

PART IB

OPERATION OF STATE GOVERNMENT

SECTION 1 - H630 - DEPARTMENT OF EDUCATION

1.1. (SDE: Appropriation Transfer Prohibition) The amounts appropriated herein for aid to subdivisions, allocations to school districts, or special line items shall not be transferred and must be expended in accordance with the intent of the appropriation, except that the department may transfer funds that are deducted and retained from a school district's transportation allocation to reimburse the department for the cost of unauthorized mileage. This transfer must be agreed upon by both the school district and the department. Those funds may be transferred into the department's school bus transportation operating account.

1.2. (SDE: DHEC - Comprehensive Health Assessment) All school districts shall participate, to the fullest extent possible, in the Medicaid program by seeking appropriate reimbursement for services and administration of health and social services. Reimbursements to the school districts shall not be used to supplant funds currently being spent on health and social services.

1.3. (SDE: State Aid to Classrooms) For the current fiscal year, the total pupil count is projected to be ~~761,855~~ 762,837, which includes traditional school districts, charter school authorizers, and the special school districts. For the current fiscal year, the total pupil count for traditional school districts is projected to be ~~714,073~~ 717,486, the total pupil count for the charter authorizers is projected to be ~~47,064~~ 44,648, and the total pupil count for the special districts is projected to be ~~721~~ 703. These funds represent an average per pupil of ~~\$4,895~~ \$5,377 in State Aid to Classrooms. The average per pupil funding is projected to be ~~\$7,694~~ \$8,214 state, ~~\$1,274~~ \$1,310 federal, and ~~\$7,859~~ \$8,031 local. This is an average total funding level of ~~\$16,827~~ \$17,555 excluding revenues of local bond issues.

The State Minimum Teacher Salary Schedule for the current fiscal year is as follows:

	CLASS 8	CLASS 7	CLASS 1	CLASS 2	CLASS 3
	DR	MASTERS	MASTERS	BACHELORS	BACHELORS
YRS	DEGREE	DEGREE	DEGREE	DEGREE	DEGREE
EXP		+30 HRS		+18 HRS	
0	<del>52,076</del>	<del>48,576</del>	<del>45,076</del>	<del>41,576</del>	<del>40,000</del>
	<del>8.32%</del>	<del>8.97%</del>	<del>9.74%</del>	<del>10.65%</del>	<del>11.11%</del>
1	<del>52,593</del>	<del>48,813</del>	<del>45,377</del>	<del>41,838</del>	<del>40,119</del>
	<del>8.23%</del>	<del>8.93%</del>	<del>9.67%</del>	<del>10.57%</del>	<del>11.08%</del>
2	<del>52,924</del>	<del>48,888</del>	<del>45,525</del>	<del>41,994</del>	<del>40,313</del>
	<del>8.18%</del>	<del>8.91%</del>	<del>9.63%</del>	<del>10.53%</del>	<del>11.01%</del>
3	<del>53,236</del>	<del>48,957</del>	<del>45,664</del>	<del>42,107</del>	<del>40,462</del>
	<del>8.12%</del>	<del>8.90%</del>	<del>9.60%</del>	<del>10.50%</del>	<del>10.97%</del>
4	<del>53,578</del>	<del>49,058</del>	<del>45,831</del>	<del>42,280</del>	<del>40,667</del>
	<del>8.07%</del>	<del>8.88%</del>	<del>9.56%</del>	<del>10.45%</del>	<del>10.91%</del>

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1	5	53,870	49,125	45,962	42,388	40,806
2		8.02%	8.86%	9.53%	10.42%	10.87%
3	6	55,134	50,074	46,911	43,273	41,691
4		7.82%	8.68%	9.32%	10.19%	10.61%
5	7	56,400	51,022	47,859	44,127	42,546
6		7.63%	8.51%	9.12%	9.97%	10.38%
7	8	57,665	51,971	48,808	45,012	43,431
8		7.45%	8.34%	8.93%	9.75%	10.15%
9	9	58,930	52,921	49,757	45,866	44,285
10		7.28%	8.18%	8.74%	9.55%	9.93%
11	10	60,196	53,870	50,707	46,753	45,171
12		7.12%	8.02%	8.56%	9.36%	9.71%
13	11	61,460	54,818	51,655	47,606	46,024
14		6.96%	7.87%	8.39%	9.17%	9.52%
15	12	62,726	55,767	52,604	48,492	46,911
16		6.81%	7.73%	8.23%	8.99%	9.32%
17	13	63,991	56,716	53,553	49,346	47,765
18		6.67%	7.59%	8.07%	8.82%	9.14%
19	14	65,256	57,665	54,501	50,232	48,650
20		6.53%	7.45%	7.92%	8.65%	8.96%
21	15	66,522	58,614	55,451	51,086	49,504
22		6.40%	7.32%	7.77%	8.50%	8.79%
23	16	67,787	59,563	56,400	51,971	50,390
24		6.27%	7.20%	7.63%	8.34%	8.62%
25	17	69,052	60,511	57,348	52,825	51,244
26		6.15%	7.08%	7.50%	8.19%	8.47%
27	18	69,693	61,067	57,872	53,304	51,706
28		6.09%	7.01%	7.43%	8.11%	8.39%
29	19	70,339	61,628	58,401	53,787	52,173
30		6.03%	6.94%	7.35%	8.03%	8.30%
31	20	70,993	62,194	58,935	54,275	52,646
32		5.97%	6.87%	7.28%	7.96%	8.22%
33	21	71,653	62,765	59,474	54,767	53,121
34		5.91%	6.81%	7.21%	7.88%	8.14%
35	22	72,320	63,343	60,019	55,264	53,603
36		5.85%	6.74%	7.14%	7.80%	8.06%

