written policy providing sanctions against a person who instructs or demonstrates to another person how to bypass this web-filtering technology.

(B) State funds intended for a library not in compliance with subsection (A) must be reduced by fifty percent. Funds resulting from this reduction must be distributed among other libraries that are in compliance with subsection (A).

89.42. (GP: Tobacco Settlement Funds Carry Forward) State agencies are hereby authorized to retain and carry forward any unexpended Tobacco Settlement Agreement funds from the prior fiscal

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year into the current fiscal year and to expend such funds for the same purpose.

89.43. (GP: Use Tax Exemption) For the current fiscal year there is exempt from the use tax imposed pursuant to Chapter 36, Title 12 of the 1976 Code the sales price of tangible personal property purchased for use in private primary and secondary schools, including kindergartens and early childhood education programs, which are exempt from income taxes pursuant to Section 501(c)(3) of the Internal Revenue Code. For the purposes of this item, the Internal Revenue Code means Internal Revenue Code as described in Section 12-6-40 of the 1976 Code. This exemption applies for sales occurring after 1995. No refund is due any taxpayer of use tax paid on sales exempted by this paragraph.

89.44. (GP: Personal Property Tax Relief Fund) For the current fiscal year, Section 12-37-2735 of the 1976 Code is suspended. If the Personal Property Tax Exemption Sales Tax is imposed in a county and a sales tax rate of two percent of gross proceeds of sales is insufficient to offset the property tax not collected, sufficient amounts must be credited to the Trust Fund for Tax Relief established pursuant to Section 11-11-150 of the 1976 Code to provide the reimbursement to offset such a shortfall in the manner provided in Section 4-10-540(A) of the 1976 Code.

89.45. (GP: COG Annual Report) Each Council of Government shall submit a report to the Senate Finance Committee and the House Ways and Means Committee by December first each year describing how the funds which they received from the State in the prior fiscal year were expended.

89.46. (GP: Governor's Office, Veterans Affairs) Of the funds appropriated for the Division of Veterans Affairs, the Director of the Division shall appoint an additional claims representative within the Division of Veterans Affairs, who, in addition to being charged with the duty of assisting all ex-servicemen, regardless of the wars in which their service may have been rendered, in filing, presenting, and prosecuting to final determination all claims which they have for money compensation, hospitalization, training, and insurance benefits under the terms of federal legislation, shall also specialize in the specific needs and diseases associated with veterans of the Vietnam era. The person appointed as a claims representative under this section must be versed in federal legislation relating to these matters and the rules, regulations, and practice of the Veterans Administration as

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created by Congress and his appointment must be approved by the Governor.

Subject to the direction of the director, and in addition to other duties prescribed in this section, the claims representative appointed pursuant to this section may represent the Division of Veterans Affairs on the South Carolina Agent Orange Advisory Council and on the Hepatitis C Coalition established by the South Carolina Department of Health and Environmental Control, assist the Division of Veterans Affairs in carrying out its duties in connection with the Agent Orange Information and Assistance program, represent the director in connection with functions relating to Vietnam veterans, and perform other duties as may be assigned by the director.

89.47. (GP: South Carolina Recycling Initiative) To protect the public health and safety, protect and preserve the environment of this State, and to recover resources which have the potential for usefulness in the most environmentally safe, economically feasible and cost effective manner, state agencies shall purchase recycled steel unless the item cannot be acquired competitively at a reasonable price.

89.48. (GP: Life and Palmetto Fellows Scholarships Waiver Exemption) Any provision in permanent law or in Part IB, Section 89 of this act, except that which is specified for LIFE and Palmetto Fellows Scholarships, that would require general fund appropriations other than what is specified in Part IA of this act is waived for the current fiscal year.

89.49. (GP: Sole Source Procurements) The Budget and Control Board shall evaluate and determine whether the written determinations, explanations, and basis for sole source procurements, pursuant to S.C. Code Section 11-35-1560, and emergency procurements, pursuant to S.C. Code Section 11-35-1570, are legitimate and valid reasons for awarding non-competitive contracts.

89.50. (GP: DMV Data) The Department of Motor Vehicles shall provide access, in compliance with all state and federal privacy protection statutes, to the following data and reports without charge to the South Carolina Department of Transportation:

- (1) all collision data and collision reports;
- (2) registration information used for toll enforcement; and
- (3) driver records of employees or prospective employees.

89.51. (GP: Parking Fees) State agencies shall not impose additional parking fees or increases in current fees for state employees during the current fiscal year. This provision does not apply to any college or university.

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89.52. (GP: Constitutional Officer & Agency Head Voluntary Furlough) All constitutional officers and agency heads may take up to thirty-six days furlough in the current fiscal year. The officials will retain all responsibilities and authority during the furlough. All monies saved from this furlough may be retained by that agency and expended at the discretion of the constitutional officer or agency head. During this furlough, the constitutional officer or agency head shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agency will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the constitutional officer or agency head remains solely responsible for making those contributions.

89.53. (GP: Tobacco Funds) The Tobacco Settlement Revenue Management Authority may determine by resolution that some or all of the amounts on deposit in the Healthcare Tobacco Settlement Trust Fund established pursuant to Section 11-11-170, whether in the form of principal or interest, may be used to refund bonds issued pursuant to Chapter 49, Title 11, to purchase such bonds, directly or indirectly, and/or to secure bonds issued to refund such bonds. Any amounts received by the Authority pursuant to the preceding clause in excess of the amount required to refund or purchase such bonds and all tobacco settlement receipts received by the State pursuant to Section 11-49-130 must be deposited directly with the Department of Health and Human Services for health care expenditures to achieve the maximum Medicaid match.

89.54. (GP: Facility Rental Fee) The Governor's School for the Arts and Humanities, Governor's School for Science and Mathematics, Wil Lou Gray Opportunity School, and John de la Howe School are authorized to charge, collect, expend and carry forward fees charged for facility and equipment rental and registration.

89.55. (GP: Insurance Claims) Any insurance reimbursement to an agency may be used to offset expenses related to the claim. These funds may be retained, expended, and carried forward.

89.56. (GP: Organizational Charts) All agencies, departments and institutions of state government shall furnish to the Office of Human Resources (1) a current personnel organizational chart annually no later than September 1 of the current fiscal year, or upon the request of the Office and (2) notification of any change to the agency's organizational

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structure which impacts an employee's grievance rights within 30 days of such change. The organizational chart shall be in a form prescribed by the Office of Human Resources showing all authorized positions, class title, class code, class slot and indications as to whether such positions are filled or vacant. In addition, the organizational chart shall clearly identify those employees who are exempt from the State Employee Grievance Procedure Act.

89.57. (GP: Agencies Affected by Restructuring) Upon restructuring of state agencies by the General Assembly the Budget and Control Board is directed to work with affected State agencies in order to phase-in operations of restructured organizations during the current fiscal year. Restructured organizations should be operating entirely under the revised structure no later than December thirty-first, of the current fiscal year, unless otherwise directed by law. The Board is further directed to work with the affected agencies in order to identify and facilitate the transfer of any portion of their operations, including transfer of funds during the current fiscal year, which is affected by the restructured organization adopted by the General Assembly, but which has not already been accomplished herein. Until sufficient changes can be made to the State's accounting system and the appointment of appropriate agency heads, the Comptroller General and the State Treasurer shall allow those agencies affected by restructuring to continue processing documents within the account structure existing on June thirtieth, of the prior fiscal year. Restructured agencies shall make all the necessary accounting adjustments to complete the transition to the new account structure as soon as possible, but no later than December thirty-first, of the current fiscal year, unless otherwise directed by law. The Budget and Control Board Office of State Budget is directed to prepare the subsequent detail budget to conform Part IA and corresponding provisos in this act to any restructuring changes that are ratified.

89.58. (GP: Agency Administrative Support Collaboration) It is the intent of the General Assembly that state agencies continue to actively pursue cost savings measures through collaborative efforts and where feasible may combine administrative support functions with other agencies in order to maximize efficiency and effectiveness.

89.59. (GP: Assessment Audit / Crime Victim Funds) If the State Auditor finds that any county treasurer, municipal treasurer, county clerk of court, magistrate, or municipal court has not properly allocated revenue generated from court fines, fines, and assessments to the crime victim funds or has not properly expended crime victim funds, pursuant

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to Sections 14-1-206(B)(D), 14-1-207(B)(D), 14-1-208(B)(D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Office of Victim Assistance. The State Office of Victim Assistance is authorized to conduct an audit which shall include both a programmatic review and financial audit of any entity or non-profit organization receiving victim assistance funding based on the referrals from the State Auditor or complaints of a specific nature received by the State Office of Victim Assistance to ensure that crime victim funds are expended in accordance with the law. Guidelines for the expenditure of these funds shall be developed by the Victim Services Coordinating Council. The Victim Services Coordinating Council shall develop these guidelines to ensure any expenditure which meets the parameters of Title 16, Chapter 3, Article 15 is an allowable expenditure. Any local entity or non-profit organization that receives funding from revenue generated from crime victim funds is required to submit their budget for the expenditure of these funds to the State Office of Victim Assistance within thirty days of the budget's approval by the governing body of the entity or non-profit organization. Failure to comply with this provision shall cause the State Office of Victim Assistance to initiate a programmatic review and a financial audit of the entity's or non-profit organization's expenditures of victim assistance funds. Additionally, the State Office of Victim Assistance will place the name of the non-compliant entity or non-profit organization on their website where it shall remain until such time as they are in compliance with the terms of this proviso. Any entity or non-profit organization receiving victim assistance funding must cooperate and provide expenditure/program data requested by the State Office of Victim Assistance. If the State Office of Victim Assistance finds an error, the entity or non-profit organization has ninety days to rectify the error. An error constitutes an entity or non-profit organization spending victim assistance funding on unauthorized items as determined by the State Office of Victims Assistance. If the entity or non-profit organization fails to cooperate with the programmatic review and financial audit or to rectify the error within ninety days, the State Office of Victim Assistance shall assess and collect a penalty in the amount of the unauthorized expenditure plus \$1,500 against the entity or non-profit organization for improper expenditures. This penalty plus \$1,500 must be paid within thirty days of the notification by the State Office of Victim Assistance to the entity or non-profit organization that they are in non-compliance with the provisions of this proviso. All

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penalties received by the State Office of Victim Assistance shall be credited to the General Fund of the State. If the penalty is not received by the State Office of Victim Assistance within thirty days of the notification, the political subdivision will deduct the amount of the penalty from the entity or non-profit organization's subsequent fiscal year appropriation.

89.60. (GP: H.L. Hunley Museum Location) The General Assembly approves the City of North Charleston as the permanent site of the H.L. Hunley Museum. This approval is contingent upon the negotiation and execution of necessary contracts between the State of South Carolina and the City of North Charleston. The Hunley Commission is directed to expend funds from its account to negotiate and execute contracts on behalf of the State of South Carolina.

89.61. (GP: Secure Juvenile Confinement) The Attorney General shall review the interpretation of the current policies of the Department of Public Safety and the Department of Corrections regarding secure juvenile confinement that the departments indicate may jeopardize federal grant funds. The departments may not implement any changes to the current policies regarding secure juvenile confinement until the Attorney General considers the departments' interpretation of the federal Juvenile Justice and Delinquency Prevention Act in regard to the secure holding of juveniles for more than six hours in adult detention facilities that also serve as forty-eight-hour juvenile holdover facilities. The Attorney General will determine if the departments' interpretation is fair and equitable and how the local governments and the Department of Juvenile Justice would be impacted, to include any financial considerations.

89.62. (GP: ISCEDC Funding Transfer) The departments of Mental Health, Disabilities and Special Needs, and Juvenile Justice are directed to transfer a total of \$1,199,456 in funds to the Department of Social Services for the support of the Interagency System for Caring for Emotionally Disturbed Children. Funding transfers shall be in the following amounts: Department of Mental Health - \$595,000, Department of Disabilities and Special Needs - \$379,456, and Department of Juvenile Justice - \$225,000. The transfer of funds shall be accomplished by September thirtieth of the current fiscal year.

89.63. (GP: Employee Bonuses) State agencies and institutions are allowed to spend state, federal, and other sources of revenue to provide selected employees lump sum bonuses, not to exceed three thousand dollars per year, based on objective guidelines established by the Budget and Control Board. Payment of these bonuses is not a part of

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the employee's base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems. Employees earning \$100,000 or more shall not be eligible to receive bonuses under this provision.

89.64. (GP: FEMA Flexibility) Any appropriation designated as the state share for a federally declared disaster may be carried forward and used for the same purpose by the Emergency Management Division of the Adjutant General's Office in the event of additional federally declared disasters. Unallocated funds from established state accounts may be used as the state share in any federally declared disaster. Such funds may not be expended for any purpose other than for the state share for a federally declared disaster.

In the event there is a federally declared disaster and state match funds are unavailable, the Budget and Control Board may borrow from any internal account or accounts necessary to maximize federal matching funds through the Emergency Management Division. Any such borrowing must be reported to the General Assembly within five days. Funds borrowed from accounts shall be replenished by the General Assembly as soon as practicable.

89.65. (GP: Respiratory Syncytial Virus Prescription Sales and Use Tax Exemption) The effective date of the exemption from sales and use tax of prescription medicines used to prevent respiratory syncytial virus shall be January 1, 1999. No refund of sales and use taxes may be claimed as a result of this provision.

89.66. (GP: Year-End Financial Statements - Penalties) Agencies and other reporting entities required to submit annual audited financial statements for inclusion in the State's Comprehensive Annual Financial Report must comply with the submission dates stipulated in the State Auditor's Office audit contract. If the audit was not contracted by the State Auditor's Office, the final audited financial statements are due not later than October tenth for the prior fiscal year. Each agency that does not comply with the provisions of this proviso shall appear before the Comptroller General, providing an explanation for the delay.

89.67. (GP: Purchase Card Incentive Rebates) In addition to the Purchase Card Rebate deposited in the general fund, any incentive rebate premium received by an agency from the Purchase Card Program may be retained and used by the agency to support its operations.

89.68. (GP: Sex Offender Monitoring and Supervision) The funds appropriated to the Department of Probation, Parole and Pardon

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Services in Part IA, Section 52, Program II.A.2. for the Sex Offender Monitoring Program and to the Department of Juvenile Justice in Part IA, Section 53, Program III.A., Special Item: Sex Offender Monitoring are to be used and expended only for GPS monitoring programs of the departments. In cases of limited funds, monitoring of "Jessie's Law" offenders shall take precedence over all other GPS programs of the departments. Funds appropriated for this program may not be used for any other purpose or transferred to any other program. Unexpended funds appropriated for Sex Offender Monitoring may be carried forward and used for the same purpose. The departments are directed to submit a report to the General Assembly by January fifteenth each year accounting for the expenditure of the funds including any carry-forward funding; the total costs and per-day costs for equipment, supervision, and monitoring; the total number of staff assigned to the activity and the average agent case loads; the amount of funds collected from sex offenders for both intensive supervision and electronic monitoring; and the anticipated fiscal needs for the upcoming fiscal year. The report shall also include, but not be limited to, data regarding the number of offenders sentenced to electronic monitoring, including the number sentenced for life; the number of alert notifications received, investigated, and prosecuted; and the number of offenders returned to prison as a result of electronic monitoring violations.

89.69. (GP: Viscosupplementation Therapies Sales and Use Tax Exemption) For the current fiscal year only, sales and use taxes on viscosupplementation therapies shall be suspended. No refund or forgiveness of tax may be claimed as a result of this provision.

89.70. (GP: LightRail) Pursuant to this provision the three research universities: Clemson University, the Medical University of South Carolina, and the University of South Carolina-Columbia, are authorized and directed to plan, procure, administer, oversee, and manage all functions associated with the South Carolina LightRail and are thereby exempt from the oversight and project management regulations of the Budget and Control Board, Division of State Information Technology. South Carolina LightRail is an academic network for the use of the state's three research universities for the exchange of information directly related to their mission and must not carry commercial or K-12 traffic originated in South Carolina. For the current fiscal year, public or private organizations and entities may be provided access only through formal documented partnerships with one or more of the three research universities. On February first of the current fiscal year, the entity managing the network must submit to the

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Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee a report specifically identifying each entity with access to the network and any payment, including without limitation in-kind payment, that each such organization and entity is making for access to the network.

89.71. (GP: CID & PCC Agency Head Salaries) All hiring salaries and salary increases for the agency heads of the Commission on Indigent Defense and the Prosecution Coordination Commission shall be subject to all provisions related to agency heads covered by the Agency Head Salary Commission.

89.72. (GP: Prosecutors and Defenders Public Service Incentive Program) The Office of Attorney General, the Prosecution Coordination Commission, and the Commission on Indigent Defense, in consultation with the South Carolina Student Loan Corporation and the Commission on Higher Education, shall develop and implement a Prosecutors and Defenders Public Service Incentive Program for attorneys employed by the Office of Attorney General, the Prosecution Coordination Commission, the Commission on Indigent Defense, a Circuit Solicitor's Office or a county Public Defender's Office.

After more than three years of continuous service as a full-time attorney with any of these entities, qualifying attorneys may be reimbursed up to \$1,000 for payments made in the prior calendar year on outstanding law school loans. Reimbursements for law school loan payments may be increased by up to \$1,000 for each additional year of continuous service; however, such reimbursements shall not exceed \$5,000 in any year. The amount of law school loan payment reimbursement in any calendar year shall not exceed the amount of principal and interest paid on the loan in the prior calendar year. Reimbursements under the program may continue until all outstanding law school loans are satisfied; however, such reimbursements shall not exceed \$40,000 per qualifying attorney. Reimbursements shall be adjusted if necessary so as not to exceed appropriations for the program.

The Prosecutors and Defenders Public Service Incentive Program must be administered by the South Carolina Student Loan Corporation, which shall pay for the cost of administration within the funds appropriated.

The Office of Attorney General, the Prosecution Coordination Commission, and the Commission on Indigent Defense shall each compile a report that includes, but is not limited to, the number of

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applicants and the impact of the program on attracting and retaining attorneys. The Student Loan Corporation shall compile a report that includes, but is not limited to, the cost of administering the program as well as the amount of reimbursements per agency or entity. Such reports shall be submitted to the Senate Finance Committee and the House Ways and Means Committee by September first each fiscal year.

Unexpended program funds from the prior fiscal year may be carried forward into the current fiscal year to be used for the same purpose.

89.73. (GP: Attorney Dues) Agencies and offices of the State of South Carolina that employ attorneys are authorized, if they so decide, to use other appropriated funds, including General Fund carry forward funds, to pay the costs of mandatory dues owed to the South Carolina Bar Association.

