**South Carolina General Assembly**

120th Session, 2013-2014

**A104, R121, H3711**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Ways and Means Committee

Document Path: l:\council\bills\bbm\10857htc13.docx

Introduced in the House on March 5, 2013

Introduced in the Senate on March 13, 2013

Last Amended on June 19, 2013

Passed by the General Assembly on June 19, 2013

Governor's Action: June 25, 2013, Certain items vetoed

Legislative veto action(s): Certain vetoes sustained; other vetoes overridden

Summary: Capital Reserve Fund

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/5/2013 House Introduced, read first time, placed on calendar without reference ([House Journal‑page 10](file:///h:\HJ%20Archive\2013\03-05-13.docx))

3/7/2013 House Special order, set for immediately following second reading of H. 3710 (General Appropriations Bil)

3/12/2013 House Amended ([House Journal‑page 175](file:///h:\HJ%20Archive\2013\03-12-13.docx))

3/12/2013 House Read second time ([House Journal‑page 175](file:///h:\HJ%20Archive\2013\03-12-13.docx))

3/12/2013 House Roll call Yeas‑116 Nays‑1 ([House Journal‑page 176](file:///h:\HJ%20Archive\2013\03-12-13.docx))

3/13/2013 House Read third time and sent to Senate ([House Journal‑page 19](file:///h:\HJ%20Archive\2013\03-13-13.docx))

3/13/2013 House Roll call Yeas‑119 Nays‑0 ([House Journal‑page 19](file:///h:\HJ%20Archive\2013\03-13-13.docx))

3/13/2013 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2013\03-13-13.docx))

3/13/2013 Senate Referred to Committee on **Finance** ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2013\03-13-13.docx))

3/13/2013 Scrivener's error corrected

5/8/2013 Senate Committee report: Favorable with amendment **Finance** ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2013\05-08-13.docx))

5/9/2013 Scrivener's error corrected

5/23/2013 Senate Special order, set for May 23, 2013 ([Senate Journal‑page 95](file:///h:\SJ%20Archive\2013\05-23-13.docx))

5/23/2013 Senate Roll call Ayes‑34 Nays‑3 ([Senate Journal‑page 95](file:///h:\SJ%20Archive\2013\05-23-13.docx))

5/29/2013 Senate Debate interrupted ([Senate Journal‑page 63](file:///h:\SJ%20Archive\2013\05-29-13.docx))

5/30/2013 Senate Committee Amendment Adopted ([Senate Journal‑page 48](file:///h:\SJ%20Archive\2013\05-30-13.docx))

5/30/2013 Senate Read second time ([Senate Journal‑page 48](file:///h:\SJ%20Archive\2013\05-30-13.docx))

5/30/2013 Senate Roll call Ayes‑33 Nays‑10 ([Senate Journal‑page 48](file:///h:\SJ%20Archive\2013\05-30-13.docx))

5/31/2013 Scrivener's error corrected

6/4/2013 Senate Read third time and returned to House with amendments ([Senate Journal‑page 175](file:///h:\SJ%20Archive\2013\06-04-13.docx))

6/5/2013 House Senate amendment amended ([House Journal‑page 89](file:///h:\HJ%20Archive\2013\06-05-13.docx))

6/5/2013 House Returned to Senate with amendments ([House Journal‑page 89](file:///h:\HJ%20Archive\2013\06-05-13.docx))

6/5/2013 Senate Non‑concurrence in House amendment ([Senate Journal‑page 85](file:///h:\SJ%20Archive\2013\06-05-13.docx))

6/6/2013 House House insists upon amendment and conference committee appointed Reps. White, Simrill, Anthony ([House Journal‑page 4](file:///h:\HJ%20Archive\2013\06-06-13.docx))

6/6/2013 Senate Conference committee appointed Leatherman, Setzler, Peeler ([Senate Journal‑page 36](file:///h:\SJ%20Archive\2013\06-06-13.docx))