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1	23	72,993	63,927	60,570	55,767	54,089
2		5.80%	6.67%	7.07%	7.73%	7.98%
3	0	54,576	51,076	47,576	44,076	42,500
4		4.80%	5.15%	5.55%	6.01%	6.25%
5	1	55,093	51,313	47,877	44,338	42,619
6		4.75%	5.12%	5.51%	5.98%	6.23%
7	2	55,424	51,388	48,025	44,494	42,813
8		4.72%	5.11%	5.49%	5.95%	6.20%
9	3	55,736	51,457	48,164	44,607	42,962
10		4.70%	5.11%	5.47%	5.94%	6.18%
11	4	56,078	51,558	48,331	44,780	43,167
12		4.67%	5.10%	5.45%	5.91%	6.15%
13	5	56,370	51,625	48,462	44,888	43,306
14		4.64%	5.09%	5.44%	5.90%	6.13%
15	6	57,634	52,574	49,411	45,773	44,191
16		4.53%	4.99%	5.33%	5.78%	6.00%
17	7	58,900	53,522	50,359	46,627	45,046
18		4.43%	4.90%	5.22%	5.67%	5.88%
19	8	60,165	54,471	51,308	47,512	45,931
20		4.34%	4.81%	5.12%	5.55%	5.76%
21	9	61,430	55,421	52,257	48,366	46,785
22		4.24%	4.72%	5.02%	5.45%	5.65%
23	10	62,696	56,370	53,207	49,253	47,671
24		4.15%	4.64%	4.93%	5.35%	5.53%
25	11	63,960	57,318	54,155	50,106	48,524
26		4.07%	4.56%	4.84%	5.25%	5.43%
27	12	65,226	58,267	55,104	50,992	49,411
28		3.99%	4.48%	4.75%	5.16%	5.33%
29	13	66,491	59,216	56,053	51,846	50,265
30		3.91%	4.41%	4.67%	5.07%	5.23%
31	14	67,756	60,165	57,001	52,732	51,150
32		3.83%	4.34%	4.59%	4.98%	5.14%
33	15	69,022	61,114	57,951	53,586	52,004
34		3.76%	4.27%	4.51%	4.89%	5.05%
35	16	70,287	62,063	58,900	54,471	52,890
36		3.69%	4.20%	4.43%	4.81%	4.96%

1	<u>17</u>	<u>71,552</u>	<u>63,011</u>	<u>59,848</u>	<u>55,325</u>	<u>53,744</u>
2		<u>3.62%</u>	<u>4.13%</u>	<u>4.36%</u>	<u>4.73%</u>	<u>4.88%</u>
3	<u>18</u>	<u>72,193</u>	<u>63,567</u>	<u>60,372</u>	<u>55,804</u>	<u>54,206</u>
4		<u>3.59%</u>	<u>4.09%</u>	<u>4.32%</u>	<u>4.69%</u>	<u>4.84%</u>
5	<u>19</u>	<u>72,839</u>	<u>64,128</u>	<u>60,901</u>	<u>56,287</u>	<u>54,673</u>
6		<u>3.55%</u>	<u>4.06%</u>	<u>4.28%</u>	<u>4.65%</u>	<u>4.79%</u>
7	<u>20</u>	<u>73,493</u>	<u>64,694</u>	<u>61,435</u>	<u>56,775</u>	<u>55,146</u>
8		<u>3.52%</u>	<u>4.02%</u>	<u>4.24%</u>	<u>4.61%</u>	<u>4.75%</u>
9	<u>21</u>	<u>74,153</u>	<u>65,265</u>	<u>61,974</u>	<u>57,267</u>	<u>55,621</u>
10		<u>3.49%</u>	<u>3.98%</u>	<u>4.20%</u>	<u>4.56%</u>	<u>4.71%</u>
11	<u>22</u>	<u>74,820</u>	<u>65,843</u>	<u>62,519</u>	<u>57,764</u>	<u>56,103</u>
12		<u>3.46%</u>	<u>3.95%</u>	<u>4.17%</u>	<u>4.52%</u>	<u>4.66%</u>
13	<u>23</u>	<u>75,493</u>	<u>66,427</u>	<u>63,070</u>	<u>58,267</u>	<u>56,589</u>
14		<u>3.42%</u>	<u>3.91%</u>	<u>4.13%</u>	<u>4.48%</u>	<u>4.62%</u>