89.74. (GP: Healthcare Employee Recruitment and Retention) The Department of Corrections, Department of Disabilities and Special Needs, Department of Health and Environmental Control, Department of Health and Human Services, Department of Juvenile Justice, Department of Mental Health, and Department of Vocational Rehabilitation are allowed to spend state, federal, and other sources of revenue to provide lump sum bonuses to aid in recruiting and retaining healthcare workers in critical needs healthcare jobs based on objective guidelines established by the Budget and Control Board. The employee bonus amount shall be approved by the State Human Resources Director and shall not exceed \$10,000 per year. Payment of these bonuses is not a part of the employee's base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems.

These agencies may also provide paid educational leave for any employees in an FTE position to attend class while enrolled in healthcare degree programs that are related to the agency's mission. All such leave is at the agency head's discretion.

These agencies may enter into an agreement with Psychiatrists and Nurses newly employed in those positions to repay them for their outstanding student loans associated with completion of a healthcare degree. The employee must be employed in a critical needs area, which would be identified at the agency head's discretion. Critical needs areas could include rural areas, areas with high turnover, or where the agency has experienced recruiting difficulties. Agencies may pay these employees up to twenty percent or \$7,500, whichever is less, of their outstanding student loan each year over a five-year period.

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Payments will be made directly to the employee at the end of each year of employment. The agency will be responsible for verifying the principle balance of the employee's student loan prior to issuing payments.

Employees of these agencies working on a practicum or required clinical experience towards completion of a healthcare degree may be allowed to complete these requirements at their state agency or another state agency at the discretion of the agency head. This field placement at another state agency may be considered work time for participating employees.

These agencies are also authorized to allow tuition reimbursement from a maximum of ten credit hours per semester; allow probationary employees to participate in tuition programs; and provide tuition pre-payment instead of tuition reimbursement for employees willing to pursue a degree in a healthcare program. An agency may pay up to fifty percent of an employee's tuition through tuition pre-payment. The remaining tuition could be reimbursed to the employee after successful completion of the class.

89.75. (GP: Governor's Budget Certification) The annual Executive Budget proposed by the Governor must be certified by the Director of the State Budget Division of the Budget and Control Board or his designee in the same manner as the House Ways and Means and Senate Finance Committee versions of the budget bill are certified.

89.76. (GP: Sexually Violent Predator Program) After the Department of Mental Health obtains all necessary project approvals, the Department of Corrections may utilize inmate labor to perform any portion of the construction of an addition to the Edisto Unit at the Broad River Correctional Institution, which houses the Department of Mental Health's Sexually Violent Predator Treatment Program, such addition to be used for additional treatment space and staff offices. For purposes of this project, the Department of Corrections may exceed the \$350,000 limit on projects for which it may use inmate labor.

89.77. (GP: Voluntary Furlough) In a fiscal year in which the general funds appropriated for a state agency are less than the general funds appropriated for that agency in the prior fiscal year, or whenever the General Assembly or the Budget and Control Board implements a midyear across-the-board budget reduction, agency heads may institute a voluntary employee furlough program of not more than ninety days per fiscal year. During this voluntary furlough, the state employees shall be entitled to participate in the same state benefits as otherwise

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available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agencies, institutions and departments will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. In the event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

89.78. (GP: Governor's Security Detail) The State Law Enforcement Division, the Department of Public Safety, and the Department of Natural Resources shall provide a security detail to the Governor in a manner agreed to by the State Law Enforcement Division, the Department of Public Safety, the Department of Natural Resources, and the Office of Governor. Reimbursement to the State Law Enforcement Division, the Department of Public Safety, and the Department of Natural Resources to offset the cost of the security detail for the Governor shall be made in an amount agreed to by the State Law Enforcement Division, the Department of Public Safety, the Department of Natural Resources, and the Office of Governor from funds appropriated to the Office of Governor for this purpose. Law enforcement officers assigned to security detail for the Governor shall only perform services related to security and shall not provide any unrelated service during the assignment.

89.79. (GP: Reduction in Force Antidiscrimination) In the event of a reduction in force implemented by a state agency or institution, the state agency or institution must comply with Title VII of the Civil Rights Act of 1964 or any other applicable federal or state antidiscrimination laws.

89.80. (GP: Reduction in Force/Agency Head Furlough) In the event a reduction in force is implemented by a state agency or institution of higher learning, the agency head shall be required to take five days furlough in the current fiscal year. If more than one reduction in force plan is implemented in a fiscal year, the mandatory agency head furlough is only required for the initial plan. The agency head will retain all responsibilities and authority during the furlough. All monies saved from this furlough may be retained by that agency and expended at the discretion of the agency head. During this furlough, the agency head shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee

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contributions, the state agency will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the agency head remains solely responsible for making those contributions.

Placement of an agency head on furlough under this provision does not constitute a grievance or appeal under the State Employee Grievance Procedure Act. In the event the reduction for the state agency or institution of higher learning is due solely to the General Assembly transferring or deleting a program, this provision does not apply. Agencies may allocate the agency head's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. The Budget and Control Board, Human Resources Division shall promulgate guidelines and policies, as necessary, to implement the provisions of this proviso. State agencies shall report information regarding furloughs to the Human Resources Division of the Budget and Control Board.

For purposes of this provision, agency head includes the president of a technical college as defined by Section 59-103-5 of the 1976 Code.

The agency head of the State Board for Technical and Comprehensive Education shall not be required to take this mandatory furlough based solely on the implementation of a reduction in force plan by a technical college.

An agency head shall not be required to take this mandatory furlough based solely on reductions in force implemented as a result of federal budget cuts.

89.81. DELETED

89.82. DELETED

89.83. (GP: Printed Report Requirements) (A) For Fiscal Year 2012-13, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 2-47-55, 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report under 2-47-55 year one of the Comprehensive Permanent Improvement Plan, student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System.

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The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year 2012-13, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year 2012-13, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and the Provider Reimbursement Rate Report required pursuant to Proviso 21.11, and shall instead only submit the documents electronically.

(D) For Fiscal Year 2012-13, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

89.84. (GP: IMD Operations) All funds received by State child placing agencies for the Institution for Mental Diseases Transition Plan (IMD) of the discontinued behavioral health services in group homes and child caring institutions, as described in the Children's Behavioral Health Services Manual Section 2, dated 7/01/06, shall be applied only for out of home placement in providers which operate Department of Social Services or Department of Health and Environmental Control licensed institutional, residential, or treatment programs. An annual report on the expenditures of all IMD transition funds shall be provided to the Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Committee, and the Governor. Funds must be allocated based on the Department of Health and Human Services allocation methodology developed for the distribution of these funds.

89.85. (GP: Fines and Fees Report) In order to promote accountability and transparency, each state agency must provide and release to the public via the agency's website, a report of all aggregate amounts of fines and fees that were charged and collected by that state agency in the prior fiscal year. The report shall include, but not be limited to: (1) the code section, regulation, or proviso that authorized the fines and fees to be charged, collected, or received; (2) the amount received by source; (3) the purpose for which the funds were expended by the agency; (4) the amount of funds transferred to the general fund, if applicable, and the authority by which the transfer took place; and

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(5) the amount of funds transferred to another entity, if applicable, and the authority by which the transfer took place, as well as the name of the entity to which the funds were transferred. The report must be posted online by September first. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first. Funds appropriated to and/or authorized for use by each state agency shall be used to accomplish this directive.

89.86. DELETED

89.87. (GP: Mandatory Furlough) In a fiscal year in which the general funds appropriated for a state agency are less than the general funds appropriated for that agency in the prior fiscal year, or whenever the General Assembly or the Budget and Control Board implements a midyear across-the-board budget reduction, and agency heads institute a mandatory employee furlough program, in determining which employees must participate in the program, agency heads should give consideration to furloughs for contract employees, post-TERI employees, and TERI employees before other employees. During this mandatory furlough, the state employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agencies, institutions, and departments will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. In the event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

89.88. (GP: Reduction In Force) In a fiscal year in which the general funds appropriated for a state agency are less than the general funds appropriated for that agency in the prior fiscal year, or whenever the General Assembly or the Budget and Control Board implements a midyear across-the-board budget reduction, and agency heads must make reductions in force, agency heads should give consideration to reductions of contract employees, post-TERI employees, and TERI employees before other employees. In the event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

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89.89. (GP: Cost Savings When Filling Vacancies Created by Retirements) During the current fiscal year, whenever classified FTEs become vacant because of employee retirements, it is the intent of the General Assembly that state agencies should realize personnel costs savings of at least twenty-five percent in the aggregate when managing these vacant positions. Prior to filling a classified FTE which has become vacant because of a retirement, an agency must review and determine the appropriate salary for the position as well as determine whether the agency can manage without filling the position or by delay in filling the position. Prior to filling the vacant FTE, agencies must follow all laws and regulations concerning posting and competitive solicitation and consideration of applicants. No agency shall enter into any agreement with any employee that violates the terms of this proviso.

89.90. (GP: Travel Reduction Assessment) Agencies are encouraged, when assessing travel reductions, to ensure that front line employees who provide direct services to clients are minimally impacted by the reduction.

89.91. DELETED

89.92. (GP: Information Technology for Health Care) From the funds appropriated and awarded to the South Carolina Department of Health and Human Services for the Health Information Technology for Economic and Clinical Health Act of 2009, the department shall advance the use of health information technology and health information exchange to improve quality and efficiency of health care and to decrease the costs of health care. In order to facilitate the qualification of Medicare and/or Medicaid eligible providers and hospitals for incentive payments for meaningful health information technology (HIT) use, a health care organization participating in the South Carolina Health Information Exchange (SCHIEEx) or a Regional Health Information Organization (RHIO) or a hospital system health information exchange (HIE) that participates in SCHIEEx may release patient records and medical information, including the results of any laboratory or other tests ordered or requested by an authorized health care provider within the scope of his or her license or practice act, to another health information organization that requests the information via a HIE for treatment purposes with or without express written consent or authorization from the patient. A health information organization that receives or views this information from a patient's electronic health record or incorporates this information into the health information organization's electronic medical record for the patient in

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providing treatment is considered an authorized person for purposes of 42 C.F.R. 493.2 and the Clinical Laboratory Improvement Amendments.

89.93. DELETED

89.94. (GP: Broadband Spectrum Lease) The General Assembly must approve any exercise of the Middle Band Segment Channel recapture provisions contained in the Educational Broadband Service Spectrum Lease Agreements if the exercise of the recapture provisions would result in a decrease in payments received by the State. For Fiscal Year 2012-13, revenue received from the broadband spectrum lease shall be transferred from the Budget and Control Board to the Educational Television Commission on a monthly schedule, according to the current broadband lease agreement. Upon agreement of the lessee, the Educational Television Commission shall assume management and administration of the lease and receive lease payments directly. The Educational Television Commission shall retain and expend funds received pursuant to the lease for agency operations. The commission shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year.

89.95. (GP: Reduction in Compensation) For the current fiscal year, no state agency or political subdivision of this state may decrease the compensation of an employee, including dismissal, suspension, or demotion, solely because the employee gave sworn testimony regarding alleged wrongdoing to a standing committee, subcommittee of a standing committee, or study committee of the Senate or the House of Representatives. This proviso shall apply regardless of when the alleged wrongdoing occurred.

89.96. (GP: Deficit Monitoring) If at the end of each quarterly deficit monitoring review by the Office of State Budget, it is determined by either the Office of State Budget or an agency that the likelihood of a deficit for the current fiscal year exists, the agency shall submit to the Office of State Budget within fourteen days, a plan to minimize or eliminate the projected deficit. After submission of the plan, if it is determined that the deficit cannot be eliminated by the agency on its own, the agency is required to officially notify the Budget and Control Board within thirty days of such determination that the agency is requesting that a deficit be recognized. Once a deficit has been recognized by the Budget and Control Board, the agency shall limit travel and conference attendance to the minimum required to perform the core mission of the agency. In addition, the board when

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recognizing a deficit may direct that any pay increases and purchases of equipment and vehicles shall be approved by the Office of State Budget.

89.97. (GP: Commuting Costs) State government employees who use a permanently assigned agency or state owned vehicle to commute from their permanently assigned work location to and from the employee's home must reimburse the agency in which they are employed for commuting use in accordance with IRS regulations based on guidance from the Office of Comptroller General which must use the Cents per mile Rule, unless they are exempted from such reimbursement by applicable IRS regulations. These permanently assigned vehicles must be clearly marked as a state or agency vehicle through the use of permanent state-government license plates and either state or agency seal decals unless the vehicle is used primarily in undercover operations. This requirement does not apply to a vehicle used by an employee for the purpose of a special travel assignment, for active certified law enforcement officers authorized to carry firearms, execute warrants, and make arrests, for Constitutional Officers, or for Department of Transportation employees on call for emergency maintenance.

89.98. (GP: Bank Account Transparency and Accountability) Each state agency, except state institutions of higher learning, which has composite reservoir bank accounts or any other accounts containing public funds which are not included in the Comptroller General's Statewide Accounting and Reporting System or the South Carolina Enterprise Information System shall prepare a report for each account disclosing every transaction of the account in the prior fiscal year. The report shall be submitted to the Budget and Control Board, through the Division of State Budget by October first of each fiscal year. The report shall include the name(s) and title(s) of each person authorized to sign checks or make withdrawals from each account, the name and title of each person responsible for reconciling each account, the beginning and year-end balance of funds in each account, and data related to both deposits and expenditures of each account. The report shall include, but not be limited to, the date, amount, and source of each deposit transaction and the date, name of the payee, the transaction amount, and a description of the goods or services purchased for each expenditure transaction. To facilitate review, the Budget and Control Board shall prescribe a common format for the report which agencies must use. In order to promote accountability and

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transparency, a link to the report shall be posted on the Comptroller General's website as well as the agency's homepage.

When the State Auditor conducts or contracts for an audit of a state agency, accounts of the agency subject to this proviso must be included as part of the review.

If an agency determines that the release of the information required in this provision would be detrimental to the state or the agency, the agency may petition the Budget and Control Board to grant the agency an exemption from the reporting requirements for the detrimental portion. The meeting to determine whether an exemption should be granted shall be closed. However, the exemption may only be granted upon a majority vote of the Budget and Control Board in a public meeting.

89.99. DELETED

89.100. (GP: Websites) All agencies, departments, and institutions of state government shall be responsible for providing on its Internet website a link to the Internet website of any agency, other than the individual agency, department, or institution, that posts on its Internet website that agency, department, or institution's monthly state procurement card statements or monthly reports containing all or substantially all the same information contained in the monthly state procurement card statements. The link must be to the specific webpage or section on the website of the agency where the state procurement card information for the state agency, department, or institution can be found. The information posted may not contain the state procurement card number. Any information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting required by this section.

89.101. (GP: Regulations) For the current fiscal year, if a state agency proposes a regulation that levies or increases a fee, fine, or that otherwise generates revenues, the title to the Joint Resolution which proposes the regulation must indicate that a fee, fine, or revenue source is being proposed.

89.102. (GP: Joint Children's Committee) For the current fiscal year, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, \$250,000 shall be transferred to the Senate for the Joint Citizens and Legislative Committee on Children to provide the report, research, and other operating expenses as directed in Section 63-1-50 of the 1976 Code. The remaining

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revenue resulting from this reduction shall be transferred to the Department of Juvenile Justice to be used for mentoring or alternatives to incarceration programs. Unexpended funds authorized by this provision may be retained and carried forward by the Senate or the Department of Juvenile Justice, respectively, and used for the same purposes. The rate of reduction authorized in this provision shall be in addition to the reduction authorized in Proviso 72.13.

89.103. (GP: Civil Conspiracy Defense Costs) For the current fiscal year, for any claim that has not reached a judgment, if a state or local government employee or former state or local government employee ("government employee") is personally sued for civil conspiracy based in part upon a personnel or employment action or decision regarding an employee, the court must, prior to trial, make a final determination whether the action or decision giving rise to the suit was made by the government employee within the scope of their official duty. If the court finds that the government employee was acting outside the scope of the employee's official duties, the government shall not thereafter expend any funds to pay or defend the claim. If the court finds the government employee was acting within the scope of their official duties, the employee is immune from suit, liability, and damages with respect to the civil conspiracy claim. The government may only expend funds to defend the claim if the determination is that the employee was acting within the scope of their official duties. Nothing in this proviso prevents an insurance provider from defending and paying, respectively, any claims that the provider has contractually agreed to defend and pay.

89.104. (GP: Recovery Audits) The Budget and Control Board shall contract with one or more consultants to conduct recovery audits of payments made by state agencies to vendors. The audits must be designed to detect and recover overpayments and erroneous payments to the vendors and to recommend improved financial and operational practices and procedures. A state agency shall pay, from recovered monies received, the recovery audit consultant responsible for obtaining for the agency a reimbursement from a vendor a negotiated fee not to exceed twenty percent of the funds recovered by that vendor.

Funds recovered, less the cost of recovery, shall be remitted to a special fund subject to appropriation by the General Assembly. Agencies may recover costs that are documented to be directly related to implementation of this provision.

Recovery audits apply only to payments made more than one hundred eighty days prior to the date the audit is initiated.

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All information provided under a contract must be treated as confidential by the vendor. A violation of this provision shall result in the forfeiture by the vendor of all compensation under the contract and to the same sanctions and penalties that would apply to that disclosure.

Each executive agency shall provide the recovery audit consultant with all information necessary for the audit.

A state agency shall expend or return to the federal government any federal money that is recovered through a recovery audit conducted under this chapter. Payments to the recovery audit consultant from the federal share of recovered funds shall be solely from the federal portion as allowed by the federal agency.

The Budget and Control Board shall provide copies, including electronic form copies, of final reports received from a consultant under contract to: the Governor; the Chairman of the Senate Finance Committee; the Chairman of the House Ways and Means Committee; and the state auditor's office. Not later than January first of each year, the board shall issue a report to the General Assembly summarizing the contents of all reports received under this provision during the prior fiscal year.

89.105. (GP: Funds Transfer to ETV) In the current fiscal year funds appropriated in Part IA to the Budget and Control Board in Section 80A for Legislative & Public Affairs Coverage, and to the Law Enforcement Training Council in Section 50 for State & Local Training of Law Enforcement, City and County municipal training services and Emergency Communications and Backbone for the State and other related emergency systems must be transferred to the Educational Television Commission (ETV) during July, 2012 for the continuation of services as provided in the prior fiscal year.

89.106. DELETED

89.107. (GP: Opt Out of Federal Patient Protection and Affordable Care Act) If federal law permits, the State of South Carolina opts out of the following provisions in the federal Patient Protection and Affordable Care Act (Public Law 111-148):

- (1) Subtitles A through C of Title I (and the amendments made by such subtitles), except for Sections 1253 and 1254;
- (2) Parts I, II, III, and V of subtitle D of Title I (and the amendments made by such parts);
- (3) Part I of subtitle E of Title I (and the amendments made by such part);

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(4) Subtitle F of Title I (and the amendments made by such subtitle);

(5) Sections 2001 through 2006 (and the amendments made by such sections); and

(6) Sections 10101 through 10107 (and the amendments made by such sections).

