

## Session 120 - (2013-2014)

**S\*0022 (Rat #0124, Act #0121 of 2014) General Bill, By Sheheen, Massey, L. Martin, Hayes, Campsen, Nicholson, Young and Alexander**

**Similar (S 0028, H 3646)**

**Summary:** SC Restructuring Act of 2014

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2014" SO AS TO TRANSFER, REALIGN, OR RESTRUCTURE VARIOUS AGENCIES, PROGRAMS, REQUIREMENTS, AND PROCEDURES IN THE EXECUTIVE AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT, INCLUDING PROVISIONS TO ABOLISH THE STATE BUDGET AND CONTROL BOARD ON JULY 1, 2015; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 1-11-10, RELATING TO THE COMPOSITION OF THE STATE BUDGET AND CONTROL BOARD, SO AS TO ABOLISH THE STATE BUDGET AND CONTROL BOARD AND TRANSFER CERTAIN PROGRAMS, POWERS, DUTIES, AND RESPONSIBILITIES TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 1-11-20, AS AMENDED, RELATING TO THE DIVISIONS AND STAFF OF THE STATE BUDGET AND CONTROL BOARD, SO AS TO TRANSFER CERTAIN DIVISIONS AND STAFF TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO THE GOVERNING AUTHORITY OF CERTAIN DEPARTMENTS AND AGENCIES, SO AS TO REQUIRE REPORTS TO THE GOVERNOR AND THE GENERAL ASSEMBLY EACH YEAR REGARDING RESTRUCTURING OF DIVISIONS, PROGRAMS, OR PERSONNEL BY THOSE DEPARTMENTS AND AGENCIES AND MAKE CONFORMING CHANGES REGARDING THE SEVEN-YEAR OVERSIGHT STUDY AND INVESTIGATION; TO AMEND SECTION 8-27-10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF EMPLOYMENT PROTECTION FOR REPORTS OF VIOLATIONS OF STATE OR FEDERAL LAW, SO AS TO REVISE THE DEFINITION OF "REPORT"; BY ADDING SECTION 8-27-60 SO AS TO REQUIRE PUBLIC BODIES TO MAKE A SUMMARY OF THE CHAPTER ON EMPLOYMENT PROTECTION FOR REPORTS OF VIOLATIONS OF STATE OR FEDERAL LAW AVAILABLE ON ITS INTERNET WEBSITE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1-11-55, AS AMENDED, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-180, BY ADDING SECTION 1-11-185, TO AMEND SECTIONS 1-11-220, AS AMENDED, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, AS AMENDED, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-15-10, AS AMENDED, 2-59-10, CHAPTER 9 OF TITLE 3, SECTIONS 10-1-10, 10-1-30, 10-1-130, 10-1-190, CHAPTER 9 OF TITLE 10, SECTIONS 10-11-50, 10-11-90, 10-11-110, 10-11-140, 10-11-330, 11-7-10, 11-7-30, 11-9-610, 11-9-620, 11-9-630, 11-9-665, 11-9-670, 11-9-680, 11-35-3820, 11-35-3840, 11-35-5270, 11-42-30, 11-42-40, 11-42-60, 11-53-20, AS AMENDED, 13-7-10, 13-7-30, 13-7-810, 13-7-830, 13-7-860, 16-3-1620, ALL AS AMENDED, 16-3-1680, 25-11-10, 25-11-80, AS AMENDED, 25-11-90, 25-11-310, 44-53-530, AS AMENDED, 44-96-140, 48-46-30, 48-46-40, 48-46-50, 48-46-60, 48-46-90, 63-11-500, AS AMENDED, 63-11-700, AS AMENDED, 63-11-730, 63-11-1110, 63-11-1140, 44-38-380, 63-11-1310, 63-11-1340, 63-11-1360, AND 63-11-1510, ALL RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS, ALL SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION, THE STATE FISCAL ACCOUNTABILITY AUTHORITY, OTHER APPROPRIATE STATE AGENCIES, OR TO SUPPLEMENT SUCH PROVISIONS; TO REPEAL SECTION 1-30-110 RELATING TO SPECIFIC AGENCIES, BOARDS, AND COMMISSIONS AND THEIR RELATED ENTITIES ADMINISTERED UNDER THE OFFICE OF THE GOVERNOR; BY ADDING ARTICLE 11 TO CHAPTER 9, TITLE 11 SO AS TO PROVIDE FOR THE REVENUE AND FISCAL AFFAIRS OFFICE AND PROVIDE FOR ITS ORGANIZATION, DUTIES, POWERS, AND PROCEDURES; TO AMEND SECTIONS 11-9-820, 11-9-825, 11-9-830, AND 11-9-880, ALL RELATING TO THE BOARD OF ECONOMIC ADVISORS, SO AS TO MAKE THE BOARD A DIVISION OF THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO FURTHER PROVIDE FOR ITS PROCEDURES, DUTIES, AND FUNCTIONS; TO AMEND SECTIONS 2-7-72, 2-7-73, 2-7-74, AND 2-7-76, ALL RELATING TO THE FISCAL IMPACT OF BILLS OR RESOLUTIONS, SO AS TO FURTHER PROVIDE FOR HOW THESE FISCAL IMPACTS ARE DETERMINED AND REPORTED; BY ADDING SECTION 1-30-125 SO AS TO ESTABLISH THE EXECUTIVE BUDGET OFFICE WITHIN THE DEPARTMENT OF ADMINISTRATION AND TRANSFER CERTAIN PORTIONS OF THE OFFICE OF STATE BUDGET OF THE STATE BUDGET AND CONTROL BOARD TO THE REVENUE AND FISCAL AFFAIRS OFFICE EXCEPT FOR EMPLOYEES REQUIRED TO SUPPORT THE EXECUTIVE BUDGET OFFICE; TO AMEND SECTION 11-9-890, AS AMENDED, RELATING TO THE DELINEATION OF FISCAL YEAR REVENUE ESTIMATES BY QUARTERS AND ACTION TO AVOID YEAR-END DEFICITS, SO AS TO REQUIRE THE BOARD OF ECONOMIC ADVISORS TO REDUCE REVENUE FORECASTS UNDER CERTAIN