15 For the current fiscal year, the funds appropriated for State Aid to Classrooms represent the State's contribution to the Aid to  
 16 Classrooms program for direct instruction of students in kindergarten through grade twelve in our state, which is seventy-five percent  
 17 of the total cost of funding one teacher salary for every 11.2 students. The salary cost used to determine the amount of funding  
 18 required for the state effort is based on that of a teacher having a master's degree and twelve years of experience, which equates to  
 19 ~~\$52,604~~ \$55,104 on the statewide minimum salary schedule for the current fiscal year and including fringe benefits is ~~\$69,153~~  
 20 \$72,991. The calculation of teachers for every student ratio includes those teachers eligible pursuant to Section 59-20-50(4)(b), to  
 21 include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists,  
 22 school nurses, orientation/mobility instructors, and audiologists in the school districts of the State. School districts are required to  
 23 meet the statewide minimum salary schedule in the current fiscal year and are required to provide the annual step increase pursuant  
 24 to Section 59-20-50. No school district is required to increase teacher salaries above the amount necessary to meet the statewide  
 25 minimum salary schedule as prescribed in this act. For the current fiscal year, the provisions of Section 59-20-50(3) of the 1976  
 26 Code, as amended, are suspended.

27 To allocate the funds, the department will calculate the total number of weighted pupil units (WPU) in each school district and in  
 28 the State. The funds appropriated herein for State Aid to Classrooms represent the state share of the total Aid to Classrooms program,  
 29 which is seventy-five percent. The local required effort is twenty-five percent of the total program. The total Aid to Classrooms  
 30 funding for each district is calculated based on the district's percentage of the total statewide weighted pupils multiplied by the total  
 31 Aid to Classrooms program. The district's local share is calculated by multiplying the total local share by the district's imputed index  
 32 of taxpaying ability, which is the district's relative fiscal capacity compared to that of all other districts in the State. The State Aid  
 33 to Classrooms amount allocated to each district will be determined by subtracting the calculation of the district's local share from  
 34 the calculation of the district's total Aid to Classrooms projected funding. The Statewide Public Charter School District and any  
 35 approved institution of higher education authorizing charter schools shall receive one hundred percent of the Aid to Classrooms

1 funding from the State. For Fiscal Year ~~2022-23~~ 2023-24, no local match is required for the State Aid to Classroom EIA distributions  
2 for the base funding rolled up from the previous fiscal year.

3 Each district will receive either the amount determined by this new methodology or the actual state funding received in Fiscal  
4 Year 2021-22 from State Aid to Classrooms, Aid School Districts, Student Health and Fitness, Guidance/Career Specialists,  
5 Handicapped – Profoundly Mentally, EIA - Aid to Districts, EIA - Students at Risk of School Failure, Allocations EIA – Teacher  
6 Salaries, Allocations EIA – Employer Contributions, EIA – Student Health and Fitness Act - Nurses, and EIA - South Carolina Public  
7 Charter Schools.

8 To provide flexibility, each district may expend the funds as determined by the local school board of trustees to meet the  
9 educational needs of students as defined in Section 59-1-50, Chapter 18, Title 59, and as delineated in a child’s Individualized  
10 Education Program (IEP). Pursuant to Section 59-20-80, each school board of trustees must make available by September first of  
11 each fiscal year its annual budget that includes state, local, and federal investments in education. The budget must be available on  
12 the district’s website. The department, in collaboration with local school districts, will provide a template that each district must use  
13 in reporting its budget.

14 To provide transparency, Revenue and Fiscal Affairs will document annually, through an online financial dashboard, the  
15 expenditure of all state, local, and federal funds by each district and other relevant data. To ensure that the public reporting meets the  
16 needs of educators, parents, citizens, and policymakers, the department, in conjunction with Revenue and Fiscal Affairs, will ~~convene~~  
17 consult routinely with a group of educators, parents, citizens, and policymakers ~~to provide recommendations regarding the items and~~  
18 ~~the design of the dashboard by January 1.~~ District expenditures for the prior fiscal year must be published on the department’s website  
19 for public disclosure by January 1.

20 If a traditional school district, charter school authorizer, or special school district fails to submit expenditure data needed for the  
21 online financial dashboard, the Revenue and Fiscal Affairs Office will notify the Department of Education. Within thirty days of  
22 such notification, the Department of Education must then withhold ten percent of all state payments to the district or authorizer until  
23 the district or authorizer complies and all payments will then be made.

24 To ensure accountability, each district’s annual audit that is submitted to the Department of Education pursuant to Section  
25 59-17-100 must be conducted using an auditing firm from an approved list provided by the State Auditor. The State Auditor will  
26 develop standards and criteria for determining qualifying auditors. Each district’s annual audit must be available on the district’s  
27 website.

28 For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a  
29 public charter school shall receive and distribute state Aid to Classroom funds to the charter school. Students enrolled in charter  
30 schools authorized by the South Carolina Public Charter School District or an institution of higher education will receive in addition  
31 to the base weight of 1.00 or in addition to the disability weight of 2.60 an additional weight based upon the type of charter school  
32 that they attend. These additional funds must support the provision of educational services for children served by a charter school  
33 that does not receive local revenues. These students are also eligible to receive additional weights for personalized instruction. The  
34 department will make any necessary adjustments to account for the state share for Charter and Special Districts.

1 Three and four year old students with a disability, who are eligible for services under IDEA and enrolled in brick and mortar  
 2 charter schools sponsored by the South Carolina Public Charter School District or registered IHE, shall be included in student counts  
 3 solely for the purposes of receiving the additional weighting for students attending a brick and mortar charter school.