89.108. (GP: Means Test) All agencies providing Healthcare Services are directed to identify standards and criteria for means testing on all programs provided, where allowed by Federal guidelines. Once a consistent criteria has been established within an agency, they shall implement their respective plans. Each agency shall report all criteria and fiscal data to the Chairman of the Senate Finance Committee and to the Chairman of the House Ways and Means Committee no later than January 1, 2012.

89.109. DELETED

89.110. DELETED

89.111. (GP: Agency Reduction Management) The General Assembly encourages state agencies, in the event agencies are assessed a base reduction, to endeavor to realize savings through: (1) payroll management, including, but not limited to, furloughs, reductions in employee compensation, and instituting a hiring freeze; (2) eliminate administrative overhead cost that does not directly impact the agency's mission; and as a final option (3) reductions to programmatic funding.

89.112. DELETED

89.113. DELETED

89.114. DELETED

89.115. DELETED

89.116. DELETED

89.117. (GP: WIA Meeting Requirements) For Fiscal Year 2012-13, a Workforce Investment Board meeting must be subject to all notice requirements of the Freedom of Information Act and may not take place unless a quorum of the board membership is present. Any decision made in violation of these requirements is void.

89.118. (GP: WIA Service Advertising) For Fiscal Year 2012-13, the Workforce Investment Act may advertise its services via billboard, bus placard, newspapers, or radio in all workforce investment areas. This advertising may not be limited to e-mail, online, or other internet-based advertising, publicity, or other promotions. Workforce investment boards must adhere to all state procurement policies and procedures when advertising the services provided by the Workforce Investment Act.

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89.119. (GP: WIA Training Marketability Evaluation) For Fiscal Year 2012-13, local workforce investment boards shall prepare an annual report that demonstrates how funds were expended in the prior fiscal year to provide marketable work skills training. The report shall include, but not be limited to the total number of local training recipients, a description of the training area in which each recipient participated, and the number and percentage of participants in each training area that, upon completion of training, have become employed in the field in which they were trained. The report shall be annually submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on or before November 16th.

89.120. (GP: Victims Assistance Transfer) The Department of Corrections shall transfer \$20,500 each month to the Department of Public Safety for distribution through the State Victims Assistance Program.

89.121. (GP: DOC & PPP Potential Consolidation Plan) From the funds appropriated to the Department of Corrections and the Department of Probation, Parole and Pardon Services, the directors of the departments may collaborate and develop a plan to consolidate the functions of the departments.

89.122. (GP: USC Greenville Medical School) It is the intent of the General Assembly that during Fiscal Year 2012-13, no general funds shall be appropriated for the new medical school at the University of South Carolina in Greenville. In addition, no state funds may be transferred from state earmarked or restricted funds held by the University of South Carolina to the medical school except for grants, contributions, contractual payments, and tuition and required fees for students attending the new medical school at the University of South Carolina in Greenville that are specifically designated for the medical school at the University of South Carolina in Greenville.

89.123. DELETED

89.124. (GP: Retirement Investment Commission) Of the funds appropriated and or authorized, the Retirement Investment Commission shall submit a report to the Senate Finance Retirement Subcommittee and the Ways and Means Retirement Subcommittee by January 15, 2013 that sets forth a plan regarding salary bonuses for calendar year 2014. The plan must be approved by both subcommittees before implementation.

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89.125. (GP: First Steps - BabyNet) In addition to the statutory duties assigned to South Carolina First Steps to School Readiness Board of Trustees; the board shall ensure the state's compliance with the Individuals with Disabilities Act, Part C and the First Steps' full implementation of recommendations 2 through 23 as contained in the audit report of the LAC regarding the BabyNet Program. First Steps shall develop a schedule for each of the recommendations by September 15, 2012 for the implementation of recommendations. First Steps shall be responsible for the implementation of the recommendations. Quarterly, First Steps shall post on its' website a report on the timelines of its progress in implementing the recommendations of the LAC. The Board of Trustees will be kept informed monthly of all activities related to this requirement and those progress reports must be recorded in the minutes for each meeting of the Board of Trustees. When First Steps has implemented all of the recommendations enumerated above, a final report shall be submitted to the Board of Trustees for its' adoption. Upon approval by the Board of Trustees, the final report shall be published on First Steps' homepage. First Steps to School Readiness, the School for the Deaf and Blind, the Department of Disabilities and Special Needs, the Department of Health and Human Services, the Department of Mental Health and the Department of Social Services shall each provide a quarterly report to the Chairman of the House Ways and Means Committee and the Chairman of Senate Finance outlining all programs provided by them for BabyNet; all federal funds received and expended on BabyNet and all state funds expended on BabyNet. Each entity and agency shall report on its share of the state's ongoing maintenance of effort as defined by the US Department of Education under IDEA Part C. First Steps to School Readiness shall develop, in collaboration with the Department of Disabilities and Special Needs, the Department of Health and Human Services, the Department of Mental Health, and the Department of Social Services, a common reporting format to be used no later than September 1, 2012. Both the report submitted by First Steps and the reports submitted by the state agency partners may be used by the General Assembly in its' consideration of the LAC recommendation that "The General Assembly should appropriate all BabyNet funding directly to First Steps to increase accountability for the lead agency with regard to partner agencies and providers."

89.126. DELETED

89.127. (GP: Law Enforcement Special Salary Increase) All funds appropriated to the State Law Enforcement Division, the Department of

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Public Safety, the Department of Natural Resources, the Department of Probation, Parole, and Pardon Services, and the Forestry Commission for law enforcement salary increases above the amount appropriated for base pay increases for state employees must be distributed on or after July 1, 2012. The specified funds are to be used to increase by two percent, the compensation of Class 1 Law Enforcement Officers whose annual salary was \$50,000 or less prior to the base pay increase authorized in proviso 80A.25 of this act.

89.128. (GP: Single Audit Schedule of Federal Expenditures) To ensure timely completion of the of the Statewide Single Audit, state agencies which do not receive a separate audit of federal expenditures, must submit to the Office of the State Auditor a schedule of federal program expenditures in a format prescribed by the Office of the State Auditor, no later than August 15 of each year.

89.129. (GP: Prohibits Local Government Fund Public Funded Lobbyists) All local governmental entities including, but not limited to, counties, municipalities, and associations are prohibited from using taxpayer funds received from the Local Government Fund to compensate employees for lobbying activities engaged in on behalf of such governmental entity.

***89.130.** (GP: *Open Market for Bus Contract Vendors*) *When conducting bus repairs, the Department of Education bus shops and districts shall seek the best price available for repair parts regardless of the original equipment manufacturer. School bus parts vendors who hold state contracts shall have access to visit the South Carolina Department of Education bus shops.*

89.131. DELETED

89.132. DELETED

89.133. DELETED

89.134. DELETED

89.135. DELETED

89.136. DELETED

89.137. (GP: School Transportation Decentralization Study Committee) There is hereby created a committee to study the decentralization of the provision of school transportation services in this State either by the public sector, private sector, or combination of both. The study shall include, but is not limited to, the most cost-effective, efficient, and safe way to provide school transportation services to students in grades K-12 utilizing to the best extent possible,

* See note at end of Act.

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available state and local resources and funding. The committee shall consist of eleven members as follows: four members appointed by the President Pro Tempore of the Senate, one of whom must be a school finance officer and one of whom must be a minority-party member of the Senate, four members appointed by the Speaker of the House of Representatives, one of whom must be a school finance officer and one of whom must be a minority-party member of the House, and three members appointed by the Governor. Vacancies on the committee shall be filled in the manner of original appointment. The members, at their first meeting, shall elect a chairman, vice-chairman, and such other officers as they deem necessary. The committee shall meet upon the call of the chairman or a majority of its members.

Members of the committee shall receive such mileage, subsistence, and per diem in the performance of their duties as is provided by law to members of state boards, commissions, and committees to be paid from the approved accounts of the member's appointing authority. The staff of the Senate, the House of Representatives, and the Governor's Office shall supply such assistance as may be needed by the committee in the performance of its duties. The committee shall submit its report to each house of the General Assembly and to the Governor no later than January 1, 2013, at which time the committee shall be abolished.

89.138. DELETED

89.139. DELETED

89.140. DELETED

89.141. DELETED

89.142. (GP: School Construction Development Impact Fee Assessment Prohibition) Governmental entities are prohibited from assessing South Carolina Development Impact Fees on the construction of new elementary, middle, or secondary schools. If a governmental entity violates this prohibition it shall have its Aid to Subdivisions Allocation reduced by the amount of the impact fee.

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90.1. (SR: Year End Expenditures) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, 2013. State agencies are required to submit all current fiscal year input documents to the Office of Comptroller General by July 12, 2013. Appropriations for Permanent Improvements, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such

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appropriations were provided, unless definite commitments shall have been made, with the approval of the Budget and Control Board and Joint Bond Review Committee, toward the accomplishment of the purposes for which the appropriations were provided. Appropriations for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the Budget and Control Board, toward the accomplishment of the purposes for which the appropriations were provided.

90.2. (SR: Titling of Real Property) It is the intent of the General Assembly to establish a comprehensive central property and office facility management process to plan for the needs of state government agencies and to achieve maximum efficiency and economy in the use of state owned or state leased real properties. The Budget and Control Board is directed to identify all state owned properties whether titled in the name of the state or an agency or department, and all agencies and departments of state government are upon request to provide the Board all documents related to the title and acquisition of the real properties that are occupied or used by the agency or titled in the name of the agency. Except for any properties where the Board determines title should not be in the name of the State because the properties are subject to reverter clauses or other restraints on the property, or where the Board determines the state would be best served by not receiving title, and with the exception of properties, highways and roadways owned by the Department of Transportation, title of any property held by or acquired by a state agency or department shall be titled in the name of the state under the control of the Budget and Control Board. Titling in the name of the state shall not affect the operation or use of real property by an agency.

This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the South Carolina Division of Public Railways; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Midlands Technical College Enterprise Campus Authority, the Trident Technical College Enterprise Campus Authority; the Area Commission of Tri-County Technical College; and the Charleston Naval Complex Redevelopment Authority.

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This provision is comprehensive and supersedes any conflicting provisions concerning title and acquisition and disposition of state owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

The Budget and Control Board is directed to provide to the Department of Education, funds equal to the amount realized from the sale of the Greenville Halton Road Bus Shop property for school bus maintenance shop relocations, construction, and shop equipment.

90.3. (SR: Tobacco Settlement) Contingent upon the approval of the Tobacco Settlement Revenue Management Authority and parties to the trust agreement, the State Treasurer shall transfer an amount equal to \$8,481,912 from the unrestricted taxable proceeds portion of the principal of the Healthcare Tobacco Settlement Trust Fund established pursuant to Section 11-11-170(B)(1) of the 1976 Code to the Department of Health and Human Services to be expended for Medicaid. The State Treasurer is authorized and directed to transfer to the Office of the Attorney General from funds available to the Tobacco Settlement Management Authority such amounts as shall be necessary for the enforcement of Chapter 47 of Title 11, The Tobacco Escrow Fund Act, which will protect the payments to the State under the Master Settlement Agreement.

90.4. (SR: Contingency Reserve Fund) (A) There is created in the State Treasury a fund separate and distinct from the general fund of the State, the Capital Reserve Fund, and all other funds entitled the Contingency Reserve Fund. All general fund revenues accumulated in a fiscal year in excess of general appropriations and supplemental appropriations must be credited to this fund. Revenues credited to this fund in a fiscal year may be appropriated by the General Assembly. Upon determination by the Comptroller General as to the amount to be deposited in the Contingency Reserve Fund, the Comptroller General shall notify the Board of Economic Advisors and the board shall recognize that amount as surplus funds. Revenues in this fund may be appropriated only for the purposes provided in subsection (B).

(B)(1) If the balance in the general reserve fund established pursuant to Article III, Section 36 of the Constitution of this State and Section 11-11-310 of the 1976 Code is less than the required balance, there must be appropriated to it all amounts in the Contingency Reserve Fund up to the total necessary to replenish the general reserve fund. This amount does not replace or supplant the minimum replenishment amount otherwise required to be made to the general reserve fund.

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(2) After the appropriation of amounts required pursuant to item (1) of this subsection, any remaining balance may be appropriated by the General Assembly as it deems appropriate.

90.5. (SR: Criminal Justice Academy Funding) (A) In addition to all other assessments and surcharges, during the current fiscal year, a five dollar surcharge to fund training at the South Carolina Criminal Justice Academy is also levied on all fines, forfeitures, escheatments, or other monetary penalties imposed in the general sessions court or in magistrates' or municipal court for misdemeanor traffic offenses or for non-traffic violations. No portion of the surcharge may be waived, reduced, or suspended. The additional surcharge imposed by this section does not apply to parking citations.

(B) The revenue collected pursuant to subsection (A) must be retained by the jurisdiction, which heard or processed the case and paid to the State Treasurer within thirty days after receipt. The State Treasurer shall transfer the revenue quarterly to the South Carolina Criminal Justice Academy.

(C) The State Treasurer may request the State Auditor to examine the financial records of any jurisdiction which he believes is not timely transmitting the funds required to be paid to the State Treasurer pursuant to subsection (B). The State Auditor is further authorized to conduct these examinations and the local jurisdiction is required to participate in and cooperate fully with the examination.

90.6. (SR: LGF) For the current fiscal year, Section 6-27-30 of the 1976 Code is suspended.

***90.7.** (SR: E-Verify) *For the current fiscal year, a state entity must certify that it is a participant in the E-Verify federal work authorization program before it may accept or use any monies that are a part of the federal stimulus package. Failure to do so is a violation of the provisions of Act 280 of 2008.*

90.8. (SR: Increased Enforced Collections Carry Forward) Unexpended funds appropriated pursuant to Proviso 90.16 in Part IB of Act 291 of 2010 may be carried forward from the prior fiscal year into the current fiscal year and shall be expended for the same purposes.

90.9. (SR: Health Care Maintenance of Effort Funding) The source of funds appropriated in this provision is \$157,299,845 from the revenue collected during Fiscal Year 2011-12 and Fiscal Year 2012-13 from the 50 cent cigarette surcharge and deposited into the South Carolina Medicaid Reserve Fund and shall be utilized by the

* See note at end of Act.

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Department of Health and Human Services for the Medicaid Program's maintenance of effort. By this provision these funds are deemed to have been received and are available for appropriation.

The residual funds from the cigarette surcharge shall remain in the South Carolina Medicaid Reserve Fund and may be used by the director of the Department of Health and Human Services to ensure access to care in rural and underserved areas of the state. Within ninety days of the start of the fiscal year, the department shall develop methods and criteria for determining how access issues will be identified, assessed and addressed. Any use of these funds shall require thirty days prior notice to the Chairmen of the Senate Finance and House Ways and Means Committees. The department shall provide an assessment of access to care as part of the reporting requirements stipulated in Proviso 21.32, (DHHS: Medicaid Reporting). The director is not authorized to access any of the residual funds prior to January 31, 2013. The director must submit a proposal for any use of the funds to the General Assembly by January 1, 2013. If no action is taken on the proposal by the General Assembly by January 31, 2013, the director may access the residual funds as presented in the proposal.

Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

90.10. DELETED

90.11. DELETED

90.12. DELETED

90.13. (SR: Prohibits Public Funded Lobbyists) In order to eliminate taxpayer funded lobbying, the following state agencies and institutions, for Fiscal Year 2012-13, shall transfer the amounts indicated to the General Fund:

Administrative Law Court	\$22,000
The Citadel.....	\$16,881
Clemson University.....	\$45,546
Coastal Carolina University	\$20,230
College of Charleston.....	\$34,000
Department of Health & Environmental Control.....	\$26,553
State Board for Technical & Comprehensive Education	\$22,431
Florence-Darlington Technical College	\$10,001
Greenville Technical College.....	\$31,783
Horry-Georgetown Technical College.....	\$ 1,183

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Tri-County Technical College	\$55,545
Francis Marion University	\$23,500
Judicial Department	\$59,164
Medical University of South Carolina	\$80,380
Department of Natural Resources	\$17,157
South Carolina State University.....	\$20,000
University Of South Carolina	\$53,368
University of South Carolina-Upstate.....	\$11,000
Winthrop University	\$ 9,300
Lander University	\$25,000
Total	\$585,022.

All state agencies and institutions are prohibited from using general fund appropriations to compensate employees who engage in lobbying on behalf of the state agency or institution. The State Ethics Commission shall require state agencies and institutions that report lobbying activities to the commission to certify that the lobbying activities were not funded by general fund appropriations.

All state agencies and institutions are prohibited from entering into contracts using general fund appropriations to provide lobbying services to the agency or institution.

90.14. DELETED

90.15. DELETED

90.16. (SR: Admissions Tax) For Fiscal Year 2012-13, up to one hundred fourteen thousand dollars in admissions tax revenue collected annually from all events held at a motorsports entertainment complex facility with at least sixty thousand permanent seats must be rebated to the motorsports entertainment complex facility in the current fiscal year to keep a NASCAR race at the motorsports entertainment complex facility.

90.17. (SR: Contingency Reserve Fund Transfers) Any excess Fiscal Year 2011-12 general fund revenue above the amounts appropriated in Proviso 90.20 shall be transferred to the Contingency Reserve Fund.

90.18. (SR: Agency Deficit Notice) The Comptroller General or the Office of State Budget shall (1) provide written notice to each member of the General Assembly when it makes a report to the Budget and Control Board concerning an agency, department, or institution that is expending authorized appropriations at a rate which predicts or projects a general fund deficit for the agency, department, or institution, and (2) make monthly progress reports concerning an

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agency's, department's, or institution's plan to reduce or eliminate the deficit.

****90.19. (SR: National Mortgage Settlement) *Of the funds derived from the National Mortgage Settlement and credited to the Litigation Recovery Account during the prior fiscal year, the first \$4,636,000 must be transferred to the General Fund for credit in Fiscal Year 2011-12, the next ten million dollars in that account in the current fiscal year must be transferred to the Department of Commerce's Deal Closing Fund, and any remaining amount in the Litigation Recovery Account on July 1, 2012, must be transferred to the General Fund for credit in Fiscal Year 2012-13.***

90.20. (SR: Non-recurring Revenue) (A) The source of revenue appropriated in this provision is \$555,153,157 of non-recurring revenue generated from the following sources and transferred to the State Treasurer. This revenue is deemed to have occurred and is available for use in Fiscal Year 2012-13 after September 1, 2012, following the Comptroller General's close of the state's books on Fiscal Year 2011-12.

(1) \$122,333,689 from Fiscal Year 2010-11 Contingency Reserve Fund;

(2) \$397,086,761 from Fiscal Year 2011-12 unobligated general fund revenue as certified by the Board of Economic Advisors;

(3) \$30,722,343 from Fiscal Year 2012-13 general fund revenue; and

(4) \$5,010,364 from Fiscal Year 2011-12 Capital Reserve Fund lapse.

Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2011-12 and shall be available for use in Fiscal year 2012-13.

(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

The State Treasurer shall disburse the following appropriations by September 30, 2012, for the purposes stated:

- (1) General Reserve Fund
Full 5% Funding..... \$98,175,036;

** See note at end of Act.

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- (2) Y14-State Ports Authority
 - Harbor Deepening Reserve Fund \$300,000,000;
- (3) P32-Department of Commerce
 - Research Funds \$3,542,592;
- (4) R60-Department of Employment and Workforce
 - SUTA Tax Relief \$3,009,350;
- (5) H63-Department of Education
 - EFA-IDEA Contingency Reserve \$36,202,909;
- (6) L04-Department of Social Services
 - Child Support Enforcement System \$2,500,000;
- (7) H59-State Board for Technical and Comprehensive
 - Education Spartanburg Community College
 - Cherokee Campus Capital Improvements ... \$3,500,000;
- (8) A20-Legislative Audit Council
 - (a) Information Technology Upgrade
(Servers, Computers, Software) \$45,000;
 - ** (b) Peer Review Audit - Government**
Auditing Standards \$15,000;
- (9) C05-Administrative Law Court
 - Staff Attorney/Hearing Officer/Business
 - Associate Equipment \$6,900;
- (10) P32-Department of Commerce
 - Deal Closing Fund \$7,000,000;
- (11) F03-Budget and Control Board
 - South Carolina Enterprise Information System
 - Statewide Program SCEIS Program
 - Sustainment \$2,458,843;
- (12) D10-State Law Enforcement Division
 - (a) Personal Service and Operating \$1,701,000;
 - (b) Forensic Equipment \$1,134,994;
 - (c) Law Enforcement Operating \$150,000;
 - (d) CJIS/IT Equipment \$4,777,000;
 - (e) Vehicles \$840,000;
 - (f) Computer Equipment \$138,500;
- (13) K05-Department of Public Safety
 - (a) Emergency Communications
 - Equipment \$3,250,000;
 - (b) Bureau of Protective Services Officers
 - Equipment \$44,700;

** See note at end of Act.

SECTION 90 - X91-STATEWIDE REVENUE

- * (c) *Capitol Complex Garage Security*
 - Equipment*..... \$75,000;
 - (d) Vehicles \$1,000,000;
- ** (14) *H63-Department of Education*
 - Governor's School for the Arts and Humanities*
 - Administration Building Construction* \$1,250,000;
 - (15) L12-John de la Howe School
 - (a) Deferred Maintenance on Seven Cottages \$400,000;
 - ** (b) *Information Technology Upgrade* \$200,014;
- ** (16) *H71-Wil Lou Gray Opportunity School*
 - Window Replacement*..... \$750,000;
 - (17) H75-School for the Deaf and Blind
 - Robertson Hall Construction \$1,477,550;
 - (18) J02-Department of Health and Human Services
 - Medicaid Management Information System ... \$3,918,676;
 - (19) N04-Department of Corrections
 - (a) Wateree Radium Drinking Water Compliance..... \$6,000,000;
 - (b) Statewide Roof Replacement \$2,500,000;
 - (c) Statewide Major Maintenance Projects ... \$2,500,000;
 - (d) Victim Services Web Based Case Management System \$500,000;
 - (e) SC SAVIN Court Notification System..... \$500,000;
 - (f) Allendale CI Pre-Treatment Wastewater Plant Closing \$350,000;
 - (g) Statewide Infirmary Consolidation..... \$300,000;
 - (h) Farm Irrigation - Wateree \$100,000;
 - (i) Training Academy - Weapons Replacement \$40,000;
 - (20) P24-Department of Natural Resources
 - ** (a) *Replacement of IT Equipment and Maintenance* \$1,260,505;
 - (b) Water Resources Other Operating \$1,000,000;
 - * (21) *E08-Secretary of State*
 - Information Technology Upgrade* \$500,000;
 - (22) E20-Attorney General
 - (a) Information Technology Upgrade \$500,000;

* See note at end of Act.

** See note at end of Act.

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	(b) Operating Expenses	\$500,000;
** (23)	<i>E23-Commission on Indigent Defense Information Technology Upgrade</i>	<i>\$101,000;</i>
(24)	P12-Forestry Commission Firefighting Equipment	\$3,500,000;
* (25)	<i>R40-Department of Motor Vehicles Programming & Training/Implementation of S.1031</i>	<i>\$88,550;</i>
** (26)	<i>H73-Vocational Rehabilitation Restoration of Vocational Rehabilitation Program - State Matching Funds.....</i>	<i>\$1,000,000;</i>
(27)	<i>J04-Department of Health and Environmental Control</i>	
** (a)	<i>ADAP Prevention</i>	<i>\$200,000;</i>
** (b)	<i>SC Coalition Against Domestic Violence and Sexual Assault.....</i>	<i>\$453,680;</i>
** (c)	<i>Kidney Disease Early Evaluation and Risk Assessment Education</i>	<i>\$100,000;</i>
** (d)	<i>Hemophilia - SC Bleeding Disorders Premium Assistance Program</i>	<i>\$100,000;</i>
* (e)	<i>S.C. Office of Rural Health - Benefit Bank</i>	<i>\$500,000;</i>
** (f)	<i>James R. Clark Memorial Sickle Cell Foundation</i>	<i>\$100,000;</i>
* (28)	<i>H63-Department of Education SC School Improvement Council.....</i>	<i>\$35,000;</i>
(29)	<i>H79-Department of Archives and History</i>	
* (a)	<i>City of Charleston African American Historic Sites Preservation</i>	<i>\$200,000;</i>
* (b)	<i>City of Hilton Head - Mitchelville Capital Land Purchase.....</i>	<i>\$200,000;</i>
* (30)	<i>H95-State Museum North Myrtle Beach Historical Museum.....</i>	<i>\$300,000;</i>
** (31)	<i>E21-Prosecution Coordination Commission Center for Fathers and Families</i>	<i>\$200,000;</i>
* (32)	<i>K05-Department of Public Safety Andrews Public Safety Building - 1 to 1 Match</i>	<i>\$100,000;</i>

** See note at end of Act.

* See note at end of Act.

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(32.1) (Andrews Public Safety Building Match) Each state dollar of the above appropriation for the Andrews Public Safety Building must be matched with one dollar of non-state funds.

- (33) R52-State Ethics Commission
Information Technology Upgrade \$25,000;
- * (34) ***U12-Department of Transportation***
SMART Ride - Camden..... \$60,000;
- (35) X22-Local Government Fund-State Treasurer
Local Government Fund \$30,000,000;
- (36) ***H03-Commission on Higher Education***
* (a) ***University Center of Greenville***
Technology Upgrade..... \$100,000;
* (b) ***SC Manufacturers Extension***
Partnership \$200,000;
- (37) ***P20-Clemson University-PSA***
** (a) ***Advanced Plant Technology Lab \$4,000,000;***
** (b) ***Operating \$100,000;***
- (38) H27-University of South Carolina-Columbia Campus
(a) Palmetto Poison Center \$71,862;
(b) Child Abuse Medical Response Program... \$250,000;
- (39) H59-State Board for Technical and
Comprehensive Education
(a) Central Carolina Technical College - Training
Facility Purchase and Upfit \$1,250,000;
(b) Central Carolina Technical College -
Building Renovation..... \$400,000;
(c) Technical College of the Low Country - Veterans
Recruitment and Training Program \$200,000;
(d) Tri-County Technical College - Pedestrian Safety
Improvements \$500,000;
** (e) ***SC Skills USA..... \$200,000;***
- (40) E24-Adjutant General's Office
(a) State Guard \$59,000;
(b) Armory Maintenance \$500,000;
- ** (41) ***J16-Department of Disabilities and Special Needs***
Charles Lea Center - 1 to 1 Match..... \$250,000;

* See note at end of Act.

** See note at end of Act.

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(41.1) (Charles Lea Center Match) Each state dollar of the above appropriation for the Charles Lea Center must be matched with one dollar of private funds.

- (42) J02-Department of Health and Human Services
- (a) SC Healthcare Information and Referral Network \$50,000;
 - (b) In-Home Health Care Systems \$500,000;
- (43) J20-Department of Alcohol and Other Drug Abuse Services
McCord Center Safety Improvement Project..... \$250,000;
- (44) L04-Department of Social Services**
- * (a) *United Center for Community Care*..... \$75,000;
 - * (b) *Community Outreach Center Incorporated After School Program*..... \$25,000;
- * (45) **L32-Housing Finance and Development Authority
Marion County Habitat for Humanity Pilot Project
- 1 to 1 Match**..... \$250,000;

(45.1) (Marion County Habitat for Humanity Pilot Project Match) Each state dollar of the above appropriation for the Marion County Habitat for Humanity Pilot Project must be matched with one dollar of private funds.

- (46) P16-Department of Agriculture
- ** (a) *Marketing and Branding*..... \$500,000;
 - (b) State Farmer's Market Infrastructure \$400,000;
 - ** (c) *Market Operations*..... \$600,000;
- (47) P24-Department of Natural Resources
- (a) Drill Rig for Geological Survey and Strengthened Services \$200,000;
 - (b) Savannah River Basin Study Phase II \$100,000;
 - (c) Catawba/Wateree River Basin Supply Study \$250,000;
 - ** (d) *Darlington County Watershed Project*..... \$600,000;
 - ** (e) *Lake Wallace Special Purpose District*..... \$150,000;
- (48) P28-Department of Parks, Recreation, and Tourism
- (a) Kings Mountain Bridge Replacement \$250,000;
 - ** (b) *Southeastern Wildlife Exposition Regional Marketing and Advertising*..... \$200,000;
 - * (c) *Irmo Veterans Park* \$30,000;
 - * (d) *Patriot Park Environmental Pavilion* \$100,000;

* See note at end of Act.

** See note at end of Act.

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**** (49) H15-University of Charleston*****Interactive Digital Technology Pilot Project -******1 to 1 Match \$2,000,000;***

(49.1) (Interactive Digital Technology Pilot Project Match) Each state dollar of the above appropriation for the Interactive Digital Technology Pilot Project must be matched with one dollar of private funds.

(50) R44-Department of Revenue

Implementation of SCITS \$4,374,496;

(51) H38-USC-Salkehatchie Campus

Deferred Maintenance \$200,000;

**** (52) H91-Arts Commission*****Grants \$500,000;***

(53) P36-Patriots Point Development Authority

National Flight Academy \$393,000;

(54) H59-State Board for Technical and

Comprehensive Education

Horry-Georgetown Tech Speir Allied Health \$200,000;

(55) H17-Coastal Carolina University

Scientific Equipment for Research Vessel \$198,000;

**** (56) A85-Education Oversight Committee*****School District Efficiency Review******Pilot Program \$300,000;***

and

(56.1) (School District Efficiency Review Pilot Program) The funds appropriated above for the School District Efficiency Review Pilot Program shall be utilized to implement the requirements of proviso 70.32 contained in this act.

**** (57) F03-Budget and Control Board*****Rural Infrastructure Fund..... \$3,000,000.***

Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

(C) From the escrow account established pursuant to Proviso 90.13 of Act 310 of 2008, the remaining funds shall be used to offset any operating shortfalls resulting from the Barnwell Low Level Waste Facility operations in order to preserve the economic viability of the facility. The amount distributed to offset any operating shortfalls shall be determined by calculating the difference between the allowable

** See note at end of Act.

SECTION 90 - X91-STATEWIDE REVENUE

operating costs plus adjustments as approved by the Public Service Commission, and the access fees paid by the Atlantic Compact generators. Funds remaining in the account to offset operating shortfalls shall also be used to maintain access fees to the facility for Fiscal Year 2012-13 at the Fiscal Year 2009-10 level. There shall also be paid from the escrow account the annual dues of the Southern States Energy Board.

(D) Of any excess funds collected above the amount identified in subsection (A)(2), there is appropriated \$2,000,000 to the Department of Natural Resources for the State River Basin Study Project-Water Resource Planning. The funds must be used for water data collection to provide scientific information on water resources in the state's eight major river basins.

90.21. (SR: Tax Relief Reserve Fund) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December 31, 2012, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund. These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief Reserve Fund shall be retained and carried forward to be used for the same purpose.

END OF PART IB

All acts or parts of acts inconsistent with any of the provisions of Parts IA or IB of this act are suspended for Fiscal Year 2012-2013.

If any part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other parts, sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

STATUTES AT LARGE
General and Permanent Laws--2012
SECTION 90 - X91-STATEWIDE REVENUE

Except as otherwise specifically provided, this act takes effect July 1, 2012.

----XX----

Ratified the 29th day of June 2012.

PLEASE NOTE

Text printed in *italic*, **boldface** indicates sections vetoed by the Governor on July 5, 2012.

*Indicates those vetoes sustained by the General Assembly on July 17 and 18, 2012.

**Indicates those vetoes overridden by the General Assembly on July 17 and 18, 2012.

Provisions not vetoed by the Governor took effect July 5, 2012, and generally apply for the fiscal year beginning July 1, 2012.

PART II
LOCAL AND TEMPORARY LAWS

No. 289

(R204, H3152)

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION, QUALIFICATIONS, AND TERM OF THE LIEUTENANT GOVERNOR, SO AS TO PROVIDE THAT THE LIEUTENANT GOVERNOR MUST BE ELECTED JOINTLY WITH THE GOVERNOR IN A MANNER PRESCRIBED BY LAW; BY ADDING SECTION 37 TO ARTICLE III OF THE CONSTITUTION OF THIS STATE, SO AS TO PROVIDE THAT THE SENATE SHALL ELECT FROM AMONG ITS MEMBERS A PRESIDENT TO PRESIDE OVER THE SENATE AND TO PERFORM OTHER DUTIES AS PROVIDED BY LAW; TO DELETE SECTIONS 9 AND 10 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE SERVICE OF THE LIEUTENANT GOVERNOR AS PRESIDENT OF THE SENATE AND, WHILE PRESIDING IN THE SENATE, HAVING NO VOTE, UNLESS THE SENATE IS EQUALLY DIVIDED, SO AS TO DELETE INCONSISTENT PROVISIONS; TO AMEND SECTION 11 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE DEATH, RESIGNATION, OR REMOVAL OF THE GOVERNOR UNDER CERTAIN CIRCUMSTANCES, SO AS TO INCLUDE THE LIEUTENANT GOVERNOR IN THE PURVIEW OF THE SECTION; TO AMEND SECTION 12 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE DISABILITY OF THE GOVERNOR, SO AS TO CONFORM APPROPRIATE REFERENCES; AND TO PROVIDE THAT THE PROPOSED AMENDMENTS TO ARTICLE IV OF THE CONSTITUTION OF THIS STATE BECOME EFFECTIVE FOR THE 2018 GENERAL ELECTION.

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

Constitutional amendment proposed, Lieutenant Governor

SECTION 1. A. It is proposed that Section 8, Article IV of the Constitution of this State be amended to read:

“Section 8. (A) A Lieutenant Governor must be chosen at the same time, in the same manner, continue in office for the same period, and be possessed of the same qualifications as the Governor.

(B) Beginning with the general election of 2018, a person seeking the office of Governor in any manner that a person’s name may appear on the ballot as a candidate for that office, and before that person’s name is certified to appear on the ballot for the general election, shall select a qualified elector to serve as Lieutenant Governor.

(C) All candidates for the offices of Governor and Lieutenant Governor must be elected jointly in a manner prescribed by law so that each voter casts a single vote to elect a candidate for the office of Governor and Lieutenant Governor.

(D) The General Assembly shall provide by law the manner in which a candidate for Lieutenant Governor is selected.”

B. It is proposed that Article III of the Constitution of this State be amended by adding:

“Section 37. The Senate shall, as soon as practicable after the convening of the General Assembly in 2019 and every four years thereafter, elect from among the members thereof a President to preside over the Senate and to perform other duties as provided by law.”

C. It is proposed that Article IV of the Constitution of this State be amended by deleting Section 9 which reads:

“Section 9. The Senate shall as soon as practicable after the convening of the General Assembly choose a President Pro Tempore to act in the absence of the Lieutenant Governor. A member of the Senate acting as Lieutenant Governor shall thereupon vacate his seat and another person shall be elected in his stead.”

D. It is proposed that Article IV of the Constitution of this State be amended by deleting Section 10, which reads:

“Section 10. The Lieutenant Governor shall be President of the Senate, ex officio, and while presiding in the Senate, shall have no vote, unless the Senate be equally divided.”

E. It is proposed that Section 11, Article IV of the Constitution of this State be amended to read:

“Section 11. In the case of the removal of the Governor from office by impeachment, death, resignation, disqualification, disability, or removal from the State, the Lieutenant Governor shall be Governor. In case the Governor be impeached, the Lieutenant Governor shall act in his stead and have his powers until judgment in the case shall have been pronounced. In the case of the temporary disability of the Governor and in the event of the temporary absence of the Governor from the State, the Lieutenant Governor shall have full authority to act in an emergency. In the case of the removal of the Lieutenant Governor from office by impeachment, death, resignation, disqualification, disability, or removal from the State, the Governor shall appoint, with the advice and consent of the Senate, a successor to fulfill the unexpired term.”

F. It is proposed that Section 12, Article IV of the Constitution of this State be amended to read:

“Section 12. (1) Whenever the Governor transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Lieutenant Governor as acting Governor.

(2) Whenever a majority of the Attorney General, the Secretary of State, the Comptroller General, and the State Treasurer, or of such other body as the General Assembly may provide, transmits to the President of the Senate and the Speaker of the House of Representatives a written declaration that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall forthwith assume the powers and duties of the office as acting Governor.

Thereafter, if the Governor transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that no such inability exists, he shall forthwith resume the powers and duties of his office unless a majority of the above members or of such other body, whichever the case may be, transmits within four days to the President of the Senate and the Speaker of the House of Representatives their written declaration that the Governor is unable to discharge the powers and duties of his office. Thereupon, the General Assembly shall forthwith consider and decide the issue, and if not in session, it shall assemble within forty-eight hours for the sole purpose of deciding such issue. If the General Assembly, within twenty-one

days, excluding Sundays, after the first day it meets to decide the issue, determines by two-thirds vote of each House that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall continue to discharge the same as acting Governor; otherwise, the Governor shall resume the powers and duties of his office.”

G. It is proposed that the amendments proposed to Article IV of the Constitution of this State become effective for the general election of 2018 and the organization of the Senate to take place following the general election of 2018.