CIRCUMSTANCES AND ALLOW THE SENATE AND HOUSE OF REPRESENTATIVES TO COME INTO SESSION TO AVOID A YEAR-END DEFICIT AMONG OTHER THINGS; BY ADDING CHAPTER 79 TO TITLE 2 SO AS TO PROVIDE PROCEDURES AND REQUIREMENTS PERTAINING TO STATE AGENCY DEFICIT PREVENTION AND RECOGNITION; TO REPEAL SECTION 1-11-495 RELATING TO YEAR-END DEFICITS, AND SECTIONS 11-9-230 THROUGH 11-9-270 ALL RELATING TO BORROWING MONEY BY THE STATE BUDGET AND CONTROL BOARD; TO AMEND SECTIONS 48-52-410, 48-52-440, 48-52-460, 48-52-635, AND 48-52-680, RELATING TO THE STATE ENERGY OFFICE, SO AS TO PROVIDE THAT THE STATE ENERGY OFFICE SHALL BE A PART OF THE OFFICE OF REGULATORY STAFF AND TO FURTHER PROVIDE FOR THE PROGRAMS AND OPERATIONS OF THE STATE ENERGY OFFICE; TO AMEND SECTIONS 1-11-25 AND 1-11-26, BOTH RELATING TO THE LOCAL GOVERNMENT DIVISION OF THE STATE BUDGET AND CONTROL BOARD, AND BY ADDING SECTION 11-50-65, ALL SO AS TO PROVIDE THAT THE LOCAL GOVERNMENT DIVISION SHALL BECOME A PART OF THE RURAL INFRASTRUCTURE AUTHORITY, FOR THE OPERATIONS OF THE DIVISION OF LOCAL GOVERNMENT, FOR THE OPERATIONS AND EMPLOYEES OF THE RURAL INFRASTRUCTURE AUTHORITY, AND FOR THE USE AND TRANSFER OF CERTAIN FUNDING TO THE AUTHORITY; TO AMEND SECTION 11-37-200, RELATING TO THE WATER RESOURCES COORDINATING COUNCIL, SO AS TO CORRECT REFERENCES FROM THE STATE BUDGET AND CONTROL BOARD TO THE RURAL INFRASTRUCTURE AUTHORITY; BY ADDING CHAPTER 17 TO TITLE 60 SO AS TO ESTABLISH THE SOUTH CAROLINA CONFEDERATE RELIC ROOM AND MILITARY COMMISSION AND PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REPEAL ARTICLE 7, CHAPTER 11, TITLE 1 RELATING TO THE SOUTH CAROLINA CONFEDERATE RELIC ROOM AND MILITARY MUSEUM; BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO ESTABLISH THE STATE FISCAL ACCOUNTABILITY AUTHORITY AND PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS; TO AMEND CHAPTER 47, TITLE 2, RELATING TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO MAKE CONFORMING CHANGES TO REFERENCE THE STATE FISCAL ACCOUNTABILITY AUTHORITY AND REVISE THE MANNER IN WHICH THE COMMITTEE REVIEWS PERMANENT IMPROVEMENT PROJECTS AND THEIR FUNDING, THE PROCESS BY WHICH THESE PROJECTS AND THEIR FUNDING ARE APPROVED, AND FOR THE REPORTING OF CERTAIN NEW PROJECTS; TO PROVIDE THAT THE INSURANCE RESERVE FUND IS TRANSFERRED TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY AS ONE OF ITS DIVISIONS; TO AMEND SECTIONS 1-11-140 AND 15-78-140, RELATING TO THE PROVISIONS OF TORT LIABILITY COVERAGE BY THE STATE, SO AS