4 ~~For Fiscal Year 2022-23, special districts, career centers, and alternative schools will receive the amount received in the prior~~  
 5 ~~fiscal year from these funds.~~

6 The Revenue and Fiscal Affairs Office, must post in a prominent place on their website for each school district projections,  
 7 including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also,  
 8 as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Revenue and Fiscal Affairs Office,  
 9 shall also post on their website the one hundred thirty-five-day average daily membership for each school district and per pupil state,  
 10 federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported  
 11 annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a  
 12 prominent place on their internet websites a link to the information posted by the Revenue and Fiscal Affairs Office, including the  
 13 projected numbers and the exact numbers.

14 For the current fiscal year, the pupil classification weightings are as follows:

15	(1) K-12 pupils or base students including homebound students	1.00
16	Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section	
17	44-7-130 of the 1976 Code shall receive a weighting of 2.10.	
18	(2) Weights for students with disabilities as documented by their Individualized Education Plan (IEP)	2.60
19	(3) Precareer and Career Technology	1.20
20	(4) Charter school students	
21	(a) Enrolled in brick and mortar school	1.25
22	(b) Enrolled in virtual charter school	0.65
23	(5) Additional weights for personalized instruction:	
24	(a) Gifted and Talented	0.15
25	(b) Academic Assistance	0.15
26	(c) Limited English Proficiency	0.20
27	(d) Pupils in Poverty	0.50

28 Students in poverty are students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care.

29 Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled  
 30 in Advanced Placement (AP), International Baccalaureate (IB), and Cambridge International courses in high school. Districts shall  
 31 set-aside twelve percent of the funds for serving artistically gifted and talented students in grades three through twelve.

32 Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or  
 33 both on state approved assessments in grades three through eight and high school assessments for grades nine through twelve. The  
 34 additional weight generates funds needed to provide additional instructional services to these students.

35 Students with limited English proficiency are students who require intensive English language instruction programs and whose  
 36 families require specialized parental involvement intervention.

1 Further, the Department of Education may use school district student counts for personalized instruction as collected in the same  
2 manner as the prior fiscal year, PowerSchool or other available existing data sources as determined by the department to calculate  
3 the school district add on weightings for the personalized instruction classifications and the determination of the school districts  
4 monetary entitlement. End of year adjustments shall be based on the one hundred thirty-five-day student average daily membership  
5 for all classifications. During the current fiscal year, the department will update PowerSchool calculations, reports, screen  
6 development, documentation, and training to incorporate the new pupil classification weightings and to make final district allocation  
7 adjustments by June 30. The department must provide districts with technical assistance with regard to student count changes in  
8 PowerSchool.

9 Up to ten percent of any funds appropriated for State Aid to Classrooms at the end of the fiscal year may be carried forward into  
10 the subsequent fiscal year and allocated to school districts, the South Carolina Public Charter School District, and an institution of  
11 higher education that authorizes charter schools pursuant to this provision. The additional funds must first support increases in student  
12 enrollment and any balance may be allocated proportionately utilizing weighted pupil units to districts. Any additional unexpended  
13 funds shall revert to the general fund or to the EIA Fund.

14 With the funds that the Department of Education receives for health insurance for school districts, the department shall allocate  
15 the funds to school districts proportionately utilizing weighted pupil units. The department shall allocate to districts funds received  
16 for retirement benefits through the State Aid to Classrooms formula.

17 **1.4.** (SDE: Employer Contributions/Allocations) It is the intent of the General Assembly that the appropriation contained herein  
18 for “Public School Employee Benefits” shall not be utilized to provide employer contributions for any portion of a school district  
19 employee’s salary that is federally funded.

20 State funds allocated for school district employer contributions must be allocated by the formula and must be used first by each  
21 district to cover the cost of fringe benefits for personnel required by the Defined Program, food service personnel and other personnel  
22 required by law. Once a district has expended all state allocated funds for fringe benefits, the district may utilize food service  
23 revenues to fund a proportionate share of fringe benefits costs for food service personnel.

24 The Department of Juvenile Justice and the Department of Corrections’ school districts must be allocated funds under the fringe  
25 benefits program in accordance with criteria established for all school districts.

26 **1.5.** (SDE: Employer Contributions/Obligations) In order to finalize each school district’s allocations of Employer Contributions  
27 funds for retiree insurance from the prior fiscal year, the Department of Education is authorized to adjust a school district’s allocation  
28 in the current fiscal year accordingly to reflect actual payroll and payments to the Retirement System from the prior fiscal year. In  
29 the event the Department of Education is notified that an educational subdivision has failed to remit proper payments to cover  
30 Employee Fringe Benefit obligations, the Department of Education is directed to withhold the educational subdivision’s state funds  
31 until such obligations are met.