Question

SECTION 2. The proposed amendments in SECTION 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Beginning with the general election of 2018, must Section 8 of Article IV of the Constitution of this State be amended to provide that the Lieutenant Governor must be elected jointly with the Governor in a manner prescribed by law; and upon the joint election to add Section 37 to Article III of the Constitution of this State to provide that the Senate shall elect from among the members thereof a President to preside over the Senate and to perform other duties as provided by law; to delete Sections 9 and 10 of Article IV of the Constitution of this State containing inconsistent provisions providing that the Lieutenant Governor is President of the Senate, ex officio, and while presiding in the Senate, has no vote, unless the Senate is equally divided; to amend Section 11 to provide that the Governor shall fill a vacancy in the Office of Lieutenant Governor by appointing a successor with the advice and consent of the Senate; and to amend Section 12 of Article IV of the Constitution of this State to conform appropriate references?

Yes

No

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those

voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

Ratified the 23rd day of May, 2012.

No. 290

(R331, H4814)

A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2011-2012, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

Capital Reserve Fund appropriations

SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2011-2012 the following amounts:

- | | | |
|-----|---|---------------|
| (1) | R60-Department of Employment
and Workforce
SUTA Tax Relief | \$ 43,200,000 |
| (2) | H59-State Board for Technical and
Comprehensive Education
CATT Program/ready SC | \$ 13,250,000 |
| (3) | H59-State Board for Technical and
Comprehensive Education
Trident Technical College
Aeronautical Training
Equipment | \$ 500,000 |
| (4) | H59-State Board for Technical and
Comprehensive Education
Orangeburg-Calhoun Technical | |

	College Programmable Logic Controller Equipment	\$	500,000
(5)	H59-State Board for Technical and Comprehensive Education Denmark Technical College Deferred Maintenance	\$	250,000
(6)	J02-Department of Health and Human Services Medicaid Management Information System	\$	3,238,588
** (7)	<i>H09-The Citadel Jenkins Hall Arms Room Upgrade</i>	\$	200,000
(8)	H09-The Citadel Deferred Maintenance	\$	737,691
(9)	H12-Clemson University Grid Simulator Project	\$	3,000,000
** (10)	<i>H12-Clemson University Greenwood Genetics Lab</i>	\$	2,000,000
(11)	H12-Clemson University Deferred Maintenance	\$	1,595,044
(12)	H15-University of Charleston Science Center Construction	\$	1,924,246
(13)	H17-Coastal Carolina University Research Vessel	\$	948,366
** (14)	<i>H18-Francis Marion University Nurse Practitioner Program</i>	\$	100,000
(15)	H18-Francis Marion University Deferred Maintenance	\$	1,141,069
(16)	H21-Lander University Deferred Maintenance	\$	646,417
(17)	H24-South Carolina State University Deferred Maintenance	\$	1,255,979
** (18)	<i>H27-University of South Carolina Columbia Campus USC Palmetto College</i>	\$	2,115,000
(19)	H27-University of South Carolina Columbia Campus USC Law School	\$	10,000,000
(20)	H29-USC-Aiken Campus Deferred Maintenance	\$	553,795

** See note at end.

(21)	H34-USC-Upstate Campus Deferred Maintenance	\$ 729,126
(22)	H36-USC-Beaufort Campus Deferred Maintenance	\$ 327,207
(23)	H37-USC-Lancaster Campus Deferred Maintenance	\$ 137,302
(24)	H38-USC-Salkehatchie Campus Deferred Maintenance	\$ 116,979
(25)	H39-USC-Sumter Campus Deferred Maintenance	\$ 367,869
(26)	H40-USC-Union Campus Deferred Maintenance	\$ 53,290
** (27)	H47-Winthrop University Student Information Technology Infrastructure Update	\$ 500,000
(28)	H47-Winthrop University Deferred Maintenance	\$ 1,374,947
** (29)	H51-Medical University of South Carolina Ashley Tower Renovation - MUSC Hospital Authority	\$ 5,500,000
(30)	H51-Medical University of South Carolina Deferred Maintenance	\$ 3,200,000
(31)	P16-Department of Agriculture Farmers Market Phase II Property Acquisition and Expansion	\$ 50,000
* (32)	P20-Clemson University-PSA Power Grid Research	<u>\$ 75,000</u>
		\$ 99,587,915

SECTION 2. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

** See note at end.

* See note at end.

Time effective

SECTION 3. This joint resolution takes effect thirty days after the completion of the 2011-2012 fiscal year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the 1976 Code.

Ratified the 29th day of June, 2012.

Certain Items Vetoed by the Governor -- 7/5/12.

Certain Items overridden by House -- 7/17/12.

Certain Item sustained by House -- 7/17/12.

Certain Items overridden by Senate -- 7/18/12

PLEASE NOTE

Text printed in *italic*, **boldface** indicates sections vetoed by the Governor on July 5, 2012.

*Indicates those vetoes sustained by the General Assembly on July 17, 2012.

**Indicates those vetoes overridden by the General Assembly on July 17 and 18, 2012.

No. 291

(R294, H3986)

A JOINT RESOLUTION TO PROVIDE THAT, UNTIL DECEMBER 31, 2012, A SCHOOL DISTRICT MAY APPLY FOR AND RECEIVE ITS ALLOTTED SHARE OF EIA SCHOOL BUILDING FUNDS UNDER SECTION 59-21-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2011-2012 UNDER THE TERMS AND CONDITIONS APPLICABLE TO ALL SCHOOL DISTRICTS.

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

EIA school building funds

SECTION 1. Notwithstanding any other provision of law, until December 31, 2012, a school district may apply for and receive its allotted share of EIA school building funds under Section 59-21-430 of the 1976 Code for Fiscal Year 2011-2012 under the terms and conditions applicable to all school districts. If the school district's allotted portion of these EIA school building funds have lapsed to the Education Improvement Act of 1984 Fund or to some other fund or account, the funds may nevertheless be withdrawn from that fund or account under warrant of the Department of Education and distributed to that school district on or before December 31, 2012, and used by the district for the purposes required by law.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 12th day of June, 2012.

Approved the 18th day of June, 2012.

No. 292

(R146, H4704)

A JOINT RESOLUTION TO POSTPONE UNTIL PROPERTY TAX YEAR 2012 THE IMPLEMENTATION OF THE REVISED VALUES DETERMINED IN THE MOST RECENT COUNTYWIDE APPRAISAL AND EQUALIZATION PROGRAM CONDUCTED IN ABBEVILLE COUNTY.

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

Implementation postponed

SECTION 1. Notwithstanding the provisions of Section 12-43-217(B) of the 1976 Code, implementation of the revised values determined in the most recent countywide appraisal and equalization program

conducted in Abbeville County is postponed until property tax year 2012.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 7th day of March, 2012.

Approved the 13th day of March, 2012.

No. 293

(R147, H4722)

AN ACT TO REAPPORTION THE SPECIFIC AREAS OR ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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

Districts reapportioned

SECTION 1. (A) Notwithstanding any other provisions of law, beginning with school trustee elections in 2012, successors to the members of the governing body of the Abbeville County School District must be elected in the manner provided by law from one of the applicable single-member election districts of the nine defined single-member election districts as shown on Abbeville County School District map S-01-00-12 as maintained in the Office of Research and Statistics of the State Budget and Control Board.

(B) The demographic information shown on this map is as follows:

Dist	Pop	Dev.	% Dev.	NH-Wht	%NH-Wht	NH-Blk	%NH-Blk
1	2,730	28	1.04%	1,170	42.86%	1,510	55.31%
2	2,649	-53	-1.96%	1,158	43.71%	1,401	52.89%
3	2,649	-53	-1.96%	803	30.31%	1,776	67.04%
4	2,675	-27	-1.00%	2,105	78.69%	515	19.25%
5	2,747	45	1.67%	1,912	69.60%	798	29.05%
6	2,734	32	1.18%	2,459	89.94%	226	8.27%
7	2,745	43	1.59%	2,424	88.31%	244	8.89%
8	2,716	14	0.52%	2,372	87.33%	283	10.42%
9	2,670	-32	-1.18%	2,282	85.47%	332	12.43%

Dist	All Oth	VAP	%VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	All OthVAP
1	50	2,081	76.23%	895	43.01%	1,147	55.12%	39
2	90	1,977	74.63%	915	46.28%	1,003	50.73%	59
3	70	1,985	74.93%	639	32.19%	1,298	65.39%	48
4	55	2,071	77.42%	1,665	80.40%	364	17.58%	42
5	37	2,189	79.69%	1,555	71.04%	609	27.82%	25
6	49	2,122	77.62%	1,921	90.53%	166	7.82%	35
7	77	2,163	78.80%	1,928	89.14%	190	8.78%	45
8	61	2,059	75.81%	1,795	87.18%	224	10.88%	40
9	56	2,112	79.10%	1,799	85.18%	275	13.02%	38

(C) The boundaries of the Abbeville County School District are not altered by the provisions of this act. These school district lines are as defined by law and any census blocks which may be divided are done so only for statistical purposes and to establish a population base.

Time effective

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

Ratified the 7th day of March, 2012.

Approved the 13th day of March, 2012.

No. 294

(R227, S1492)

AN ACT TO PROVIDE THAT IF THE BOUNDARY LINE BETWEEN TWO SCHOOL DISTRICTS IN ANDERSON COUNTY BISECTS A PARCEL OF REAL PROPERTY ON WHICH A HOME IS LOCATED THAT CONSTITUTES THE PRINCIPAL RESIDENCE OF SCHOOL-AGED CHILDREN LIVING THEREIN AS WELL AS THEIR PARENTS OR LEGAL

GUARDIANS, OR, IN THE ALTERNATIVE, BISECTS AN ADJOINING PARCEL OR PARCELS OWNED BY THE PARENTS OR LEGAL GUARDIANS OR MEMBERS OF THEIR IMMEDIATE FAMILY ALL OF WHICH ARE CONTIGUOUS TO EACH OTHER, THOSE CHILDREN ARE ENTITLED TO ATTEND THE SCHOOLS OF EITHER DISTRICT REGARDLESS OF THE DISTRICT IN WHICH THE BUILDING ITSELF CONSTITUTING THE PRINCIPAL RESIDENCE IS LOCATED, AND REGARDLESS OF THE AMOUNT OF SCHOOL OPERATING OR DEBT SERVICE AD VALOREM PROPERTY TAXES RECEIVED BY OR REIMBURSED TO EITHER DISTRICT.

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

School attendance

SECTION 1. Notwithstanding any other provision of law, if the boundary line between two school districts in Anderson County bisects a parcel of real property on which a home is located that constitutes the principal residence of school-aged children living therein as well as their parents or legal guardians, or, in the alternative, bisects an adjoining parcel or parcels owned by the parents or legal guardians or members of their immediate family all of which are contiguous to each other, those children are entitled to attend the schools of either district regardless of the district in which the building itself constituting the principal residence is located, and regardless of the amount of school operating or debt service ad valorem property taxes received by or reimbursed to either district.

Time effective

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

Ratified the 5th day of June, 2012.

Approved the 7th day of June, 2012.

No. 295

(R319, H3790)

AN ACT TO CREATE THE BAMBERG COUNTY WATER AND SEWER AUTHORITY; TO PROVIDE FOR ITS DUTIES, RESPONSIBILITIES, AND POWERS; AND TO PROVIDE FOR THE APPOINTMENT AND TERMS OF THE AUTHORITY'S MEMBERS.

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

Bamberg County Water and Sewer Authority created

SECTION 1. There is created the Bamberg County Water and Sewer Authority, hereinafter referred to as the "authority". Its service area shall include all of Bamberg County, excluding areas within incorporated municipalities. It must be the function of the authority to acquire supplies of fresh water, capable of being used for industrial and domestic purposes, and to distribute the water pursuant to this section for industrial and domestic use within its service area. The authority must be empowered to construct reservoirs, diversion dams, impounding dams, or dikes, canals, conduits, aqueducts, tunnels, water distribution facilities, water mains and water lines that it deems necessary, and to acquire the land, rights of way, easements, machinery, apparatus, and equipment that is necessary for that construction.

Authority composition

SECTION 2. The authority must be composed of eleven members who must be resident electors of Bamberg County, and who must be appointed by the Governor, six of whom must be appointed upon the recommendation of a majority of the members of the Bamberg County Council; one of whom must be appointed upon the recommendation of the mayor of Bamberg; one of whom must be appointed upon the recommendation of the mayor of Denmark; one of whom must be appointed upon the recommendation of the mayor of Olar; one of whom must be appointed upon the recommendation of the mayor of Govan; one of whom must be appointed upon the recommendation of the mayor of Ehrhardt. Of the members originally appointed upon the recommendation of the Bamberg County Council, two must be

appointed for a term of two years, two for a term of four years, and two for a term of eight years. Of the members originally appointed upon the recommendation of the mayors of the various municipalities, all five members must be appointed for a term of six years. Upon the termination of the terms of the original members, their successors must be appointed by the Governor, in the same manner as provided for the original appointments, for terms of six years. A vacancy occurring by reason of death, resignation, or otherwise must be filled for the remainder of the unexpired term by appointment of the Governor in the same manner as provided for the original appointment. All members of the authority shall hold office until their successors are appointed and qualified.

Expense reimbursement allowed

SECTION 3. Members of the authority shall receive no compensation, but may be reimbursed for actual expenses incurred in connection with the business of the authority.

Selection of authority officers, terms of office

SECTION 4. The authority shall elect a chairman, vice chairman, and a secretary. The terms of office of these officers must be for a period determined by the bylaws of the authority.

Periodic filings with clerk of court

SECTION 5. The secretary of the authority periodically shall file in the Office of the Clerk of Court for Bamberg County the appropriate certificates showing the personnel of the authority and the duration of the terms of its members.

Competition and service area restrictions

SECTION 6. The authority shall not unduly compete with existing publicly operated water systems in the county or sell water within the corporate limits of the municipalities or areas now served by municipalities without the consent of the municipal officers of the municipalities. The authority shall not sell water anywhere other than Bamberg County that is defined as the service area of the authority.

Powers

SECTION 7. (A) The authority is fully empowered to acquire, construct, operate, maintain, improve, and extend facilities that would enable it to obtain fresh water in large volume, and to distribute and sell that water pursuant to Section 6 of this act, to persons, firms, corporations, municipal corporations, political divisions, and the United States government, or an agency of the United States government within its service area.

(B) The authority, acting through its governing body, has the power to:

- (1) have perpetual succession;
- (2) sue and be sued;
- (3) adopt, use, and alter a corporate seal;
- (4) define a quorum for meetings;
- (5) maintain a principal office;
- (6) make bylaws for the management and regulation of its affairs;
- (7) build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams, and reservoirs;
- (8) build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use;
- (9) acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating, and maintaining the system;
- (10) contract for or otherwise acquire a supply of water and sell water for industrial or domestic use;
- (11) prescribe rates and regulations under which such water shall be sold for industrial and domestic use;
- (12) enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations, or public bodies or agencies;
- (13) prescribe the regulations necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems, or elsewhere within its system. Prior to the adoption of a regulation, the authority shall hold a public meeting for the consideration of the regulation, and shall advertise in a newspaper of general circulation in the authority the time and place of the meeting, the general nature, and the scope of the regulation to be considered for adoption. The notice must be published on two occasions prior to the meeting, and at least ten days before the meeting;

(14) make contracts and execute all instruments necessary for carrying on of the business of the authority, including contracts and franchise agreements with nonprofit corporations to provide water and sewerage service for periods up to forty years;

(15) acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of property, real, personal or mixed, or any interest in the property;

(16) make use of county and state highway rights of way in which to lay pipes and lines in a manner and under conditions that appropriate officials shall approve;

(17) make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines, subject to the limitations of Section 15, Article VIII, of the Constitution of this State;

(18) alter and change county and state highways wherever necessary to construct the system under the conditions that the appropriate officials in charge of the highways shall approve;

(19) exercise the power of eminent domain for a corporate function. The power of eminent domain may be exercised pursuant to Chapter 2, Title 28 and Sections 57-5-310 through 57-5-590. The provisions of this item shall not apply to public utilities and railroads which have the power of eminent domain;

(20) appoint officers, agents, and employees to prescribe the duties of, to fix their compensation, and to determine the amount of their bondedness;

(21) make contracts for construction and other services; however, these contracts must be based on competitive bidding and must be awarded to the lowest responsible bidder;

(22) borrow money, make and issue negotiable bonds, notes, and other evidences of indebtedness, payable from the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions, and improvements to the system, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system or any extension, addition, or improvement to, must be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses that the authority may incur in establishing, extending, or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor the county, must be pledged for the payment of the principal and interest of the obligations, and there must be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the authority, nor a

person signing the obligations, must be personally liable. To the end that a convenient procedure for borrowing money may be prescribed, the authority must be fully empowered to avail itself of all powers granted by Chapters 17 and 21 of Title 6, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions must be deemed to amend and revise correspondingly the powers granted by this item. In exercising the power conferred upon the authority by the code provisions, the authority may make or omit all pledges and covenants authorized by any provision of it, and may confer upon the holders of its securities all rights and liens authorized by law.

Notwithstanding contrary provisions in the code, the authority may:

(a) disregard a provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the authority shall determine;

(b) provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the authority;

(c) covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured;

(d) confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolution adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities;

(e) dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve;

(f) make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the authority shall approve;

(g) covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount;

(h) covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State;

(i) prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given;

(j) prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived;

(23) extend its system or systems beyond the defined limits of the authority, within or without the county, but contiguous to the authority, to provide services to those living outside the authority and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations, and requirements concerning services being received from the authority as persons residing within the authority. The board may, in its discretion, establish rates and charges higher than those within the authority for the extension of its system and the provision of services beyond the limits of the authority.

Rates

SECTION 8. The rates charged for services furnished by the authority must not be subject to supervision or regulation by a state bureau, board, commission, or agency of the State.

Authority property exempt from ad valorem taxes

SECTION 9. All property of the authority must be exempt from ad valorem taxes levied by the State, county, or a municipality, division, subdivision, or agency of the State.

Fiscal year designation and required audits

SECTION 10. The authority's fiscal year shall coincide with the fiscal year of the State. Immediately following the end of the fiscal year on June thirtieth, a certified public accountant appointed by the authority shall complete an audit of the authority. The audit report must be incorporated into an annual report of the authority, and must be filed in the Office of the Clerk of Court for Bamberg County and with the Secretary of State.

Unlawful to damage authority property

SECTION 11. It is unlawful for a person to wilfully injure, destroy, hurt, damage, tamper with, or impair the facilities of the authority, or any machinery, apparatus, or equipment of the authority. It is unlawful to pollute the water in any part of the authorities service area, or to obtain water from it except in accordance with the regulations promulgated by the authority. A person committing such an offense must be deemed guilty of a misdemeanor and, upon conviction, must be fined not less than ten dollars nor more than one hundred dollars, or must be liable to pay all damages suffered by the authority.

Disposition of revenues

SECTION 12. All revenues derived by the authority from the operation of its facilities, which may not be required to discharge covenants made by it in issuing bonds, notes, or other obligations authorized by this act, must be disposed of by the authority from time to time for purposes germane to the functions of the authority, or in a manner the General Assembly may direct.

