**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3194**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Hixon

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Prefiled in the House on December 5, 2024

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Jobs-Economic Development Authority

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/5/2024 House Prefiled

12/5/2024 House Referred to Committee on **Labor, Commerce and Industry**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3194_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 41‑43‑40, 41‑43‑70, AND 41‑43‑280, ALL RELATING TO THE SOUTH CAROLINA JOBS‑ECONOMIC DEVELOPMENT AUTHORITY, SO AS TO REVISE OBSOLETE LANGUAGE AND REFERENCES; BY AMENDING SECTION 2‑7‑65, RELATING TO REQUIREMENTS THAT STATE AGENCIES JUSTIFY THEIR ANNUAL BUDGET APPPORIATIONS REQUESTS, SO AS TO REVISE OBSOLETE LANGUAGE; AND BY REPEALING SECTION 41‑43‑170 RELATING TO THE CREATING AND PURPOSES OF THE GUARANTY FUND BY THE AUTHORITY, SECTION 41‑43‑180 RELATING TO DETERMINATION OF ECONOMICALLY DISTRESSED AREAS, AND SECTION 41‑43‑200 RELATING TO COLLECTION AND DISSEMINATION OF INFORMATION AND DATA.

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

SECTION 1. Section 41‑43‑40 of the S.C. Code is amended to read:

Section 41‑43‑40. (A) The Governor shall appoint, upon the advice and consent of the Senate, one director from each congressional district and one from the State at large, who serves as chairman. Directors must have experience in the fields of business, commerce, finance, banking, real estate, or foreign trade. At least two directors must have direct commercial lending experience. The Governor and the Chairman of the State Development BoardSecretary of Commerce shall serve ex officio and may designate persons to represent them at meetings of the authority.

(B) Directors serve for terms of three years; however, directors initially appointed from the first and sixth congressional districts and the State at large serve for three years; directors initially appointed from the second and fifth congressional districts serve for two years; and directors initially appointed from the third and fourth congressional districts serve for one year. Thereafter, all directors serve for a term of three years and until their successors are appointed and qualify. All vacancies must be filled for the unexpired term in the manner of the original appointment. Directors are not personally liable for losses unless the losses are occasioned by the wilful misconduct of the directors. Directors may be removed by the Governor for cause or at will. A certificate of the appointment or reappointment of any director must be filed in the offices of the Secretary of State and the authority. The certificate is conclusive evidence of the due and proper appointment of a director.

SECTION 2. Section 41‑43‑70 of the S.C. Code is amended to read:

Section 41‑43‑70. The authority shall promote and develop the business and economic welfare of this State, encourage and assist through loans, investments, research, technical and managerial advice, studies, data compilation and dissemination, and similar means, in the location of new business enterprises in this State and in rehabilitation and assistance of existing business enterprises and in the promotion of the export of goods, services, commodities, and capital equipment produced within the State, so as to provide maximum opportunities for creation and retention of jobs and improvement of the standard of living of the citizens of the State, and act in conjunction with other persons and organizations, public or private, in the promotion and advancement of industrial, commercial, agricultural, and recreational development in this State. In the promotion, development, and advancement of these programs, the authority must give consideration to the development of and assistance to small businesses in this State as may be defined by regulation of the authority.

SECTION 3. Section 41‑43‑280 of the S.C. Code is amended to read:

Section 41‑43‑280. (A) Neither this chapter nor anything contained in this chapter is construed as a restriction or limitation upon any powers which the authority might otherwise have under any laws of this State, but is construed as cumulative.

(B) Notwithstanding any provision of law or regulation to the contrary, the authority shall continue to be an “agency” for purposes of Chapter 78, Title 15, but the authority is not considered an “agency” or “state agency” or any other form of state institution for purposes of SectionsSection 2‑7‑65 and 2‑57‑60.

SECTION 4. Section 2‑7‑65 of the S.C. Code is amended to read:

Section 2‑7‑65. (A) The Governor shall, prior to making annual recommendations to the General Assembly of the amounts to be appropriated to the various state agencies, departments and institutions, as required by Section 2‑7‑60 of the SC Code, require them to justify the entire amount of money they are requesting. It is the intent of this section that each state agency, department or institution shall be required to justify its recurring expenses, as well as any new or additional expenses.

(B) For the purpose of justification as set forth in this provision, the Budget and Control BoardExecutive Budget Office shall require each state agency, department and institution to submit for each program the purposes, objectives and such quantitative measurements regarding services provided as the Budget and Control Board in consultation with the Joint Legislative Appropriations Review Committee might deemit considers necessary for program evaluation.

SECTION 5. Sections 41‑43‑170, 41‑43‑180, and 41‑43‑200 of the S.C. Code are repealed.

SECTION 6. This act takes effect upon approval by the Governor.

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