32 **1.6.** (SDE: Educational Responsibility/Foster Care) The responsibility for providing a free and appropriate public education  
33 program for all children including disabled students is vested in the public school district wherein a child of lawful school age resides  
34 in a foster home, group home, orphanage, or a state operated health care facility including a facility for treatment of mental illness  
35 or chemical dependence and habilitation centers for persons with intellectual disabilities or persons with related conditions located  
36 within the jurisdiction of the school district or alternative residences. The districts concerned may agree upon acceptable local cost

1 reimbursement. If no agreement is reached, districts providing education shall receive from the district where the child last resided  
2 before placement in a facility an additional amount equivalent to the statewide average of the local base student cost multiplied by  
3 the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. If a child from out of state is residing  
4 in a facility owned and/or operated by a for profit entity, the district providing educational services shall be reimbursed by the for  
5 profit entity the local district's local support per weighted pupil above the statewide average base student cost multiplied by the  
6 appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. Participation will be evidenced by a  
7 written agreement from the IEP team or 504 team, written referral, or the school district initiating the placement process. School  
8 districts providing the education shall notify the nonresident district in writing within forty-five calendar days that a student from the  
9 nonresident district is receiving education services pursuant to the provisions of the proviso. The notice shall also contain the  
10 student's name, date of birth, and disabling condition if available. If appropriate financial arrangements cannot be effected between  
11 institutions of the state, including independent school districts under the authority of the Department of Disabilities and Special  
12 Needs, and school districts, institutions receiving educational appropriations shall pay the local base student cost multiplied by the  
13 appropriate pupil weighting. Children residing in institutions of state agencies shall be educated with nondisabled children in the  
14 public school districts if appropriate to their educational needs. Such institutions shall determine, on an individual basis, which  
15 children residing in the institution might be eligible to receive appropriate educational services in a public school setting. Once these  
16 children are identified, the institution shall convene an IEP meeting with officials of the public school district in which the institution  
17 is located. If it is determined by the committee that the least restrictive environment in which to implement the child's IEP is a public  
18 school setting, then the school district in which the institution is located must provide the educational services. However, that school  
19 district may enter into contractual agreements with any other school district having schools located within a forty-five mile radius of  
20 the institution. The cost for educating such children shall be allocated in the following manner: the school district where the child  
21 last resided before being placed in an institution shall pay to the school district providing the educational services an amount  
22 equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section  
23 59-20-40 of the Education Finance Act; the school district providing the educational services shall be able to count the child for all  
24 funding sources, both state and federal. The institution and school district, through contractual agreements, will address the special  
25 education and related services to be provided to students. Should the school district wherein the institution is located determine that  
26 the child cannot be appropriately served in a public school setting, then the institution may request a due process hearing pursuant to  
27 the procedures provided for in the Individuals with Disabilities Education Act.

28 The agreed upon acceptable local cost reimbursement or the additional amount equivalent to the statewide average of the local  
29 base student cost multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to  
30 out-of-district students, shall be paid within sixty days of billing, provided the billing district has provided a copy of the invoice to  
31 both the Superintendent and the finance office of the district being invoiced. Should the district not pay within sixty days, the billing  
32 district can seek relief from the Department of Education. The department shall withhold EFA funding equal to the billing from the  
33 district refusing to pay and submit the funding (equal to the invoice) to the billing school district.

34 The agency placing a child in any situation that requires changing school districts, must work with the schools to assure that all  
35 required school records, including confidential records, are transferred from the sending to the receiving school within three working  
36 days. School records to be transferred should include grade transcripts, state birth certificate, certificate of immunization, social



1 security card, attendance records, discipline records, IEP's, psychological reports (or notation in the school records that a  
2 psychological report on the child is available at the school district office) and any other records necessary for the appropriate  
3 placement of the child in the new school. School districts must release all records upon presentation of a court order or appropriate  
4 permission for confidential release. If evaluation or placement is pending, the receiving school district is responsible to secure  
5 information and to complete the placement. The receiving school will maintain appropriate confidentiality of all records received  
6 on a child. Upon discharge or release from the treatment facility, the agency placing the child in the receiving school must work  
7 with the school district where the student will reside after treatment to assure continuity of the student's education.

8 **1.7.** (SDE: Instruction in Juvenile Detention Centers) It shall be the responsibility of the school district where a local juvenile  
9 detention center is located to provide adequate teaching staff and to ensure compliance with the educational requirements of this  
10 State. Students housed in local juvenile detention centers are to be included in the average daily membership count of students for  
11 that district and reimbursement by the Department of Education made accordingly.

12 **1.8.** (SDE: Revenue Authorization) The State Department of Education is hereby authorized to collect, expend, and carry forward  
13 revenues in the following areas to offset the cost of providing such services: the sale of publications, manuals and forms, the sale of  
14 Apple Tags, royalties, contributions, donations, foundation funds, special grants and contracts, brochures, photo copies, listings and  
15 labels, Directory of South Carolina Schools, student health record cards, items to be recycled, and high school diplomas and  
16 certificates; the collection of out-of-state and in-state investigation fees, registration fees for non-SDE employees, recurring facility  
17 inspection fees, teacher certification fees; the handling of audio-visual film; the provision of contract computer services to school  
18 districts and other state agencies, joint broadcast service to school districts, and education-related statistics through agreement with  
19 the National Center for Education Statistics; the lease or sale of programs of television, audio or microcomputer software; the lease  
20 or sale of virtual courses to other states; the collection of damage fees for instructional materials and the sale of unusable instructional  
21 materials; sale of fuel; use and repair of transportation equipment; fees for Medicaid reimbursable transportation; the receipt of  
22 insurance and warranty payments on Department of Education equipment and the sale of used school buses and support equipment.  
23 The Department of Education is authorized to collect revenue for deposit into the State General Fund for testing material purchases  
24 and test rescoring fees. The Department of Education is authorized to expend revenue collected for lost and damaged instructional  
25 materials and the sale of unusable instructional materials for the purpose of contracting for the purchase and maintenance of a  
26 statewide textbook inventory management system, provided that schools' newly-adopted instructional materials needs are met first.