TO CONFORM THESE SECTIONS TO THE ABOVE PROVISIONS; TO AMEND SECTION 1-11-440, RELATING TO THE DUTY OF THE STATE TO DEFEND MEMBERS OF THE STATE BUDGET AND CONTROL BOARD AGAINST CLAIM OR SUIT ARISING OUT OF THEIR OFFICIAL ACTIONS, SO AS TO DELETE REFERENCES TO THE BOARD AND INCLUDE REFERENCES TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY AND DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTIONS 11-18-20, 11-27-10, BY ADDING SECTION 11-31-5, TO AMEND SECTIONS 11-35-310, AS AMENDED, 11-38-20, 11-41-70, AS AMENDED, 11-41-80, 11-41-90, 11-41-100, 11-41-180, 11-43-510, 11-45-30, 11-45-55, 11-45-105, 11-51-30, 11-51-125, AND 11-51-190, ALL RELATING TO VARIOUS BOND OR OTHER FINANCIAL PROVISIONS, SECTION 11-37-30, RELATING TO THE SOUTH CAROLINA RESOURCES AUTHORITY, SECTION 11-40-20, RELATING TO THE INFRASTRUCTURE FACILITIES AUTHORITY, SECTION 11-40-250, RELATING TO THE DIVISION OF LOCAL GOVERNMENT, AND SECTION 11-49-40, RELATING TO THE TOBACCO SETTLEMENT AUTHORITY, ALL SO AS TO CORRECT REFERENCES FROM THE STATE BUDGET AND CONTROL BOARD TO THE APPROPRIATE ENTITY AND MAKE CONFORMING CHANGES; TO AMEND SECTIONS 59-109-30 AND 59-109-40, RELATING TO THE EDUCATIONAL FACILITIES AUTHORITY FOR PRIVATE NONPROFIT INSTITUTIONS OF HIGHER LEARNING, SECTIONS 59-115-20 AND 59-115-40, RELATING TO THE STATE EDUCATION ASSISTANCE AUTHORITY, AND SECTION 48-5-30, RELATING TO THE WATER QUALITY REVOLVING FUND AUTHORITY, ALL SO AS TO PROVIDE THAT THEIR RESPECTIVE GOVERNING BODY SHALL BE THE STATE FISCAL ACCOUNTABILITY AUTHORITY, AND TO MAKE CONFORMING REFERENCES; TO CREATE THE CHARLESTON NAVAL BASE MUSEUM AUTHORITY AS A DIVISION OF THE CHARLESTON NAVAL REDEVELOPMENT AUTHORITY AND RESTRUCTURE THE MEMBERSHIP OF THE LATTER; TO AMEND SECTION 2-65-15, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA FEDERAL AND OTHER FUNDS OVERSIGHT ACT, SO AS TO REVISE THE DEFINITION OF THE TERM "BOARD"; BY ADDING SECTION 2-65-130 SO AS TO PROVIDE FOR THE FORWARDING OF AN EXPENDITURE PROPOSAL FROM THE EXECUTIVE BUDGET OFFICE TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND SECTIONS 41-43-100 AND 41-43-110, BOTH AS AMENDED, RELATING TO THE JOBS-ECONOMIC DEVELOPMENT AUTHORITY, SO AS TO CHANGE REFERENCES FROM THE STATE BUDGET AND CONTROL BOARD TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND SECTION 2-15-50, RELATING TO THE LEGISLATIVE AUDIT COUNCIL, SO AS TO REVISE THE MISSION TO INCLUDE RECOMMENDATIONS ON WHETHER ORGANIZATIONS, PROGRAMS, OR FUNCTIONS SHOULD BE CONTINUED,