Contract eligibility

SECTION 13. All municipalities, public bodies, public agencies operating water district systems in and adjacent to Bamberg County must be fully empowered to enter into contracts to buy water from the authority. These contracts shall extend over a period of time and shall contain terms and conditions mutually agreeable to the authority and to the contracting municipality, public body, or public agency. No municipality or other agency operating a water system shall extend its present facilities beyond the corporate limits of a municipality or current service area without prior written approval of the authority.

Time effective

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

Ratified the 22nd day of June, 2012.

Vetoed by the Governor -- 6/27/12.

Veto overridden by House -- 6/28/12.

Veto overridden by Senate -- 6/28/12.

No. 296

(R181, S1412)

AN ACT TO AMEND ACT 518 OF 1982, RELATING TO BERKELEY COUNTY BOARD OF EDUCATION AS THE GOVERNING BODY OF THE SCHOOL DISTRICT OF BERKELEY COUNTY, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BERKELEY COUNTY BOARD OF EDUCATION SHALL BE ELECTED BEGINNING WITH SCHOOL BOARD ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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

Election Districts Reapportioned

SECTION 1. Section 3A of Act 518 of 1982, as added by Act 408 of 2002, is amended to read:

“Section 3A. (1) Notwithstanding any other provision of law, beginning with school board elections in 2012, the nine single-member election districts from which members of the Berkeley County Board of Education shall be elected are as shown on the Berkeley County Board of Education map S-15-00-12 as maintained in the Division of Research and Statistics of the State Budget and Control Board.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH-WHT	NH-BLK	%NH-BLK	VAP	%VAP
1	19,959	199	1.01%	13,481	3,095	15.51%	15,032	75.31%
2	20,109	349	1.77%	14,513	2,920	14.52%	15,539	77.27%
3	20,186	426	2.16%	11,146	5,989	29.67%	14,653	72.59%
4	19,954	194	0.98%	12,945	4,224	21.17%	14,198	71.15%
5	20,047	287	1.45%	14,366	3,063	15.28%	14,867	74.16%
6	19,713	-47	-0.24%	17,051	1,734	8.80%	15,049	76.34%
7	18,829	-931	-4.71%	7,161	11,026	58.56%	14,333	76.12%
8	18,945	-815	-4.12%	7,923	9,970	52.63%	14,040	74.11%
9	20,101	341	1.73%	14,967	3,224	16.04%	15,170	75.47%
Total	177,843			113,553	45,245		132,881	

District	NHVVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	10,532	2,113	14.06%	3,383	2,387
2	11,477	2,009	12.93%	2,676	2,053
3	8,595	3,937	26.87%	3,051	2,121
4	9,680	2,738	19.28%	2,785	1,780
5	11,017	2,072	13.94%	2,618	1,778
6	13,259	1,178	7.83%	928	612
7	5,691	8,213	57.30%	642	429
8	6,133	7,235	51.53%	1,052	672
9	11,684	2,208	14.56%	1,910	1,278
Total	88,068	31,703		19,045	13,110

(3) The boundaries of the school district of Berkeley County are not altered by the provisions of this act. These school district lines are as defined by law and any census blocks which may be divided are done so only for statistical purposes and to establish a population base.”

Time Effective

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

Ratified the 8th day of May, 2012.

Approved the 14th day of May, 2012.

No. 297

(R246, H5315)

A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED DURING THE PERIOD OF JANUARY 3, 2012, THROUGH JANUARY 4, 2012, BY THE STUDENTS OF STALL HIGH SCHOOL IN CHARLESTON COUNTY WHEN THE SCHOOL WAS CLOSED DUE TO A GAS LEAK ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

Stall High School, Charleston County, exempt from make-up days

SECTION 1. Pursuant to the provisions of Section 59-1-425(C) of the 1976 Code, the school days missed during the period of January 3, 2012, through January 4, 2012, by the students of Stall High School in Charleston County when the school was closed due to a gas leak are waived from the make-up requirement that full school days missed due to snow, extreme weather, or other disruptions be made up.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 5th day of June, 2012.

Vetoed by the Governor -- 6/11/12.

Veto overridden by House -- 6/19/12.

Veto overridden by Senate -- 6/21/12.

No. 298

(R182, S1413)

AN ACT TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO CHEROKEE COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF CHEROKEE COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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

Districts reapportioned

SECTION 1. Section 2 of Act 587 of 1992 is amended to read:

“Section 2. (A) Notwithstanding any other provision of law, beginning with school trustee elections in 2012, the nine defined single-member election districts from which members of the board of trustees of Cherokee County School District 1 must be elected are as shown on Cherokee County School District 1 map S-21-00-12 as maintained in the Division of Research and Statistics of the State Budget and Control Board.

(B) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH-WHT	%NH-WHT	NH-BLK	%NH-BLK	VAP
1	5,983	70	1.18%	5,100	85.24%	396	6.62%	4,446
2	5,829	-84	-1.42%	1,715	29.42%	3,653	62.67%	4,254
3	5,829	-84	-1.42%	4,973	85.31%	648	11.12%	4,386
4	5,970	57	0.96%	5,272	88.31%	490	8.21%	4,473
5	6,044	131	2.22%	4,929	81.55%	806	13.34%	4,805
6	5,906	-7	-0.12%	4,620	78.23%	924	15.65%	4,477
7	6,025	112	1.89%	5,254	87.20%	507	8.41%	4,540
8	5,754	-159	-2.69%	1,665	28.94%	3,792	65.90%	4,239
9	5,873	-40	-0.68%	5,492	93.51%	228	3.88%	4,452
Total	53,213			39,020		11,444		40,072

District	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	3,868	87%	288	6.48%	487	290
2	1,429	33.59%	2,523	59.31%	461	302
3	3,826	87.23%	421	9.60%	208	139
4	4,019	89.85%	315	7.04%	208	139
5	3,997	83.18%	593	12.34%	309	215
6	3,647	81.46%	619	13.83%	362	211
7	4,041	89.01%	350	7.71%	264	149
8	1,376	32.46%	2,664	62.85%	297	199
9	4,184	93.98%	167	3.75%	153	101
Total	30,387		7,940		2,749	1,745

(C) The boundaries of Cherokee County School District 1 are not altered by the provisions of this act. These school district lines are as defined by law and any census blocks which may be divided are done so only for statistical purposes and to establish a population base.”

Time effective

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

Ratified the 8th day of May, 2012.

Approved the 14th day of May, 2012.

No. 299

(R151, S1298)

AN ACT TO AMEND ACT 84 OF 2011, RELATING TO THE FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE BOARD OF TRUSTEES, SO AS TO MODIFY THE PROCEDURE FOR THE APPROVAL OF THE DISTRICT BUDGET AND PROVIDE FOR THE MANNER OF PUBLIC PARTICIPATION AND FINAL APPROVAL OF THE ANNUAL BUDGET FOR THE DISTRICT.

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

Public participation in budgetary process

SECTION 1. SECTION 3 of Act 84 of 2011 is amended to read:

“SECTION 3. (A) Prior to the adoption of the final district budget for the ensuing fiscal year, the Board of Trustees of Florence County School District Number Three shall hold at least two public meetings, open to all residents of the district, for the purpose of a review and explanation of the proposed budget for the district for the ensuing fiscal year.

(B) Not later than the second day of April each year, the board of trustees of the district shall publish its proposed budget for the operation of the school or schools within the district, together with the estimated millage necessary to carry the budget into effect. The proposed budget must be available for review at the Lake City Library, at the district office, on the district’s website as a downloadable file, and in other ways convenient to public access.

(C) The board shall conduct the two public meetings as required in SECTION 3(A) sometime between April first and the regularly scheduled board meeting in May of the same year. The board will publish the dates of these meetings at least one week in advance of each meeting. The publishing of the dates of the two public meetings must be by, but not limited to, notice in the local newspaper, on the district’s website, and in other ways convenient to public access. The two public meetings must be a minimum of one week apart. Each meeting will have a time set aside for public comment. As with all board meetings, minutes must be taken and made available to the public.

(D) The budget offered by the board of trustees must maintain a tax millage levy equal to at least the level of per pupil financial effort established in the previous fiscal year.

(E) The district administration shall maintain a register of all persons who have indicated, in writing, their desire to receive notices, communications, reports, and any other periodic information involving the budget from the district. Citizens interested in being listed on the register must file their names and addresses by which they desire to receive communications in person at the district office or by written communication mailed or delivered to the district office.”

Annual budget and millage certification

SECTION 2. SECTION 4 of Act 84 of 2011 is amended to read:

“SECTION 4. One week following the adoption of the final budget for the district, but not later than the last day of June, the Chairman of the Board of Trustees of Florence County School District Number Three, shall certify the budget and millage to the county auditor who shall levy the millage upon all taxable property within the school district. The Treasurer of Florence County shall collect taxes levied and the proceeds derived from the levy. The treasurer shall keep these proceeds and disburse them to the district upon warrants issued or drawn by the school district. A tax levied under the provisions of this act may not be repealed at any subsequent meeting of the district board of trustees occurring after the approval of the budget and the millage as provided for in SECTION 3.”

Time effective

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

Ratified the 29th day of March, 2012.

Approved the 2nd day of April, 2012.

No. 300

(R152, S1337)

AN ACT TO AMEND ACT 239 OF 1981, AS AMENDED, RELATING TO FLORENCE COUNTY SCHOOL DISTRICT NO. 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE FLORENCE COUNTY SCHOOL DISTRICT NO. 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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

Election districts reapportioned

SECTION 1. Section 1A of Act 239 of 1981, as added by Act 421 of 2006, is further amended to read:

“Section 1A. (A) Notwithstanding any other provisions of law, beginning with school trustee elections in 2012, successors to the members of the governing body of the Florence County School District No. 1 must be elected in the manner provided by law from one of the applicable single-member election districts of the nine defined single-member election districts as shown on Florence County School District No. 1 map S-41-01-12 as maintained in the Division of Research and Statistics of the State Budget and Control Board.

(B) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	White	%NHWHT	Black	%Black	VAP
1	10,749	31	0.29%	6,716	62.48%	3,542	32.95%	7,985
2	10,575	-143	-1.33%	3,619	34.22%	6,596	62.37%	7,583
3	10,579	-139	-1.30%	3,320	31.38%	6,913	65.35%	8,061
4	10,585	-133	-1.24%	3,236	30.57%	7,065	66.75%	8,133
5	10,826	108	1.01%	7,231	66.79%	2,879	26.59%	8,390
6	10,742	24	0.22%	8,045	74.89%	1,963	18.27%	7,943
7	10,864	146	1.36%	8,917	82.08%	1,379	12.69%	8,476
8	10,679	-39	-0.36%	6,804	63.71%	3,473	32.52%	8,141
9	10,864	146	1.36%	5,273	48.54%	5,094	46.89%	8,547

District	WhiteVAP	%NHVVAP	BlackVAP	%BVAP	AllOth	AllOthVAP
1	5,124	64.17%	2,532	31.71%	491	329
2	2,946	38.85%	4,418	58.26%	360	219
3	2,726	33.82%	5,098	63.24%	346	237
4	2,610	32.09%	5,328	65.51%	284	195
5	5,857	69.81%	2,023	24.11%	716	510
6	6,079	76.53%	1,386	17.45%	734	478
7	7,156	84.43%	955	11.27%	568	365
8	5,374	66.01%	2,497	30.67%	402	270
9	4,300	50.31%	3,918	45.84%	497	329

(C) The boundaries of the Florence County School District No. 1 are not altered by the provisions of this act. These school district lines are as defined by law and any census blocks which may be divided are done so only for statistical purposes and to establish a population base.”

Time effective

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

Ratified the 29th day of March, 2012.

Approved the 2nd day of April, 2012.

No. 301

(R141, S1206)

AN ACT TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE SCHOOL DISTRICT OF GREENVILLE COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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

Districts reapportioned

SECTION 1. (A) Notwithstanding any other provision of law or Section 2 of Act 521 of 1992, beginning with school trustee elections in 2012, successors to the members of the governing body of the Greenville County School District must be elected in the manner provided by law from one of the applicable single-member election districts of the twelve defined single-member election districts as shown on the Greenville County School District map S-45-00-12 as maintained in the Division of Research and Statistics of the State Budget and Control Board.

(B) The demographic information shown on this map is as follows:

Dist	Pop	Dev.	% Dev.	NH-Wht	%NH-Wht	NH-Blk	%NH-Blk
17 (formerly Dist. 1)	39,499	651	1.68%	35,587	90.10%	1,609	4.07%
18 (formerly Dist. 2)	38,709	-139	-0.36%	27,904	72.09%	5,068	13.09%
19 (formerly Dist. 3)	38,621	-227	-0.58%	30,954	80.15%	3,939	10.20%
20 (formerly Dist. 4)	39,372	524	1.35%	29,370	74.60%	5,011	12.73%
21 (formerly Dist. 5)	38,955	107	0.28%	29,505	75.74%	4,029	10.34%
22 (formerly Dist. 6)	38,650	-198	-0.51%	30,145	77.99%	3,805	9.84%
23 (formerly Dist. 7)	37,517	-1,331	-3.43%	13,544	36.10%	19,005	50.66%
24 (formerly Dist. 8)	40,193	1,345	3.46%	30,523	75.94%	6,313	15.71%
25 (formerly Dist. 9)	36,956	-1,892	-4.87%	11,702	31.66%	21,337	57.74%
26 (formerly Dist. 10)	38,958	110	0.28%	26,705	68.55%	5,423	13.92%
27 (formerly Dist. 11)	38,744	-104	-0.27%	30,413	78.50%	5,199	13.42%
28 (formerly Dist. 12)	40,004	1,156	2.98%	29,841	74.60%	6,259	15.65%

Dist	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	All Oth	All OthVAP
17 (formerly Dist. 1)	30,510	27,845	91.27%	1,131	3.71%	2303	1,534
18 (formerly Dist. 2)	28,089	20,944	74.56%	3,445	12.26%	5737	3,700
19 (formerly Dist. 3)	30,011	24,904	82.98%	2,612	8.70%	3728	2,495
20 (formerly Dist. 4)	29,677	22,954	77.35%	3,375	11.37%	4991	3,348
21 (formerly Dist. 5)	29,548	22,954	77.68%	2,848	9.64%	5421	3,746
22 (formerly Dist. 6)	31,962	25,586	80.05%	2,878	9%	4700	3,498
23 (formerly Dist. 7)	29,216	11,705	40.06%	14,146	48.42%	4968	3,365
24 (formerly Dist. 8)	30,566	23,897	78.18%	4,428	14.49%	3357	2,241
25 (formerly Dist. 9)	27,140	9,431	34.75%	15,221	56.08%	3917	2,488
26 (formerly Dist. 10)	29,525	21,488	72.78%	3,659	12.39%	6830	4,378
27 (formerly Dist. 11)	27,445	21,906	79.82%	3,600	13.12%	3132	1,939
28 (formerly Dist. 12)	29,120	22,436	77.05%	4,144	14.23%	3904	2,540

(C) The boundaries of the Greenville County School District are not altered by the provisions of this act. These school district lines are as defined by law and any census blocks which may be divided are done so only for statistical purposes and to establish a population base.

(D) For purposes of all Greenville school trustee elections beginning in 2012, Districts 1 through 12, as contained in Act 521 of 1992, are hereby redesignated as Districts 17 through 28.

Time effective

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

Ratified the 7th day of March, 2012.

Approved the 13th day of March, 2012.

No. 302

(R239, H4886)

A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON FEBRUARY 17, 2012, BY THE STUDENTS OF FOUNTAIN INN ELEMENTARY SCHOOL OF GREENVILLE COUNTY SCHOOL DISTRICT, WHEN THE SCHOOL WAS CLOSED DUE TO BAT INFESTATION, IS EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

School day missed forgiven

SECTION 1. Pursuant to the provisions of Section 59-1-425(C) of the 1976 Code, the school day missed on February 17, 2012, by the students of Fountain Inn Elementary School of Greenville County School District, when the school was closed due to bat infestation, is exempt from the requirement that full school days missed due to snow, extreme weather, or other disruptions be made up.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 5th day of June, 2012.

Vetoed by the Governor -- 6/11/12.
Veto overridden by House -- 6/19/12.
Veto overridden by Senate -- 6/21/12.

No. 303

(R148, S321)

AN ACT TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF GREENWOOD SCHOOL DISTRICT 50 IN GREENWOOD COUNTY, SO AS TO FURTHER PROVIDE FOR THE MANNER OF AND DATES FOR FILING NOTICES OF CANDIDACY FOR ELECTION TO THESE OFFICES.

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

Filing of notice of candidacy

SECTION 1. Section 1(A) of Act 595 of 1994, as last amended by Act 85 of 2011, is further amended to read:

“Section 1. (A) Notwithstanding another provision of law, the Board of Trustees of Greenwood School District 50 consists of nine members who must be elected in nonpartisan elections to be held beginning in 1994 at the same time as the general election in the year specified or required in the manner provided in this section. Based on the implementation schedule provided in subsection (B), one member of the board must be a resident of and elected from each of the nine defined single-member election districts established in Section 2 of this act. Except for initial terms otherwise provided in subsection (B), members of the board must be elected for four-year terms and until their successors are elected and qualify. In the event of a vacancy on the board occurring for any reason other than expiration of a term, the Greenwood County Election Commission shall call a special election to fill the unexpired term, so long as the vacancy does not occur within ten months of a regular trustee election. In this case, the vacancy must be filled for the unexpired term or for a full term as appropriate at the next regular election.

Each member of the board must be elected by the qualified electors of the respective district from which the candidate seeks election. A person who desires to qualify as a candidate shall file a written statement of candidacy with the county election commission on forms furnished by the election commission. This statement of candidacy must include information the county election commission requires. The county election commission shall establish the opening and ending date for the filing of notice of candidacy for election to each board; however, the filing period must end no later than August fifteenth at noon.

The county election commission shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, *mutatis mutandis*. The county election commission shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The county election commission shall give at least thirty days' notice of an election by publishing a notice of it in a newspaper of general circulation in the district once a week for two consecutive weeks all of which notices must be run at least thirty days before the scheduled election. The notices must include, but may not be limited to, the date and time of the election, the polling places of the election, and the place where candidates may file for election. If the number of candidates who offer for the position of trustee is less than or equal to the number of positions to be filled, the county election commission shall declare those who filed as elected to the position. If no candidate files for the office of trustee or if the number of candidates who file is less than the number to complete the board, the provisions of Section 7-13-1120 of the 1976 Code relating to write-in ballots apply. The results of the elections must be determined by the nonpartisan plurality method as contained in Section 5-15-61 of the 1976 Code. The costs of the elections must be borne by the school district and be determined by the county election commission.