27 **1.9.** (SDE: School District Bank Accounts) Each school district in this State, upon the approval of the district's governing body,  
28 may maintain its own bank account for the purpose of making disbursement of school district funds as necessary to conduct school  
29 district business and each county treasurer is hereby authorized to transfer such amount as needed, upon receipt of a written order  
30 certified by the district governing body or their designee. Such order shall contain a statement that such amount is for immediate  
31 disbursement for the payment of correct and legal obligation of the school district.

32 **1.10.** (SDE: Travel/Outside of Continental U.S.) School District allocations from General Funds, lottery, and EIA funds shall  
33 not be used for travel outside of the continental United States. The International Baccalaureate Program shall be exempt from this  
34 restriction.

35 **1.11.** (SDE: Year End Closeout) The State Department of Education is authorized to expend federal and earmarked funds (not  
36 including state or EIA funds) in the current fiscal year for expenditures incurred in the prior year; however, state funds appropriated

1 in Part IA, Section 1, X, Aid to School Districts, for the Children's Case Resolution System or private placements for services  
2 provided to children with disabilities may be used for those expenditures in prior fiscal years. The department is also authorized to  
3 use appropriated funds to pay for textbooks shipped in the fourth quarter of the prior fiscal year.

4 **1.12.** (SDE: Transportation Collaboration) The Department of Education School Bus Maintenance Shops shall be permitted, on  
5 a cost reimbursable-plus basis, to deliver transportation maintenance and services to vehicles owned or operated by public agencies  
6 in South Carolina.

7 School buses operated by school districts, other governmental agencies or head start agencies for the purpose of transporting  
8 students for school or school related activities shall not be subject to state motor fuel taxes. Further, that school districts, other  
9 governmental agencies or head start agencies may purchase this fuel, on a cost reimbursable-plus basis, from the Department of  
10 Education School Bus Maintenance Shops.

11 **1.13.** (SDE: School Bus Insurance) The Department of Education shall maintain comprehensive and collision insurance or  
12 self-insure state-owned buses. In no event shall the department charge local school districts for damages to the buses which are  
13 commonly covered by insurance.

14 **1.14.** (SDE: Teacher Data Collection) Of the non-program funds appropriated to the Department of Education, it and the  
15 Commission on Higher Education shall share data about the teaching profession in South Carolina. The data sharing should ensure  
16 (1) a systematic report on teacher supply and demand information and (2) data to determine classes being taught by public school  
17 teachers out of field of their preparation. The data collection should include but not be limited to: classes/subjects taught, number  
18 of students taught, percentage of teacher education graduates from South Carolina colleges/universities who go into teaching,  
19 percentage of teacher education graduates who teach in public schools in South Carolina, percentage of new teachers who leave the  
20 South Carolina teaching profession in the first three years of public school teaching due to unsuccessful evaluations, percentage of  
21 new teachers who leave the profession in the first three years of public school teaching in South Carolina who have successful  
22 evaluations, turnover rate of teachers and certification areas with highest vacancies. All database items should be set up so that it  
23 can be disaggregated by ethnicity, gender, geographic location, etc.

24 **1.15.** (SDE: School Bus Driver CDL) From funds provided in Part IA, Section 1, VII.B., local school districts shall request a  
25 criminal record history from the South Carolina Law Enforcement Division for past conviction of any crime before the initial  
26 employment of a school bus driver or school bus aide. The Department of Education and the school districts shall be treated as a  
27 charitable organization for purposes of the fee charged for the criminal records search.

28 **1.16.** (SDE: School Bus Purchase) Any procurement of school buses with funds appropriated in this act or any other  
29 appropriation bill must meet specifications developed by the School Bus Specification Committee as established by the State  
30 Superintendent of Education. The School Bus Specifications Committee shall allow for input from all school bus chassis and body  
31 manufacturers. However, if it is safe, more economical, and in the public interest, the department may use the school bus  
32 specifications of another state in the procurement of school buses. If the department uses the specifications of another state, the  
33 department must submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means  
34 Committee detailing the methodology by which the alternative specifications were determined to be safe, more economical, and in  
35 the public interest, when compared to the specifications set forth by the School Bus Specifications Committee.

1     **1.17.** (SDE: Buses, Parts, and/or Fuel) Funds appropriated for other operating in program VII.B. - Bus Shops and funds  
2 appropriated in VII.C. - Buses may be used to purchase buses, fuel, parts, or other school bus related items. All funds appropriated  
3 for bus fuel, parts/supplies, maintenance, and bus purchases may be carried forward from the prior fiscal year and expended in the  
4 current fiscal year to support bus transportation services.

5     **1.18.** (SDE: Mitford Transportation Costs) Transportation costs for the transporting of students from the Mitford area of Fairfield  
6 County to schools in the Great Falls area of Chester County is not the responsibility of and shall not be borne by the Chester County  
7 School District. These transportation costs shall continue to be the responsibility of the State Department of Education.