6/19/2013 House Conference report received and adopted ([House Journal‑page 17](file:///h:\HJ%20Archive\2013\06-19-13.docx))

6/19/2013 House Roll call Yeas‑92 Nays‑9 ([House Journal‑page 24](file:///h:\HJ%20Archive\2013\06-19-13.docx))

6/19/2013 Senate Conference report received and adopted ([Senate Journal‑page 13](file:///h:\SJ%20Archive\2013\06-19-13.docx))

6/19/2013 Senate Roll call Ayes‑35 Nays‑9 ([Senate Journal‑page 13](file:///h:\SJ%20Archive\2013\06-19-13.docx))

6/19/2013 Senate Ordered enrolled for ratification ([Senate Journal‑page 21](file:///h:\SJ%20Archive\2013\06-19-13.docx))

6/19/2013 Ratified R 121

6/25/2013 Certain items vetoed by Governor

6/26/2013 House Veto overridden on certain items: 3‑10

6/26/2013 House Veto sustained on certain items: 1, 2

6/27/2013 Senate Veto overridden on certain items: 3‑10

7/15/2013 Effective date See Act for Effective Date

8/13/2013 Act No. 104

**VERSIONS OF THIS BILL**

[3/5/2013](file:///p:\pprever\2013-14\3711_20130305.docx)

[3/5/2013-A](file:///p:\pprever\2013-14\3711_20130305A.docx)

[3/12/2013](file:///p:\pprever\2013-14\3711_20130312.docx)

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[6/19/2013](file:///p:\pprever\2013-14\3711_20130619.docx)

(A104, R121, H3711)

**A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2012‑2013, 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 appropriation**

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 2012‑2013 the following amounts:

(1) F03‑Budget and Control Board

Consumer Protection and

Statewide Cyber Security

Improvements $ 10,000,000

(2) H63‑Department of Education

School Bus Lease and Purchase $ 10,500,000

(3) F03‑Budget and Control Board

Division of Information

Security $ 4,840,508

***[[1]](#footnote-1)\*(4) F03‑Budget and Control Board***

***Statehouse Dehumidification***

***and Heating $ 60,000***

***[[2]](#footnote-2)\*\*(5) H09‑The Citadel***

***Cadet Accountability System $ 1,500,000***

***\*\*(6) H15‑University of Charleston***

***Computer Science Program $ 100,000***

(7) H15‑University of Charleston

Science Center $ 2,000,000

(8) H17‑Coastal Carolina University

Science Center $ 1,500,000

(9) H21‑Lander University

National Center for

Montessori Education $ 750,000

(10) H47‑Winthrop University

Withers/WTS Building Roof

Replacement Maintenance

and Repairs $ 750,000

(11) H59‑State Board for Technical

and Comprehensive Education

CATT Program/readySC $ 7,538,694

***[[3]](#footnote-3)\*\*(12) H59‑State Board for Technical***

***and Comprehensive Education***

***Manufacturing Skills Standards***

***Council Initiative $ 2,500,000***

(13) H59‑State Board for Technical

and Comprehensive Education

Central Carolina Technical

College‑Advanced

Manufacturing Technology

Training Center $ 3,500,000

***\*\*(14) J20‑Department of Alcohol and***

***Other Drug Abuse Services***

***Keystone Alcohol and Drug***

***Abuse Capital Improvement***

***Rock Hill $ 750,000***

***\*\*(15) J20‑Department of Alcohol and***

***Other Drug Abuse Services***

***McCord Center Fire Safety***

***‑Alcohol and Drug Abuse $ 250,000***

***\*\*(16) J20‑Department of Alcohol and***

***Other Drug Abuse Services***

***Circle Park Florence County***

***‑Alcohol and Drug Abuse $ 150,000***

(17) L04‑Department of Social Services

Child Support Enforcement

System Development $ 212,221

(18) P12‑Forestry Commission

Firefighting Equipment $ 2,000,000

***\*\*(19) P20‑Clemson University‑PSA***

***Advanced Plant Technology Lab $ 3,000,000***

(20) P32‑Department of Commerce

Deal Closing Fund $ 3,322,234

(21) P32‑Department of Commerce

Business Incubator Program $ 1,000,000

(22) R44‑Department of Revenue

Repayment of Loan Authorized

by the Budget and Control

Board on 12/12/12 $ 20,170,000

(23) N20‑Law Enforcement Training

Council (Criminal Justice

Academy) HVAC System $ 1,682,032

(24) A17‑Legislative Services Agency

Data Center and Server Room $ 950,000

(25) K05‑Department of Public Safety

Deferred Maintenance

‑Roof Replacement $ 300,000

(26) N20‑Law Enforcement Training

Council (Criminal Justice

Academy) Replace Water

Supply Lines Oldest Dorms $ 147,492

(27) R44‑Department of Revenue

Implement Tax Processing

System Improvements $ 7,533,374

(28) H18‑Francis Marion University

Health Sciences Building

(2 to 1 Match) $ 1,750,000

(29) H59‑State Board for Technical

and Comprehensive Education

Aiken Technical‑Academic

Building in Support of

STEM and Engineering $ 640,000

(30) H59‑State Board for Technical

and Comprehensive Education

Denmark Technical‑Plant

Funding for Science Building $ 435,750

(31) H59‑State Board for Technical

and Comprehensive Education

Greenville Technical

‑Enterprise Campus

Development $ 435,750

(32) H59‑State Board for Technical

and Comprehensive Education

Horry‑Georgetown Technical

‑Culinary Arts Academic

Building (1 to 1 Match) $ 435,750

(33) H59‑State Board for Technical

and Comprehensive Education

Midlands Technical‑Quickjobs

Program‑Equipment $ 500,000

(34) H59‑State Board for Technical

and Comprehensive Education

Piedmont‑Phase II

‑Laurens Advanced

Manufacturing Center $ 909,000

(35) H59‑State Board for Technical

and Comprehensive Education

Technical College of

Lowcountry‑Transitioning

Military Support and

Training $ 318,000

(36) H59‑State Board for Technical

and Comprehensive Education

Tri‑County Technical

‑Oconee Workforce and

Economic Development

Center (1 to 1 Match) $ 750,000

(37) H59‑State Board for Technical

and Comprehensive Education

Trident Technical

‑Infrastructure/Roads/Ramps

and Information Technology $ 435,750

(38) H59‑State Board for Technical

and Comprehensive Education

York Technical‑Main Campus

Road‑Health and Safety

Traffic Flow $ 640,000

***[[4]](#footnote-4)\*\*(39) H73‑Vocational Rehabilitation***

***Palmetto Center‑Rebuild Facility***

***‑Fire and Life Safety Issues $ 3,000,000***

***[[5]](#footnote-5)\*(40) P16‑Department of Agriculture***

***Pee Dee Farmers Market***

***‑Replace Refrigeration Capacity $ 75,000***

(41) P16‑Department of Agriculture

Farmers Market $ 7,060,000

(42) P28‑Department of Parks,

Recreation, and Tourism

Lake Greenwood Campground

Electrical $ 800,000

(43) P28‑Department of Parks,

Recreation, and Tourism

State Park Sewer Repairs

‑Santee and Table Rock $ 550,000

(44) P28‑Department of Parks,

Recreation, and Tourism

Kings Mountain Bridge

Replacement $ 250,000

(45) P28‑Department of Parks,

Recreation, and Tourism

Asbestos Abatement and

Mold Removal $ 200,000

$ 112,656,555

**Regulation of expenditure of appropriations to the Budget and Control Board for Statewide Cyber Security and Consumer Protection**

SECTION 2. (A) For the current fiscal year, of the funds appropriated to the Budget and Control Board for Statewide Cyber Security and Consumer Protection, the State shall provide at a minimum, one additional year of identity theft protection and identity theft resolution services to each eligible person, as defined in subsection (D), whose personal financial information was compromised as a result of the Department of Revenue Security Breach of 2012. These services must be free of charge and available on or before October 25, 2013. Any funds remaining shall be utilized by the Budget and Control Board to implement state agency cyber security improvements as recommended by Deloitte and Touche.

