**South Carolina General Assembly**

120th Session, 2013-2014

**A103, R63, S643**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hayes and Leatherman

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Introduced in the Senate on April 23, 2013

Introduced in the House on May 14, 2013

Passed by the General Assembly on May 17, 2013

Governor's Action: June 7, 2013, Signed

Summary: General Appropriation Act of 2012

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/23/2013 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h%3A%5CSJ%20Archive%5C2013%5C04-23-13.docx))

 4/23/2013 Senate Referred to Committee on **Finance** ([Senate Journal‑page 7](file:///h%3A%5CSJ%20Archive%5C2013%5C04-23-13.docx))

 5/2/2013 Senate Committee report: Favorable **Finance** ([Senate Journal‑page 22](file:///h%3A%5CSJ%20Archive%5C2013%5C05-02-13.docx))

 5/3/2013 Scrivener's error corrected

 5/7/2013 Senate Read second time ([Senate Journal‑page 18](file:///h%3A%5CSJ%20Archive%5C2013%5C05-07-13.docx))

 5/7/2013 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 18](file:///h%3A%5CSJ%20Archive%5C2013%5C05-07-13.docx))

 5/8/2013 Senate Read third time and sent to House ([Senate Journal‑page 8](file:///h%3A%5CSJ%20Archive%5C2013%5C05-08-13.docx))

 5/14/2013 House Introduced, read first time, placed on calendar without reference ([House Journal‑page 20](file:///h%3A%5CHJ%20Archive%5C2013%5C05-14-13.docx))

 5/16/2013 House Read second time ([House Journal‑page 19](file:///h%3A%5CHJ%20Archive%5C2013%5C05-16-13.docx))

 5/16/2013 House Roll call Yeas‑95 Nays‑0 ([House Journal‑page 20](file:///h%3A%5CHJ%20Archive%5C2013%5C05-16-13.docx))

 5/16/2013 House Unanimous consent for third reading on next legislative day ([House Journal‑page 21](file:///h%3A%5CHJ%20Archive%5C2013%5C05-16-13.docx))

 5/17/2013 House Read third time and enrolled ([House Journal‑page 1](file:///h%3A%5CHJ%20Archive%5C2013%5C05-17-13.docx))

 6/4/2013 Ratified R 63

 6/7/2013 Signed By Governor

 6/18/2013 Effective date 06/07/13

 8/13/2013 Act No. 103

**VERSIONS OF THIS BILL**

[4/23/2013](file:///p%3A%5Cpprever%5C2013-14%5C643_20130423.docx)

[5/2/2013](file:///p%3A%5Cpprever%5C2013-14%5C643_20130502.docx)

[5/3/2013](file:///p%3A%5Cpprever%5C2013-14%5C643_20130503.docx)

[5/14/2013](file:///p%3A%5Cpprever%5C2013-14%5C643_20130514.docx)

(A103, R63, S643)

**AN ACT TO AMEND ACT 288 OF 2012, RELATING TO THE 2012‑2013 GENERAL APPROPRIATIONS ACT, SO AS TO REVISE PARAGRAPH 1A.48, SECTION 1A, PART IB, THAT DIRECTS THE DEPARTMENT OF EDUCATION TO TRANSFER CERTAIN FUNDS TO MEET MAINTENANCE OF EFFORT REQUIREMENTS FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT BY DELETING THE SET MAXIMUM AMOUNT THAT MAY BE TRANSFERRED.**

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

**Transfer of funds revised**

SECTION 1. Paragraph 1A.48, Section 1A, Part IB of Act 288 of 2012, is amended to read:

“1A.48. (SDE‑EIA: IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section XII.A.1 Aid to Districts according to Proviso 1A.43 for Fiscal Year 2012‑2013, the department shall direct funds appropriated in Section XII.A.1 Aid To Districts to school districts and special schools for supplemental support of programs and services for students with disabilities, to meet the estimated maintenance of effort for IDEA. Funds provided for the maintenance of effort for IDEA may not be transferred to any other purpose and therefore are not subject to flexibility. The department shall distribute these funds using the current fiscal year one hundred thirty‑five day Average Daily Membership. For continued compliance with the federal maintenance of efforts requirements of the IDEA, funding for children with disabilities must, to the extent practicable, be held harmless to budget cuts or reductions to the extent those funds are required to meet federal maintenance of effort requirements under the IDEA. In the event cuts to funds that are needed to maintain fiscal effort are necessary, when administering such cuts, the department must not reduce funding to support children with disabilities who qualify for services under the IDEA in a manner that is disproportionate to the level of overall reduction to state programs in general. By December 1, 2012, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor. The department is directed to transfer $350,000 to the South Carolina Autism Society for the Autism Parent‑School Partnership Program.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 4th day of June, 2013.

Approved the 7th day of June, 2013.

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