8     **1.19.** (SDE: School Board Meetings) Of the funds appropriated through the Department of Education for technology related  
9 expenses, school districts that have a website shall place a notice of a regularly scheduled school board meeting twenty-four hours  
10 in advance of such meeting. The notice shall include the date, time, and agenda for the board meeting. The school district shall  
11 place the minutes of the board meeting on their website within ten days of the next regularly scheduled board meeting.

12     **1.20.** (SDE: Proviso Allocations) In the event an official General Fund revenue shortfall is declared by the Board of Economic  
13 Advisors, the Department of Education may reduce any allocation in Section 1 specifically designated by proviso in accordance with  
14 the lower Board of Economic Advisors revenue estimate as directed by the Executive Budget Office, ~~except the additional EFA~~  
15 ~~allocation to the South Carolina Public Charter School District. The reduction may not be greater than the total percentage of~~  
16 ~~reduction of the Section 1 appropriation. Should the department hold back funds in excess of the total percentage reduction those~~  
17 ~~funds must be allocated per the proviso. No allocation for teacher salaries shall be reduced as a result of this proviso.~~

18     **1.21.** (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer  
19 and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery Act  
20 funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to  
21 ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated  
22 specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance  
23 of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for  
24 Career and Technology Education, nor funds required for debt service or bonded indebtedness. All school districts must report the  
25 student teacher ratio for every classroom to the Department of Education at the forty-fifth and the one hundred and thirty-fifth day  
26 mark. The department shall report this information to the General Assembly for the ~~2022-2023~~ current school year.

27     In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district's per  
28 pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food  
29 service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business  
30 services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall  
31 report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional  
32 support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June  
33 thirtieth. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

34     "In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

35     School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low  
36 enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and

1 memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and  
2 expanding virtual instruction.

3 School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

4 Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil  
5 allocation due to them for each categorical program.

6 Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school  
7 district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken.

8 The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State  
9 Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of  
10 the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education  
11 and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting,  
12 and the certification must be conspicuously posted on the internet website maintained by the school district.

13 For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical  
14 education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the  
15 most economical type of bus fuel.

16 For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school  
17 districts based on weighted pupil units.

18 School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars,  
19 from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made  
20 available for public viewing and downloading. The register must include for each expenditure:

- 21 (i) the transaction amount;
- 22 (ii) the name of the payee; and
- 23 (iii) a statement providing a detailed description of the expenditure.

24 The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must  
25 not include any information that can be used to identify an individual employee. The register must be accompanied by a complete  
26 explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at  
27 least once a month.

28 Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards  
29 maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each  
30 statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the  
31 thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

32 The Comptroller General must establish and maintain a website to contain the information required by this section from a school  
33 district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate  
34 between the school districts and search for the information they are seeking.

1 The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title  
2 30, of the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of  
3 Education to exercise its authority to grant waivers under Regulation 43-261.

4 **1.22.** (SDE: Medical Examination and Security Reimbursement/Expenditures) From funds authorized in Part IA, Section 1,  
5 VII.B. Other Operating Expenses, the Department of Education may directly pay, or reimburse employees, for the cost of a medical  
6 examination as required in Part 391, Subpart E of the Federal Motor Carrier Safety Regulations, for employees that are required to  
7 operate a state vehicle transporting hazardous materials and that are required to undergo a national security background check because  
8 of the required Hazmat endorsement to their CDL.

9 **1.23.** (SDE: Budget Reduction) In compensating for any reduction in funding or an operating deficit publicly recognized by the  
10 School Board of Trustees, local districts must give priority to preserving classroom teachers and operations. Funding reductions  
11 should first be applied to administrative and non-classroom expenses before classroom expenses are affected.

12 **1.24.** (SDE: School District Furlough) Should there be a midyear reduction in state funding to the districts, school districts may  
13 institute employee furlough programs for district-level and school-level professional staff. Before any of these employees may be  
14 furloughed, the chairman of the governing body of the school district must certify that all fund flexibility provided by the General  
15 Assembly has been utilized by the district and that the furlough is necessary to avoid a year-end deficit and a reduction in force. The  
16 certification must include a detailed report by the superintendent of the specific action taken by the district to avoid a year-end deficit.  
17 The certification and report must be in writing and delivered to the State Superintendent of Education and a copy must be forwarded  
18 to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

19 The local school district board of trustees may implement a furlough of personnel once certification to the State Superintendent  
20 documents all funding flexibility has been exhausted and continued year-end deficits exist. Local school boards of trustees shall  
21 have the authority to authorize furloughs of these employees in the manner in which it sees fit. However, instructional personnel  
22 may be furloughed for up to five non-instructional days if not prohibited by an applicable employment contract with the district and  
23 provided district administrators are furloughed for twice the number of days. District administrators may only be furloughed on  
24 non-instructional days and may not be furloughed for a period exceeding ten days. District administrators shall be defined by the  
25 Department of Education using the Professional Certified Staff (PCS) System. For individuals not coded in PCS, the determination  
26 shall be made based upon whether the individual performs the functions outlined in position codes identified by the department as  
27 administration. Educators who would have received a year's experience credit had a furlough not been implemented, shall not have  
28 their experience credit negatively impacted because of a furlough implementation.

