

## Session 115 - (2003-2004)

**H 3208 General Bill, By Wilkins, Harrison, Altman, Stille, Bailey, Walker, Sandifer, Young, Keegan, Simrill, Witherspoon, Littlejohn, Richardson, Kirsh, Taylor, Delleney, Ceips, McLeod, J.E. Smith, Bingham, Toole, Duncan, Mahaffey, Hinson, Viers, White and Owens**

**Similar (S 0034, H 3340)**

**Summary:** All Dept. of Commerce and Coordinating Council for Economic Development funds treated as public; incentive offers and disclosure requirements

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-1-25 SO AS TO PROVIDE THAT MONIES CONSTITUTING A FUND OF ANY KIND USED BY THE DEPARTMENT OF COMMERCE, REGARDLESS OF THEIR SOURCE, ARE PUBLIC MONIES SUBJECT TO ALL ACCOUNTABILITY AND DISCLOSURE REQUIREMENTS GOVERNING PUBLIC MONIES AND TO REQUIRE AN ANNUAL REPORT OF ALL EXPENDITURES TO THE GOVERNOR AND THE GENERAL ASSEMBLY; TO AMEND SECTION 13-1-1720, RELATING TO THE PURPOSE AND DUTIES OF THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, SO AS TO PROVIDE THAT FUNDS FROM FOUNDATION GRANTS AND PRIVATE FUNDS USED BY THE COUNCIL TO ENHANCE ECONOMIC GROWTH AND DEVELOPMENT ARE PUBLIC MONIES SUBJECT TO ALL ACCOUNTABILITY AND DISCLOSURE REQUIREMENTS GOVERNING PUBLIC MONIES UNLESS OTHERWISE EXEMPTED; AND TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO INFORMATION EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE THAT A DOCUMENT REFLECTING THE FINAL FINANCIAL COMMITMENT BY A PUBLIC BODY IS A COVERED DOCUMENT OF, OR INCIDENTAL TO, A PROPOSED CONTRACTUAL ARRANGEMENT AND A PROPOSED SALE OR PURCHASE OF PROPERTY AND THEREFORE SUBJECT TO DISCLOSURE AS PRESCRIBED, THAT A CONTRACT RELATED TO EFFORTS OR ACTIVITIES OF A PUBLIC BODY TO ATTRACT OR RETAIN BUSINESS OR INDUSTRY TO INVEST IN THIS STATE IS EXEMPT ONLY UNTIL THE BUSINESS OR INDUSTRY PUBLICLY ANNOUNCES ITS PROJECT OR THE COUNCIL EXECUTES A FINAL CONTRACT, AND THAT DOCUMENTATION OF EFFORTS OR ACTIVITIES OF A PUBLIC BODY OR ONE ACTING FOR A PUBLIC BODY TO ATTRACT OR RETAIN BUSINESS OR INDUSTRY TO INVEST WITHIN SOUTH CAROLINA IS EXEMPT FROM DISCLOSURE UNLESS THE DOCUMENTS RELATE TO THE FINANCIAL COMMITMENT BY A PUBLIC BODY, WHICH DOCUMENTATION LOSES ITS EXEMPTION ONCE THE BUSINESS OR INDUSTRY HAS PUBLICLY ANNOUNCED ITS PROJECT OR THE COUNCIL HAS EXECUTED A FINAL CONTRACT.

|          |        |  |
|----------|--------|--|
| 12/18/02 | House  | Prefiled   |
| 12/18/02 | House  | Referred to Committee on Judiciary   |
| 01/09/03 |        | Scrivener's error corrected  |
| 01/14/03 | House  | Introduced and read first time HJ-84   |
| 01/14/03 | House  | Referred to Committee on Judiciary HJ-85   |
| 01/15/03 | House  | Member(s) request name added as sponsor: Taylor  |
| 01/16/03 | House  | Member(s) request name added as sponsor: Delleney  |
| 01/21/03 | House  | Member(s) request name added as sponsor: Ceips   |
| 01/22/03 | House  | Committee report: Favorable with amendment Judiciary HJ-2                                  |
| 01/22/03 | House  | Member(s) request name added as sponsor: McLeod  |
| 01/23/03 | House  | Member(s) request name added as sponsor: J.E.Smith, Bingham, Toole, Duncan, Mahaffey       |
| 01/28/03 | House  | Member(s) request name added as sponsor: Hinson, Viers, White, Owens                       |
| 01/28/03 | House  | Amended HJ-17  |
| 01/28/03 | House  | Read second time HJ-22   |
| 01/29/03 | House  | Rep. Harrison moved to reconsider the vote whereby H 3208 was given a second reading HJ-19 |
| 01/29/03 | House  | Debate adjourned on motion to reconsider until Thursday, January 30, 2003 HJ-20            |
| 01/30/03 | House  | Motion to reconsider tabled HJ-8   |
| 01/30/03 | House  | Read third time and sent to Senate HJ-10   |
| 01/30/03 | Senate | Introduced and read first time SJ-9  |
| 01/30/03 | Senate | Referred to Committee on Labor, Commerce and Industry SJ-9                                 |
| 03/13/03 | Senate | Committee report: Favorable with amendment Labor, Commerce and Industry SJ-10              |
| 03/17/03 |        | Scrivener's error corrected  |
| 04/10/03 | Senate | Special order SJ-20  |
| 04/17/03 | Senate | Returned to statewide second reading calendar SJ-16  |
| 01/13/04 | Senate | Recommitted to Committee on Labor, Commerce and Industry SJ-51                             |