A person aggrieved by the election of a trustee pursuant to this act, within fifteen days after the election, shall file with the county election commission a written petition stating his grievance and the grounds for it. The county election commission shall rule upon the petition within sixty days after its filing.

The members of the board elected in these nonpartisan elections shall take office one week following certification of their election as provided in Section 59-19-315 of the 1976 Code.”

Time effective

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

Ratified the 29th day of March, 2012.

Approved the 2nd day of April, 2012.

No. 304

(R168, H4632)

AN ACT TO FORM ALL SCHOOL DISTRICTS IN MARION COUNTY INTO A SINGLE SCHOOL DISTRICT ENTITLED THE "MARION COUNTY SCHOOL DISTRICT" ON JULY 1, 2012, TO PROVIDE THAT THERE MUST BE NO ELECTED COUNTY SUPERINTENDENT OF EDUCATION FOR MARION COUNTY WITH ALL POWERS AND DUTIES OF THIS OFFICE DEVOLVED UPON THE MARION COUNTY BOARD OF EDUCATION WHICH MUST BE THE GOVERNING BODY OF THE MARION COUNTY SCHOOL DISTRICT, TO PROVIDE FOR THE MANAGERIAL AND OTHER ADMINISTRATIVE STAFF FOR THE DISTRICT, TO PROVIDE FOR THE MANNER IN WHICH CONTRACTS OF EMPLOYMENT FOR TEACHERS AND OTHER PROFESSIONAL PERSONNEL OF THE DISTRICT MUST BE OFFERED, TO PROVIDE FOR THE FISCAL AUTHORITY AND AFFAIRS OF THE DISTRICT, INCLUDING THE MANNER IN WHICH AD VALOREM TAXES FOR THE BENEFIT OF THE DISTRICT MUST BE LEVIED FOR OPERATING AND GENERAL OBLIGATION DEBT PURPOSES, AND TO PROVIDE FOR OTHER RELATED PROVISIONS TO EFFECTUATE THIS FORMATION ON JULY 1, 2012.

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

Formation of Marion County School District

SECTION 1. (A) Pursuant to Sections 59-17-40 and 59-17-20(A) of the 1976 Code, effective July 1, 2012, all of the present school districts of Marion County must be formed into a single school district embracing the entire county and named the 'Marion County School District', and the powers and duties of the respective boards of trustees of each district must be transferred as provided in and subject to Section 5 of this act to the existing Marion County Board of Education as the educational governing body of the county pursuant to Section 59-19-100 of the 1976 Code.

(B) The Marion County Board of Education immediately shall commence transitional planning and budgeting activities preparatory to the operation of the Marion County School District, and in addition to all powers of the Marion County Board of Education heretofore provided by law, the Marion County Board of Education has all powers and exercises all functions as proper and necessary for these purposes.

Superintendent of the district

SECTION 2. (A) There must be no elected County Superintendent of Education for Marion County on and after July 1, 2012, and all powers and duties of the Marion County Superintendent of Education with regard to any school district, to the extent not already so devolved, are devolved upon the Marion County Board of Education as of July 1, 2012.

(B) The Marion County Board of Education shall select and appoint an individual possessing appropriate qualifications to serve as the superintendent of the Marion County School District. The appointment must be made in advance of the formation implemented by Section 1 of this act. The superintendent is the chief executive officer of the Marion County Board of Education and the Marion County School District and is responsible to the Marion County Board of Education for the proper administration of all affairs of the school district and subject to all other provisions of law relating to his duties.

(C) The appointed superintendent has the powers granted to county superintendents of education by Section 59-1-310 of the 1976 Code, as well as all other express and implied powers and duties of school district superintendents of the State, subject to any special provisions made by the Marion County Board of Education within the scope of its authority. Within the scope of both, all previously existing powers and

all additional preparatory powers granted by this act, the superintendent may exercise such powers before July 1, 2012.

(D) Before July 1, 2012, the Marion County Board of Education may employ in its own name such other subordinate operational, financial, managerial, professional, administrative, and clerical staff as necessary and prudent in anticipation of the establishment of the Marion County School District. As of July 1, 2012, any employment relationship existing pursuant to this subsection in the name of the Marion County Board of Education as employer is automatically assigned and transferred to the Marion County School District as employer.

Employment of the district

SECTION 3. (A) As a result, the Marion County School District shall assume all liabilities of the presently existing school districts. The Marion County Board of Education is granted sole responsibility and authority to prescribe the Marion County School District staffing allocations and responsibilities of all personnel for Fiscal Year 2013, as well as sole responsibility and authority to establish the locally determined elements of all Fiscal Year 2013 salary schedules and other terms and conditions of employment for use in letting any contract commencing or extending into Fiscal Year 2013, which will be assumed by the Marion County School District.

(B) Accordingly, after the effective date of this act, no employment contract must be executed by any of the present school districts of Marion County except as affirmatively permitted by action of the Marion County Board of Education. The Marion County Board of Education may choose, for anyone or more classes of personnel, to establish general plans for purposes of this section, and may delegate to its superintendent the specific implementation of these plans including, but not limited to, the power to grant approval on behalf of the Marion County Board of Education of individual Fiscal Year 2013 contracts for execution by the presently existing school districts.

(C) Contracts of employment let pursuant to this subsection for which the employee is to be compensated pursuant to a salary schedule or other general compensation policy subsequently to be developed pursuant to subsection (A) of this section are deemed to be let subject to the subsequent adoption or modification of such salary schedules or other compensation policies.

Assets, liabilities, and budget of the district

SECTION 4. (A) As of July 1, 2012, the provisions of Section 59-17-70 of the 1976 Code must be applied to all property, other assets, and liabilities of all the school districts of Marion County formed into the Marion County School District.

(B) Subject to the general laws of the State, fiscal authority for the budget and operating millage of the Marion County School District is devolved and vested in the Marion County Board of Education. The Marion County Board of Education has authority to adopt a Marion County School District Fiscal Year 2013 budget before July 1, 2012.

(C) From July 1, 2012, and on a continuing basis thereafter, the Marion County School District shall operate on the disbursement method provided in Section 59-69-215 of the 1976 Code, all of its provisions requiring concurrence of the governing body of the county notwithstanding.

(D) All state and local governmental calculations and projections concerning Fiscal Year 2012 or Fiscal Year 2013 for purposes of the finances of the public education system in Marion County must be made on the basis of the Marion County School District as the sole school district of Marion County.

(E) Notwithstanding any other provision of law, the school operating millage for the Marion County School District must be uniform. All taxes now authorized or existing under local legislation for public school operating purposes including, but not limited to, millage to service real property lease-purchase agreements or any other capital acquisition related obligation not constituting general obligation debt and millage levied for particular programs or affiliated entities of any of the school districts in Marion County, which operate on less than a county-wide basis are abolished as of the conclusion of tax year 2011; provided, however, that where the revenues of such levies have previously been pledged or otherwise are deemed a necessary revenue source for the operation of the Marion County School District by the Marion County Board of Education, it may incorporate millage necessary to secure such revenues into its initial school operating ad valorem tax for tax year 2012.

(F) The tax year 2012 school operating millage of the Marion County School District must be deemed to comply with Section 6-1-320(A) of the 1976 Code so long as the projected revenue to be derived from the levy subject to Section 6-1-320(A) is not more than the Marion County Board of Education's good-faith estimate of the aggregate revenue of all public school operating millage levied for tax

year 2011 in Marion County plus additional revenue of ten percent from tax year 2013 forward, the general laws of the State apply to the imposition of the school operating ad valorem tax for the Marion County School District.

(G) For all general obligation debt of the school districts formed into the Marion County School District, as of tax year 2012, the Marion County School District is the sole operating school unit of Marion County for purposes of Section 59-17-150 of the 1976 Code.

Boards of districts to be consolidated

SECTION 5. Subject to existing provisions of law and the provisions of this act, the boards of trustees of the school districts of Marion County in existence as of the effective date of this act shall continue until June 30, 2014, at which time they are dissolved. During this time and subject to the orders, rules, and regulations of the county board of education, these boards of trustees continue to exercise their respective duties and powers under the federal and state constitutions and Title 59 of the 1976 Code with regard to matters arising within the area comprising their respective school districts.

Merger of programs

SECTION 6. (A) The formation of the Marion County School District includes the merger into that school district of any joint programs or entities operated by or between any two or more of the presently existing school districts. As of formation of the Marion County School District, all powers and duties of any participating school districts with regard to such joint programs or entities are transferred to the Marion County School District.

(B) Without reducing the generality of subsection (A), as of July 1, 2012, the Marion County vocational school program, the Marion County alternative school, and the Marion County adult education program are declared constituent programs of the Marion County School District. As such, the budgets and any operating millage to be levied on behalf of such programs are subsumed within the budget and operational millage of the Marion County School District, and the Marion County Board of Education is empowered to manage and control these programs as it deems proper subject to applicable federal and state laws and regulations pertaining to such programs.

Marion County Board of Education

SECTION 7. (A) All powers previously granted to the Marion County Board of Education for the purposes of governing the public education system of Marion County, unless inconsistent with the provisions of this act, are preserved.

(B) All powers previously granted to the boards of trustees of the several school districts of Marion County, unless inconsistent with the provisions of this act, are preserved and transferred to the Marion County Board of Education as of July 1, 2012.

Severability

SECTION 8. If a provision of this act is held by a court of competent jurisdiction to be unconstitutional or invalid, the holding will not affect the constitutionality or validity of the remaining portions of this act. The General Assembly hereby declares that it would have passed this act and each and every provision herein irrespective of the fact that a provision of this act may be declared unconstitutional, invalid, or otherwise ineffective.

Conflicting provisions

SECTION 9. Any local act or parts of any local act pertaining to the Marion County Board of Education, or any school district of Marion County inconsistent with the provisions of this act or otherwise inconsistent with the intent that the Marion County School District shall operate and be formed as a single unit, is repealed.

Time effective

SECTION 10. This act takes effect upon approval by the Governor.

Ratified the 19th day of April, 2012.

Approved the 23rd day of April, 2012.

No. 305

(R218, S1092)

AN ACT TO ABOLISH THE RICHLAND COUNTY BOARD OF ASSESSMENT CONTROL AND DEVOLVE ALL OF ITS DUTIES, POWERS, AND FUNCTIONS UPON THE RICHLAND COUNTY COUNCIL AND TO REPEAL SECTION 1 OF ACT 952 OF 1958.

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

Richland County Board of Assessment Control abolished

SECTION 1. Notwithstanding another provision of law, upon the effective date of this act, the Richland County Board of Assessment Control is abolished and all of its duties, powers, and functions are devolved upon the Richland County Council.

Repeal

SECTION 2. Section 1 of Act 952 of 1958 is repealed.

Time effective

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

Ratified the 5th day of June, 2012.

Approved the 7th day of June, 2012.

No. 306

(R321, H4550)

AN ACT TO ABOLISH THE RICHLAND COUNTY BOARD OF ASSESSMENT CONTROL AND DEVOLVE ALL OF ITS DUTIES, POWERS, AND FUNCTIONS UPON THE RICHLAND COUNTY COUNCIL AND TO REPEAL SECTION 1 OF ACT 952 OF 1958.

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

Richland County Board of Assessment Control abolished

SECTION 1. Notwithstanding another provision of law, upon the effective date of this act, the Richland County Board of Assessment Control is abolished and all of its duties, powers, and functions are devolved upon the Richland County Council.

Repeal

SECTION 2. SECTION 1 of Act 952 of 1958 is repealed.

Time effective

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

Ratified the 22nd day of June, 2012.

Approved the 26th day of June, 2012.

No. 307

(R245, H5167)

AN ACT TO REAPPORTION THE SEVEN SPECIFIC ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE GOVERNING BODY OF THE SALUDA COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND MAKE NECESSARY CONFORMING CHANGES.

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

Saluda County School Election Districts reapportioned

SECTION 1. (1) Notwithstanding another provision of law, beginning with school trustee elections in 2012, successors to the seven members of the governing body of the Saluda County School District who are elected from defined single-member election districts must be elected in the manner provided by law from one of the applicable single-member election districts of the seven defined single-member election districts as shown on the Saluda County School District Map S-81-00-12 as maintained in the Division of Research and Statistics of the State Budget and Control Board.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	Hisp	%Hisp	NH-WHT	%NH-WHT
1	2,109	-62	-2.86%	132	6.26%	745	35.32%
2	2,143	28	-1.29%	491	22.91%	1,232	57.49%
3	2,175	4	0.18%	418	19.22%	1,238	56.92%
4	2,240	69	3.18%	607	27.10%	1,327	59.24%
5	2,117	-54	-2.49%	737	34.81%	217	10.25%
6	2,189	18	0.83%	55	2.51%	2,041	93.24%
7	2,227	56	2.58%	126	5.66%	2,031	91.20%
Total	15,200			2,566		8,831	

District	NH-BLK	%NH-BLK	VAP	H18	%H18	NHWVAP	%NHWVAP
1	1,210	57.37%	1,559	81	5.20%	593	38.04%
2	394	18.39%	1,598	319	19.96%	963	60.26%
3	511	23.49%	1,665	254	15.26%	1,017	61.08%
4	275	12.28%	1,729	417	24.12%	1,093	63.22%
5	1,147	54.18%	1,513	520	34.37%	185	12.23%
6	81	3.70%	1,812	38	2.10%	1,699	93.76%
7	53	2.38%	1,812	83	4.58%	1,685	92.99%
Total	3,671		11,688	1,712		7,235	

District	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	868	55.68%	154	98
2	301	18.84%	517	334
3	388	23.30%	426	260
4	199	11.51%	638	437
5	795	52.54%	753	533
6	64	3.53%	67	49
7	32	1.77%	143	95
Total	2,647		2,698	1,806

(3) The boundaries of the Saluda County School District are not altered by the provisions of this subsection. These school district lines

are as defined by law and any census blocks that may be divided are done so only for statistical purposes and to establish a population base.

Time effective

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

Ratified the 5th day of June, 2012.

Approved the 7th day of June, 2012.

No. 308

(R219, S1134)

AN ACT TO AMEND ACT 1377 OF 1968, AS AMENDED, RELATING TO CAPITAL IMPROVEMENT BOND AUTHORIZATIONS, SO AS TO REVISE THE PURPOSE FOR WHICH CAPITAL IMPROVEMENT BOND AUTHORIZATIONS MAY BE USED AT WILLIAMSBURG TECHNICAL COLLEGE.

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

Williamsburg Technical College bond authorization

SECTION 1. Item (f)(A)(4)(p) of Section 3 of Act 1377 of 1968, as last amended by Act 322 of 2004, is further amended to read:

“(p) Williamsburg Tech -	
Academic and Institutional Support Buildings Repair,	
Maintenance and Renovation	700,000
Building Repairs	300,000”

Time effective

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

Ratified the 5th day of June, 2012.

Approved the 7th day of June, 2012.

No. 309

(R180, S1384)

AN ACT TO AMEND ACT 469 OF 2000, AS AMENDED, RELATING TO YORK COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE FIVE SPECIFIC ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE GOVERNING BODY OF YORK COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND MAKE NECESSARY CONFORMING CHANGES.

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

Deletion

SECTION 1. Section 1 of Act 469 of 2000, as last amended by Act 214 of 2005, is deleted.

Election districts reapportioned

SECTION 2. Subsection (A) of Section 2 of Act 469 of 2000, as last amended by Act 214 of 2005, is further amended to read:

“(A)(1) Notwithstanding any other provision of law, beginning with school trustee elections in 2012, successors to the five members of the governing body of York County School District 1 who are elected from defined single-member election districts must be elected in the manner provided by law from one of the applicable single-member election districts of the five defined single-member election districts as shown on York County School District 1 map S-91-01-12 as maintained in the Division of Research and Statistics of the State Budget and Control Board.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH WHT	%NH WHT	NH BLK	%NH BLK	VAP
1	6,358	136	2.19%	5,597	88.03%	407	6.40%	4,862
2	6,289	67	1.08%	5,474	87.04%	465	7.39%	4,801
3	6,371	149	2.39%	5,536	86.89%	494	7.75%	4,800
4	5,939	-283	-4.55%	2,274	38.29%	3,075	51.78%	4,318
5	6,155	-67	1.08%	4,993	81.12%	871	14.15%	4,650

Total	31,112			23,874		5,312		23,431
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District	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	4,353	89.53%	288	5.92%	354	221
2	4,248	88.48%	325	6.77%	350	228
3	4,255	88.65%	340	7.08%	341	205
4	1,813	41.99%	2,135	49.44%	590	370
5	3,777	81.23%	689	14.82%	291	184

Total	18,446		3,777		1926	1208
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(3) The boundaries of York County School District 1 are not altered by the provisions of this subsection. These school district lines are as defined by law and any census blocks which may be divided are done so only for statistical purposes and to establish a population base.”

Time effective

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

Ratified the 8th day of May, 2012.

Approved the 14th day of May, 2012.

No. 310

(R183, S1460)

AN ACT TO AMEND ACT 270 OF 1981, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF FORT MILL SCHOOL DISTRICT NO. 4 IN YORK COUNTY, SO AS TO PROVIDE FOR THE EXPIRATION DATE OF THE TERMS OF CERTAIN

MEMBERS OF THE BOARD IN ORDER TO HAVE ALL MEMBERS OF THE BOARD ELECTED IN NOVEMBER OF EVEN-NUMBERED YEARS.

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

Terms revised

SECTION 1. Section 1 of Act 270 of 1981, as last amended by Act 501 of 1998, is further amended to read:

“Section 1. (A) Notwithstanding any other provision of law, the terms of the present members of the Board of Trustees of Fort Mill School District No. 4 in York County rather than expiring in March of the year in which such terms are scheduled to expire shall instead expire on the following January first. Successors to these present members must then be elected from the district at large by the qualified electors of the district in the manner hereinafter provided for terms of office of four years each; provided, that those trustees elected in November 1982 shall serve a term of three years. Trustees to succeed members whose terms expire on a particular January first must be elected in an election to be conducted by the county election commission at the same time as the general election immediately preceding that January first. These persons so elected shall take office on the first day of January immediately following their election and all trustees shall serve until their successors have been elected and qualify. The board may fill a vacancy occurring for any reason other than expiration of a term by election of a new trustee by majority vote which new trustee shall serve for the remainder of the unexpired term.

(B) All persons desiring to be elected to the board shall file written notice of their candidacy with the county election commission at least thirty days before the election in which they desire to run. The elections must be conducted by the county election commission in the manner governed by the election laws of this State, *mutatis mutandis*, and the county election commission shall give at least six weeks' notice of such an election by publishing a notice thereof in a newspaper of general circulation in the district. The cost of the election must be borne by the school district.

(C) Notwithstanding the above provisions of this section, in order to reduce costs by providing that the members of the Board of Trustees of Fort Mill School District No. 4 in York County shall only be elected at the same time as the general election in even-numbered years, the term

of Trustee Michael Johnson is extended to January 1, 2013, with his successor to be elected in November 2012 for a term of four years, and the term of Trustee Wayne Bouldin is extended to January 1, 2015, with his successor to be elected in November 2014 for a term of four years.”