REVISED, OR ELIMINATED; AND TO REQUIRE THE LEGISLATIVE AUDIT COUNCIL TO CONDUCT A PERFORMANCE REVIEW OF THE ACT DURING THE YEAR 2020 TO DETERMINE ITS EFFECTIVENESS AND ACHIEVEMENTS, AND TO PROVIDE FOR OTHER TRANSITIONAL PROVISIONS, FOR THE EFFECTIVE DATE OF THE ACT, AND FOR THE MANNER IN WHICH IT SHALL BE IMPLEMENTED. - ratified title

12/13/12	Senate	Prefiled
12/13/12	Senate	Referred to Committee on Judiciary
01/03/13	Senate	Referred to Subcommittee: Massey (ch), Sheheen, Nicholson, Gregory, Young
01/08/13	Senate	Introduced and read first time (Senate Journal-page 34)
01/08/13	Senate	Referred to Committee on Judiciary (Senate Journal-page 34)
01/23/13	Senate	Committee report: Favorable with amendment Judiciary (Senate Journal-page 14)
01/25/13		Scrivener's error corrected
01/29/13	Senate	Committed to Committee on Finance (Senate Journal-page 11)
02/20/13	Senate	Committee Amendment Amended and Adopted (Senate Journal-page 37)
02/20/13	Senate	Amended (Senate Journal-page 37)
02/20/13	Senate	Read second time (Senate Journal-page 37)
02/20/13	Senate	Roll call Ayes-35 Nays-10 (Senate Journal-page 37)
02/20/13	Senate	Debate interrupted (Senate Journal-page 37)
02/21/13	Senate	Read third time and sent to House (Senate Journal-page 19)
02/21/13	House	Introduced and read first time (House Journal-page 76)
02/21/13	House	Referred to Committee on Judiciary (House Journal-page 76)
04/24/13	House	Committee report: Favorable with amendment Judiciary (House Journal-page 59)
04/30/13	House	Debate adjourned until Tues., 5-14-13 (House Journal-page 77)
05/01/13	House	Reconsidered (House Journal-page 13)
05/01/13	House	Requests for debate-Rep(s). Ott, Jefferson, JE Smith, Gambrell, Thayer, Gagnon, Whitmire, Merrill, Patrick, Southard, McEachern, Weeks, RL Brown, Hiott, Hosey, JR Smith, Mack, Wells, Hardwick, HA Crawford, GR Smith, Bedingfield, Dillard, Toole (House Journal-page 15)
05/15/13	House	Amended (House Journal-page 30)
05/15/13	House	Read second time (House Journal-page 30)
05/15/13	House	Roll call Yeas-91 Nays-23 (House Journal-page 170)
05/16/13	House	Read third time and returned to Senate with amendments (House Journal-page 36)
05/16/13		Scrivener's error corrected
05/28/13	Senate	Non-concurrence in House amendment (Senate Journal-page 120)
05/30/13	House	House insists upon amendment and conference committee appointed Reps. Lucas, Delleney, Ott (House Journal-page 77)
06/04/13	Senate	Conference committee appointed Alexander, Sheheen, Massey (Senate Journal-page 21)
01/14/14	House	Rep. Stavrinakis replaces Rep. Ott on conference committee (House Journal-page 4)
01/21/14	House	Conference report received and adopted
01/21/14	House	Roll call Yeas-118 Nays-0
01/21/14	Senate	Conference report received and adopted (Senate Journal-page 22)
01/21/14	Senate	Roll call Ayes-39 Nays-4 (Senate Journal-page 24)
01/21/14	Senate	Ordered enrolled for ratification (Senate Journal-page 141)
01/23/14		Ratified R 124
01/27/14		Signed By Governor
02/06/14		Effective date See Act for Effective Date
02/07/14		Act No. 121