**A** **BILL**

TO DESIGNATE SECTIONS 2‑15‑10 THROUGH 2‑15‑120 OF CHAPTER 15, TITLE 2, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LEGISLATIVE AUDIT COUNCIL AS ARTICLE 1; AND TO AMEND CHAPTER 15, TITLE 2, BY ADDING ARTICLE 3 SO AS TO ESTABLISH THE OFFICE OF PROGRAM POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY AND TO PROVIDE FOR THE DUTIES AND FUNCTION OF THIS OFFICE.

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

SECTION 1. Sections 2‑15‑10 through 2‑15‑120 of Chapter 15, Title 2 of the 1976 Code are designated as Article 1.

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

“Article 3

Office of Program Policy Analysis and Government Accountability

Section 2‑15‑300. There is created the Office of Program Policy Analysis and Government Accountability as a division of the Legislative Audit Council. The office shall perform independent examinations, program reviews, and other functions in regard to state agency accountability, effectiveness, and suitability of mission. These examinations shall be undertaken as provided by law, as directed by the Legislative Audit Council, or as requested by members of the General Assembly in the same manner provided in Section 2‑15‑60, for the request of fiscal audits.

Section 2‑15‑310. The Office of Program Policy Analysis and Government Accountability shall perform program and policy reviews of state agency effectiveness and accountability and shall not perform fiscal audits or other functions required of the Legislative Audit Council in Article 1 of this chapter.

Section 2‑15‑320. The Office of Program Policy Analysis and Government Accountability is authorized full access to the records and personnel of the state agencies and entities it is directed to examine.

Section 2‑15‑330. At the conclusion of an examination, the designated representative of the Director of the Office of Program Policy Analysis and Government Accountability shall discuss the examination with the head of the agency which was examined and submit to that official the Office of Program Policy Analysis and Government Accountability’s preliminary findings. If the agency head is not available for receipt of the preliminary findings, clearly designated as such, delivery thereof is presumed to be made when it is delivered to his office. The agency may accept or reject the office’s preliminary findings. If the agency disagrees with any of the office’s preliminary findings, the agency head shall submit his written statement of explanation or rebuttal within fifteen days after the receipt of the findings. The Office of Program Policy Analysis and Government Accountability shall then publicly release the results of its preliminary and final examinations and the agency’s response or rebuttal if any within thirty days thereafter and shall specifically provide a copy to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

Section 2‑15‑340. No later than eighteen months after the release of a report of the Office of Program Policy Analysis and Government Accountability, the agencies that are the subject of that report shall provide data and other information that describes with specificity what the agencies have done to respond to the recommendations contained in the report. The Office of Program Policy Analysis and Government Accountability may verify the data and information provided by the agencies. If the data and information provided by the agencies are deemed sufficient and accurate, the Office of Program Policy Analysis and Government Accountability shall report to the Legislative Audit Council and to the legislative standing committees concerned with the subject areas of the review. The report shall include a summary of the agencies’ responses, the evaluation of those responses, and any recommendations considered appropriate.”

SECTION 3. This act takes effect July 1, 2009.

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