

Session 125 - (2023-2024)

S 0970 General Bill, By Harpoonian

Summary: South Carolina False Claims Act

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-85-10 SO AS TO PROVIDE DEFINITIONS FOR THE SOUTH CAROLINA FALSE CLAIMS ACT; BY ADDING SECTION 15-85-20 SO AS TO PROVIDE THAT ANY PERSON WHO COMMITS ANY OF THE FOLLOWING ACTS SHALL BE LIABLE TO THE STATE OR A LOCAL GOVERNMENT, AS APPLICABLE, FOR A CIVIL PENALTY OF NOT LESS THAN SIX THOUSAND DOLLARS AND NOT MORE THAN TWELVE THOUSAND DOLLARS; BY ADDING SECTION 15-85-30 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL SHALL HAVE THE AUTHORITY TO INVESTIGATE VIOLATIONS AND BRING A CIVIL ACTION AND THAT ANY PERSON MAY BRING A QUI TAM CIVIL ACTION FOR A VIOLATION OF SECTION 15-85-20; BY ADDING SECTION 15-85-40 SO AS TO PROVIDE THAT ALL MONIES RECOVERED OR OBTAINED UNDER THIS CHAPTER BY A STATE AGENCY OR STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVISION ELEVEN OF SECTION FOUR OF THIS CHAPTER; BY ADDING SECTION 15-85-50 SO AS TO PROVIDE THAT FOR PURPOSES OF THIS SECTION, A "LAWFUL ACT" SHALL INCLUDE, BUT NOT BE LIMITED TO, OBTAINING OR TRANSMITTING TO THE STATE, A LOCAL GOVERNMENT, A QUI TAM PLAINTIFF, OR PRIVATE COUNSEL SOLELY EMPLOYED TO INVESTIGATE, POTENTIALLY FILE, OR FILE A CAUSE OF ACTION UNDER THIS CHAPTER, DOCUMENTS, DATA, CORRESPONDENCE, ELECTRONIC MAIL, OR ANY OTHER INFORMATION, EVEN THOUGH SUCH ACT MAY VIOLATE A CONTRACT, EMPLOYMENT TERM, OR DUTY OWED TO THE EMPLOYER OR CONTRACTOR, SO LONG AS THE POSSESSION AND TRANSMISSION OF SUCH DOCUMENTS ARE FOR THE SOLE PURPOSE OF FURTHERING EFFORTS TO STOP ONE OR MORE VIOLATIONS OF THIS CHAPTER; BY ADDING SECTION 15-85-60 SO AS TO PROVIDE THAT A CIVIL ACTION UNDER THIS CHAPTER SHALL BE COMMENCED NO LATER THAN TEN YEARS AFTER THE DATE ON WHICH THE VIOLATION OF THIS CHAPTER IS COMMITTED; BY ADDING SECTION 15-85-70 SO AS TO PROVIDE THAT THIS CHAPTER SHALL NOT PREEMPT THE AUTHORITY OF LAW ENFORCEMENT TO INVESTIGATE VIOLATIONS OF LAW OR PREVENT A PERSON FROM DISCLOSING INFORMATION CONCERNING A VIOLATION OF THIS CHAPTER TO LAW ENFORCEMENT; BY ADDING SECTION 15-85-80 SO AS TO AUTHORIZE THE ATTORNEY GENERAL TO ADOPT SUCH RULES AND REGULATIONS AS ARE NECESSARY TO EFFECTUATE THE PURPOSES OF THIS CHAPTER.

01/17/24 Senate Introduced and read first time (Senate Journal-page 4)

01/17/24 Senate Referred to Committee on Judiciary (Senate Journal-page 4)