(B) The Budget and Control Board shall procure services pursuant to subsection (A) in the most cost efficient manner possible. Following the selection of a vendor, the contract shall be executed by the vendor and the Department of Revenue. The Budget and Control Board, with assistance from the Department of Revenue, shall issue a report to the General Assembly by February 1, 2014, containing findings and recommendations concerning the ongoing risk of identity theft to eligible persons, the services the contract or contracts provided, and the need, if any, for extending the period for the contracted services, including the levels of service required beyond the additional one year coverage period. No service provided pursuant to subsection (A) may be procured for a cost if the same service is available to eligible persons for free under state or federal law.

(C) In order to ensure that every eligible person obtains identity theft protection and identity theft resolution services pursuant to subsection (A), to the extent allowed by federal or state law, including Section 30‑2‑320, the Department of Revenue, working with the contracted vendor, shall develop and implement a policy to make enrollment as simple as possible for each eligible person. The policy may include automatic enrollment, provided that there is an opt‑out mechanism for otherwise eligible persons, and enrollment authorization on a tax return filed in this State. By March 15, 2014, the Department of Revenue shall issue a report to the Governor and the General Assembly detailing the number of eligible persons that enrolled and the number of people eligible to enroll in the identity theft protection and identity theft resolution services program procured pursuant to subsection (A). The report also must detail efforts made to encourage enrollment in the programs.

(D) Identity Theft Protection as used herein means a product and/or service designed to prevent an incident of identity fraud or identity theft or otherwise protect the privacy of a person’s personal identifying information, as defined in Section 16‑13‑510 (D), by precluding a third party from gaining unauthorized acquisition of another’s personal identifying information to obtain financial resources or other products, benefits, or services.

Identity Theft Resolution Services as used herein means products and services designed to assist persons whose personal identifying information, as defined in Section 16‑13‑510 (D), was obtained by a third party, whereby minimizing the effects of the identity fraud or identity theft incident and restoring the person’s identity to pre‑theft status.

Eligible Person used herein means a taxpayer that filed a return with the Department of Revenue for any taxable year after 1997 and before 2013, whether by paper or electronic transmission, or any person whose personally identifiable information was contained on the return of another eligible person, including minor dependents.

(E) Nothing in this section creates a private right of action.

**Regulation of expenditure of appropriations to the Department of Alcohol and Other Drug Abuse Services for the McCord Center Fire Safety‑Alcohol and Drug Abuse**

SECTION 3. The $250,000 appropriated in SECTION 1 to J20‑Department of Alcohol and Other Drug Abuse Services for McCord Center Fire Safety‑Alcohol and Drug Abuse are for the McCord Alcohol and Drug Abuse Treatment Facility operated by the Tri‑County Commission on Alcohol and Drug Abuse, and is for the installation of fire safety and suppression equipment only.

**Posting of appropriations, carry forward**

SECTION 4. 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.

**Time effective**

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2012‑2013 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 19th day of June, 2013.

Certain Items Vetoed by the Governor -- 6/25/13.

Certain Items overridden by House -- 6/26/13.

Certain Item sustained by House -- 6/26/13.

Certain Items overridden by Senate -- 6/27/13

**PLEASE NOTE**

Text printed in italic, boldface indicates sections vetoed by the Governor on June 25, 2013.

\*Indicates those vetoes sustained by the General Assembly on June 26, 2013.

\*\*Indicates those vetoes overridden by the General Assembly on June 26 and 27, 2013.

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1. \* See note at end. [↑](#footnote-ref-1)
2. \*\* See note at end. [↑](#footnote-ref-2)
3. \*\* See note at end. [↑](#footnote-ref-3)
4. \*\* See note at end. [↑](#footnote-ref-4)
5. \* See note at end. [↑](#footnote-ref-5)