Time effective

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

Ratified the 8th day of May, 2012.

Approved the 14th day of May, 2012.

No. 311

(R131, H4125)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO MINIMUM STANDARDS FOR LICENSING CHIROPRACTIC FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4180, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Health and Environmental Control, relating to Minimum Standards for Licensing Chiropractic Facilities, designated as Regulation Document Number 4180, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 21st day of February, 2012.

Approved the 22nd day of February, 2012.

No. 312

(R139, S1200)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO AT-RISK STUDENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4208, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the State Board of Education, relating to At-Risk Students, designated as Regulation Document Number 4208, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 7th day of March, 2012.

Became law without the signature of the Governor -- 3/14/2012.

No. 313

(R140, S1201)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO END-OF-COURSE TESTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4200, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the State Board of Education, relating to End-of-Course Tests, designated as Regulation Document Number 4200, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 7th day of March, 2012.

Became law without the signature of the Governor -- 3/14/2012.

No. 314

(R165, H4905)

A JOINT RESOLUTION TO REQUIRE LOCAL SCHOOL DISTRICTS TO DECIDE AND NOTIFY TEACHERS OF THEIR EMPLOYMENT FOR THE 2012-2013 SCHOOL YEAR BY MAY 15, 2012; TO PROVIDE THAT A CONTINUING-CONTRACT TEACHER WHO IS BEING RECOMMENDED FOR FORMAL EVALUATION THE FOLLOWING SCHOOL YEAR MUST BE

NOTIFIED IN WRITING ON OR BEFORE THE DATE THE SCHOOL DISTRICT ISSUES THE WRITTEN OFFER OF EMPLOYMENT OR REEMPLOYMENT; TO REQUIRE TEACHERS WHO ARE REEMPLOYED BY WRITTEN NOTIFICATION TO NOTIFY THE DISTRICT BOARD OF THEIR ACCEPTANCE WITHIN TEN DAYS OF RECEIPT OF WRITTEN NOTIFICATION OF EMPLOYMENT; AND TO ALLOW DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES OF CERTAIN RETIRED TEACHERS BELOW THE DISTRICT SALARY SCHEDULE.

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

Notice to teachers

SECTION 1. Notwithstanding Section 59-25-410, the boards of trustees of the several school districts shall decide and notify, in writing, the teachers, as defined in Section 59-1-130, in their employ concerning their employment for the 2012-2013 school year by May 15, 2012.

Notice of continuing-contract teachers

SECTION 2. Notwithstanding Regulation 43-205.1, a continuing-contract teacher who is being recommended for formal evaluation the following school year must be notified in writing on or before the date the school district issues the written offer of employment or reemployment.

Notice of contract acceptance

SECTION 3. Notwithstanding Section 59-25-420, any teacher who is reemployed by written notification pursuant to Section 59-25-410 shall notify the board of trustees in writing of his acceptance of the contract for the 2012-2013 school year no later than ten days following receipt of written notification. Failure on the part of the teacher to notify the board of acceptance within the specified time limit is conclusive evidence of the teacher's rejection of the contract.

Salaries for reemployed retired teachers

SECTION 4. Notwithstanding another provision of law, school districts uniformly may negotiate salaries below the school district salary schedule for the 2012-2013 school year for retired teachers who are not participants in the Teacher and Employee Retention Incentive program.

Time effective

SECTION 5. This joint resolution takes effect upon approval by the Governor.

Ratified the 13th day of April, 2012.

Approved the 14th day of April, 2012.

No. 315

(R240, H4904)

A JOINT RESOLUTION TO SUSPEND THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION PROVIDE PRINTED COPIES OF 2012 DISTRICT AND SCHOOL REPORT CARDS; TO REQUIRE A SCHOOL DISTRICT OR SCHOOL WITHIN THE DISTRICT TO PROVIDE PARENTS WITH A LINK TO THE REPORT CARDS VIA EMAIL OR OTHER COMMUNICATION METHODS UPON CERTAIN CONDITIONS; TO SUSPEND THE REQUIREMENT THAT SCHOOLS ADVERTISE THE DISTRICT AND SCHOOL 2012 REPORT CARD, BUT TO REQUIRE RESULTS TO BE PROVIDED TO AN AREA NEWSPAPER OF GENERAL CIRCULATION; TO ALLOW HIGH SCHOOLS TO OFFER STATE-FUNDED WORKKEY ASSESSMENTS TO CERTAIN STUDENTS USING SPECIFIED FUNDS APPROPRIATED FOR FISCAL YEAR 2012-2013, OR FOR THESE PURPOSES IN PRIOR YEARS; TO PROVIDE FOR FISCAL YEAR 2012-2013 A ONE-YEAR GRACE PERIOD FOR CERTAIN RECIPIENTS OF A SOUTH CAROLINA TEACHER LOAN, AND TO REQUIRE THE SOUTH CAROLINA STUDENT LOAN CORPORATION

**TO DEVELOP FORMS AND PROCEDURES TO IMPLEMENT
THE GRACE PERIOD; AND TO DIRECT SAVINGS FROM
CERTAIN PROVISIONS OF THIS ACT.**

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

Printed copies not required

SECTION 1. Notwithstanding Section 59-18-930 of the 1976 Code, the State Department of Education is not required to provide printed copies of 2012 district and school report cards. The district or school shall email parents a link to the report cards if the school maintains parent email addresses in its student information system database. The district or school shall notify parents about the report cards through its newsletters and other regular communication channels. If a parent requests from the district or school a printed copy of the report card, the district or school shall provide a printed copy without cost to the parent.

Newspaper advertising not required

SECTION 2. Notwithstanding Section 59-18-930(B) of the 1976 Code, a public school or district board is not required to inform the community of the school's and district's 2012 report card by advertising the results in at least one South Carolina daily newspaper of general circulation in the area. However, the results must be provided to the editor of a newspaper of general circulation in the school's or district's area.

WorkKeys assessments authorized

SECTION 3. Notwithstanding Section 59-18-340 of the 1976 Code, high schools also may offer state-funded WorkKeys to tenth grade students using funds appropriated for the assessment of PSAT or PLAN in the 2012-2013 general appropriations act, or for these purposes in prior years. The selection of the test for each student should be informed and guided by the student's individual graduation plan, cluster selection, guidance counselor advisement, and parent or legal guardian consent.

Grace period allowed

SECTION 4. For Fiscal Year 2012-2013, an individual who received a South Carolina Teacher Loan pursuant to Section 59-26-20(j) of the 1976 Code, who completed an undergraduate or graduate degree in education in calendar year 2012, and who was not employed in a public school in South Carolina by September 1, 2012, or the 2012-2013 school year may elect to receive a one-year grace period that allows the individual to defer making loan repayments for one calendar year. Interest must be accrued during this deferral period. The South Carolina Student Loan Corporation shall develop the forms and procedures to implement and monitor the grace period.

Allocation of funds

SECTION 5. The State Department of Education shall allocate the funds from savings generated from the enactment of Section 1 of this joint resolution to school districts based on the weighted pupil units.

Time effective

SECTION 6. This joint resolution takes effect upon approval by the Governor.

Ratified the 5th day of June, 2012.

Approved the 7th day of June, 2012.

No. 316

(R198, H5028)

A JOINT RESOLUTION TO PROVIDE CERTAIN REQUIREMENTS WITH WHICH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL COMPLY IN ORDER TO MEET APPROPRIATIONS FOR MEDICAID NURSING HOME SERVICE FOR FISCAL YEAR 2012-2013; TO PROVIDE CERTAIN REQUIREMENTS WITH WHICH NURSING HOMES SHALL COMPLY FOR FISCAL YEAR 2012-2013; AND TO REQUIRE THE DEPARTMENT

REGULARLY TO REPORT TO SPECIFIED COMMITTEES OF THE GENERAL ASSEMBLY REGARDING CHANGES IN NURSING HOME PERFORMANCE AND TO POST THESE CHANGES ON THE DEPARTMENT'S WEBSITE.

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

Special provisions for Medicaid nursing home services for Fiscal Year 2012-2013

SECTION 1. (A) In order to meet appropriations for Medicaid nursing home service for Fiscal Year 2012-2013, the Department of Health and Environmental Control must not:

(1) penalize or fine a nursing home facility, as defined by Section 44-7-80 of the 1976 Code, that has provided fewer Medicaid patient days than allowable under the Medicaid Nursing Home Permit Program provided in Section 44-7-84.

(2) transfer or add additional Medicaid patient days to an individual facility except as provided in this joint resolution.

(B) If the Department of Health and Human Services decreases the number of Medicaid patient days available to the Department of Health and Environmental Control, the Department of Health and Environmental Control shall proportionately decrease the authorized Medicaid patient days for each nursing home. If additional Medicaid patient days are authorized, they must be restored proportionately to each nursing home in accordance with subsection (D).

(C) Notwithstanding the provisions of Section 44-7-90, after June 30, 2012, a nursing home which exceeds its Medicaid patient days stated in its permit must be fined on the number of Medicaid patient days exceeding the permit days multiplied by its daily Medicaid per diem. Medicaid permit days provided to Complex Care residents, as certified by the Department of Health and Human Services, shall not be counted against the facility's Medicaid permit for the first six months of their care. Any Complex Care provided after six months shall be counted towards the facility's Medicaid permit day allocation. Complex Care reimbursement shall not be used in the fine calculation. A facility must be fined incrementally for exceeding its Medicaid permit. Violations above five and up to ten percent of the stated permit must be fined at thirty percent of its Medicaid per diem rate times the number of excess Medicaid permit days. A facility must be fined fifty percent of its Medicaid per diem rate for each excess day above ten and up to fifteen percent of its stated Medicaid permit. A facility must be

fined seventy percent of its Medicaid per diem rate for each day in excess of fifteen percent of its state Medicaid permit. A facility may appeal a fine based on circumstances related to a patient converting from Medicare to Medicaid and a facility's inability to discharge residents based on federal mandates.

(D) The allocation of additional Medicaid permit days must be based on the average number of fully eligible Medicaid nursing facility applicants by county in the Community Long Term Care nursing facility awaiting placement reports for the quarter ending June 30, 2012. The Department of Health and Human Services shall provide this information to the Department of Health and Environmental Control no later than July 15, 2012. The Medicaid permit days must be proportionally allocated to each facility within the county that currently holds a Medicaid permit and is currently in compliance with its Medicaid permit. A facility is deemed to be in compliance if it has not exceeded its stated Medicaid permit plus five percent. If a facility currently holding a Medicaid permit declines additional Medicaid permit days, those facilities within the county currently holding a Medicaid permit who are in compliance with their Medicaid permit will be proportionally allocated the additional days. However, if Medicaid patient days remain available after being offered to those nursing homes currently holding a Medicaid patient day permit in that county, then existing nursing homes with a restricted Certificate of Need within the same county may apply for a Medicaid nursing home permit to receive the Medicaid patient days remaining available.

(E) In the event of a voluntary or involuntary discontinuation of participation of a nursing facility in the Medicaid program, the State must ensure that the facility provides for patient safety and freedom of choice. The Department of Health and Environmental Control (DHEC) and the Department of Health and Human Services (DHHS) must determine the availability of existing patient days statewide for the purpose of relocating these patients. Based upon this determination, DHEC, at its discretion, may reallocate the patient days from a facility discontinuing its Medicaid participation to a facility that participates in the Medicaid program and agrees to accept the residents from the facility that is discontinuing Medicaid participation. In the allocation of patient days from the facility discontinuing Medicaid participation, DHEC must give first priority to restoring a county's allocation where a facility holding a permit closes, or discontinues participation in Medicaid.

(F) Effective July 1, 2012, all nursing facility providers will be required to report their daily Medicaid resident census information to

the South Carolina Department of Health and Human Services or its contractor for the purpose of maintaining a statewide bed locator and permit day tracking system.

Certain requirements for nursing homes for Fiscal Year 2012-2013

SECTION 2. (A) For Fiscal Year 2012-2013, a nursing home must:

(1) provide a minimum of one and sixty-three hundredths (1.63) hours of direct care per resident per day from the nonlicensed nursing staff; and

(2) maintain at least one licensed nurse per shift for each staff work area.

(B) All other staffing standards and nonstaffing standards established in Standards for Licensing Nursing Homes: R. 61-17, Code of State Regulations, must be enforced.

(C) The Department of Health and Environmental Control regularly shall report to the Chairmen of the Finance and Medical Affairs Committees of the Senate and the Chairmen of the Ways and Means and Medical, Military and Municipal Affairs Committees of the House of Representatives changes in nursing home performance. These changes also must be posted on the department's Medicare Nursing Home Compare website.

Time effective

SECTION 3. This joint resolution takes effect upon approval by the Governor and applies to Fiscal Year 2012-2013 only.

Ratified the 8th day of May, 2012.

Approved the 14th day of May, 2012.

No. 317

(R202, S1268)

A JOINT RESOLUTION TO PROVIDE THAT IN 2013 AND 2014, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN THE MANUFACTURER'S EMPLOYEE

BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SEVEN HUNDRED TWO DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

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

Manufacturer's license plate, fee set for 2013 and 2014

SECTION 1. Notwithstanding the annual fee prescribed pursuant to Section 56-3-2332 of the 1976 Code, for the standard license plate issued to an automobile manufacturer for vehicles used in a benefit program for the manufacturer's employees or for testing, distribution, evaluation, and promotion, the registration fee for applications filed in 2013 and 2014 is seven hundred two dollars. In accounting for the revenue of this fee for applications filed in 2013 and 2014, twenty dollars is credited to the general fund of the State and the amount required to be remitted to a local government is six hundred eighty-two dollars. In the case of employees participating in the benefit program who reside outside of this State, the entire fee must be credited to the general fund of the State.

Time effective

SECTION 2. This joint resolution takes effect January 1, 2013.

Ratified the 23rd day of May, 2012.

Approved the 25th day of May, 2012.

No. 318

(R309, H4824)

A JOINT RESOLUTION TO PROVIDE THAT THE DRIVER'S LICENSE OF A PERSON IS REINSTATED ON THIS ACT'S EFFECTIVE DATE IF THE PERSON'S DRIVER'S LICENSE WAS SUSPENDED PURSUANT TO FORMER SECTION 56-1-745 OF THE 1976 CODE DUE TO A CONTROLLED SUBSTANCE VIOLATION AND CHARGED PRIOR TO APRIL 12, 2011, AND CONVICTED ON OR AFTER APRIL 12, 2011, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST NOT REIMBURSE SUCH PERSON WHOSE DRIVER'S LICENSE SUSPENSION ENDED AND WHO PAID A REINSTATEMENT FEE BEFORE THIS ACT'S EFFECTIVE DATE.

Whereas, Section 1 of Act 13 of 2011, repealed Section 56-1-745 of the 1976 Code, which suspended the driver's license of a person convicted of a controlled substance violation; and

Whereas, Section 2 of Act 13 of 2011, stated that the repeal of this statute (Section 56-1-745) 'does not affect pending actions . . . or liabilities' or does not 'alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed . . . law'; and

Whereas, Section 2 of Act 13 of 2011, further states that 'After. . . the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws'; and

Whereas, the South Carolina Department of Motor Vehicles (DMV) interpreted Section 2 of Act 13 of 2011, to mean that the charge of a person whose controlled substance violation and criminal charge occurred before April 12, 2011, was a pending charge and accordingly applied Section 56-1-748 and suspended that person's driver's license; and

Whereas, members of the General Assembly have stated that the provisions of Section 2 of Act 13 of 2011, do not accurately reflect the intentions of the General Assembly in enacting Act 13 of 2011; and

Whereas, members of the General Assembly have stated that the intention of the General Assembly was to discontinue the suspension of the driver's license of a person who was charged with a controlled substance violation before April 12, 2011, but whose conviction occurred on or after April 12, 2011; and

Whereas, in order to carry out the intentions of the General Assembly, it is necessary to enact the following language. Now, therefore,

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

Driver's license reinstatement relating to certain controlled substance violations

SECTION 1. (A) Notwithstanding the provisions of Act 13 of 2011, the suspension by the Department of Motor Vehicles of the driver's license of a person convicted of a controlled substance violation, pursuant to former Section 56-1-745 of the 1976 Code, for which the person was charged before April 12, 2011, and whose conviction or guilty plea or nolo contendere was entered on or after April 12, 2011, is reversed and the person's driving privilege must be reinstated on this act's effective date.

(B) The department must not pay or reimburse a person for a reinstatement fee or other costs or fees incurred by the person as a result of the suspension of the person's driver's license if the person's driver's license suspension was due to being charged with a controlled substance violation before April 12, 2011, and convicted on or after April 12, 2011, and the suspension ended and the person paid the reinstatement fee or incurred other costs or fees before this act's effective date.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 12th day of June, 2012.

Approved the 18th day of June, 2012.

No. 319

(R127, H4594)

A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE MICROENTERPRISE DEVELOPMENT STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM JANUARY 20, 2012, TO SEPTEMBER 1, 2012.

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

Microenterprise Development Study Committee report deadline extended

SECTION 1. The deadline for the Microenterprise Development Study Committee to submit the written report required pursuant to Act 344 of 2010 is extended from January 20, 2012, to September 1, 2012.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 26th day of January, 2012.

Approved the 1st day of February, 2012.

No. 320

(R197, H4906)

A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE VETERANS' ISSUES STUDY COMMITTEE TO SUBMIT

**ITS WRITTEN REPORT FROM JANUARY 31, 2012, TO
JANUARY 31, 2016.**

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

Veterans' Issues Study Committee Report deadline extended

SECTION 1. The deadline for the Veterans' Issues Study Committee to submit the written report required pursuant to Act 342 of 2010 is extended from January 31, 2012, to January 31, 2016.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 8th day of May, 2012.

Approved the 14th day of May, 2012.

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August 26, 2011 - July 27, 2012

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The regulations contained in this index have been filed in the office of the Legislative Council and processed in accordance with the provisions of Article 1, Chapter 23, Title 1, *Code of Laws of South Carolina, 1976*, and became effective August 26, 2011 through July 27, 2012.

The texts of all regulations listed in this index have been published in the volume and issue of the *South Carolina State Register* noted opposite each entry and are available on the South Carolina General Assembly Home Page: www.scstatehouse.gov. If you do not have access to the Internet, the regulations are available for public inspection in the office of the promulgating agency, the Legislative Council, the State Library and the Department of Archives and History.

An explanation of abbreviations opposite regulations contained in this index, e.g. "SR36-1", means *South Carolina State Register*, Volume 36, Issue 1. Page numbers can be determined from the table of contents in the issue concerned. The number in parenthesis is the filing Document Number.

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Art. IV, Sec. 008, Governor and Lt. Governor, joint election for, 2969

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