**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5016**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. B. Newton, Murphy, Caskey, Mitchell and Yow

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Introduced in the House on February 1, 2024

Introduced in the Senate on April 2, 2024

Currently residing in the Senate Committee on **Finance**

Summary: State Auditor

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/1/2024 House Introduced and read first time ([House Journal‑page 11](h:\hj\20240201.docx))

2/1/2024 House Referred to Committee on **Judiciary** ([House Journal‑page 11](h:\hj\20240201.docx))

3/27/2024 House Member(s) request name added as sponsor: Mitchell, Yow

3/27/2024 House Committee report: Favorable **Judiciary** ([House Journal‑page 6](h:\hj\20240327.docx))

3/28/2024 House Read second time ([House Journal‑page 41](h:\hj\20240328.docx))

3/28/2024 House Roll call Yeas-111 Nays-0 ([House Journal‑page 41](h:\hj\20240328.docx))

3/28/2024 House Unanimous consent for third reading on next legislative day ([House Journal‑page 42](h:\hj\20240328.docx))

3/29/2024 House Read third time and sent to Senate ([House Journal‑page 4](h:\hj\20240329.docx))

4/2/2024 Senate Introduced and read first time ([Senate Journal‑page 17](h:\sj\20240402.docx))

4/2/2024 Senate Referred to Committee on **Finance** ([Senate Journal‑page 17](h:\sj\20240402.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5016&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5016_20240201.docx)

[03/27/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5016_20240327.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

March 27, 2024

H. 5016

Introduced by Reps. B. Newton, Murphy and Caskey

S. Printed 03/27/24--H.

Read the first time February 01, 2024

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The committee on House Judiciary

To whom was referred a Bill (H. 5016) to amend the South Carolina Code of Laws by adding Section 11-7-70 so as to provide that the Governor shall appoint the State Auditor with the advice and consent, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass:

W. NEWTON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill changes the appointment of the State Auditor and defines selection criteria and the process for determining compensation. Currently, the State Auditor is selected by SFAA. This bill amends the process so that the Governor appoints the State Auditor with the advice and consent of the Senate for four-year terms.

The Office of the State Auditor anticipates no expenditure impact as a result of this bill. This bill does not modify the existing salary or responsibilities of the State Auditor. In this bill, the State Auditor receives compensation set by the Governor and approved by the SFAA. However, in the event that the State Auditor’s compensation is changed, the agency notes that they would need to request that change in their upcoming budget.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY the GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

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

SECTION 1. Chapter 7, Title 11 of the S.C. Code is amended by adding:

Section 11-7-70. (A) Notwithstanding any other provision of law, the Governor shall appoint the State Auditor with the advice and consent of the Senate for a term of four years. A Governor may reappoint the State Auditor for additional terms. The State Auditor’s compensation must not be reduced during the State Auditor’s uninterrupted continued tenure in office.

(B) The State Auditor:

(1) may be removed from office only by the Governor as provided in Section 1-3-240(C);

(2) must be selected without regard to political affiliation and on the basis of integrity, capability for strong leadership, and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, investigation, or criminal justice administration or other closely related fields;

(3) is entitled to receive compensation set by the Governor and approved by the State Fiscal Accountability Authority.

SECTION 2. Section 1-3-240(C)(1)(b) of the S.C. Code is amended to read:

(b) [Reserved] State Auditor;

SECTION 3. Section 11-7-10 of the S.C. Code is repealed.

SECTION 4. This act takes effect upon approval by the Governor.

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