29 During any furlough, affected employees shall be entitled to participate in the same benefits as otherwise available to them except  
30 for receiving their salaries. As to those benefits that require employer and employee contributions, including, but not limited to,  
31 contributions to the South Carolina Retirement System or the optional retirement program, the district will be responsible for making  
32 both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only  
33 employee contributions, the employee remains solely responsible for making those contributions. Placement of an employee on  
34 furlough under this provision does not constitute a grievance or appeal under any employee grievance procedure. The district may  
35 allocate the employee's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within  
36 which the furlough occurs.

1 Each local school district must prominently post on the district's internet website and make available for public viewing and  
2 downloading the most recent version of the school district's policy manual and administrative rule manual.

3 This proviso shall not abrogate the terms of any contract between any school district and its employees.

4 **1.25.** (SDE: School Lunch/Attendance Supervisors) For those counties in which an entity other than the school district  
5 administers the school lunch supervisor and/or attendance supervisor programs, the school districts in that county shall transfer to  
6 the entity the amount available in the previous fiscal year for administration of the school lunch supervisor and/or attendance  
7 supervisor programs. Each district shall transfer a pro rata share of the total cost based upon the percentage of state EFA funds  
8 distributed to the districts within the county.

9 **1.26.** (SDE: No Discrimination Requirement) State funds must not be appropriated to a school that discriminates against or  
10 participates with or is a member of an association with policies that discriminate or afford different treatment of students based on  
11 race or national origin.

12 **1.27.** (SDE: Medicaid Cash Match Accounting) The department is granted authority to transfer funds between budget lines and  
13 object codes to identify, reconcile, reimburse, and remit funds required for Medicaid cash match to the Department of Health and  
14 Human Services.

15 **1.28.** (SDE: Student Report Card-GPA) For each high school student, school districts shall be required to print the student's  
16 individual cumulative grade point average for grades nine through twelve on the student's report card.

17 **1.29.** (SDE: Lost & Damaged Instructional Materials Fees) Fees for lost and damaged instructional materials for the prior school  
18 year are due no later than December first of the current school year when invoiced by the Department of Education. The department  
19 may withhold instructional materials funding from schools that have not paid their fees by the payment deadline.

20 **1.30.** (SDE: ~~Education Finance Act~~ State Aid to Classrooms Reserve Fund) There is created in the State Treasury a fund separate  
21 and distinct from the General Fund of the State and all other funds entitled the ~~Education Finance Act~~ State Aid to Classrooms  
22 Reserve Fund. All unexpended general funds appropriated to the Department of Education for the ~~Education Finance Act~~ State Aid  
23 to Classrooms in the current fiscal year shall be transferred to the ~~Education Finance Act~~ State Aid to Classrooms Reserve Fund. In  
24 the event that the amount appropriated for the ~~Education Finance Act~~ State Aid to Classrooms is insufficient to fully fund the base  
25 ~~student cost~~ designated student-teacher ratio as established by this act, revenues from the ~~Education Finance Act~~ State Aid to  
26 Classrooms Reserve Fund may be used to supplement the funds appropriated. ~~By June 30<sup>th</sup> of the current fiscal year, if the department~~  
27 ~~determines that the funds are not needed to supplement the Education Finance Act, the department may utilize the funds for bus~~  
28 ~~purchase.~~ The General Assembly may make direct appropriations to this fund. All unexpended funds in the ~~Education Finance Act~~  
29 State Aid to Classrooms Reserve Fund and any interest accrued by the fund must remain in the fund and may be carried forward into  
30 the current fiscal year.

31 **1.31.** (SDE: Prohibit Advertising on School Buses) The Department of Education and local school districts are prohibited from  
32 selling space for or the placement of advertisements on the outside or inside of state-owned school buses.

33 **1.32.** (SDE: Residential Treatment Facilities Student Enrollment and Funding) Each South Carolina resident of lawful school  
34 age residing in licensed residential treatment facilities (RTFs) for children and adolescents identified on the State Qualified Providers  
35 list and meets the requirements of Section 44-7-130 of the 1976 Code, (students) shall be entitled to receive educational services  
36 from the school district in which the RTF is located (facility school district). The responsibility for providing appropriate educational

1 programs and services for these students, both with and without disabilities, who are referred, authorized, or placed by the State is  
2 vested in the facility school districts. For purposes of this proviso, an authorization must be pursuant to a physician's determination  
3 of medical necessity. If clinically appropriate, the facility school district, the RTF, and the parent or guardian of a student referred  
4 or placed in a RTF may consider the appropriateness of providing the student's education program virtually through enrollment in  
5 either the facility district's virtual program, the South Carolina virtual school program provided through the Department of Education  
6 (Virtual SC), or a virtual charter school authorized by the South Carolina Public Charter School District, or a virtual charter school  
7 authorized by an approved institute of higher education. This decision should be made jointly with the best interest of the student  
8 and what is clinically indicated being considered.

9 A facility school district must provide the necessary educational programs and services directly to the student at the RTF's facility,  
10 provided that the RTF facility provides and maintains comparable adequate space for the educational programs and services  
11 consistent with all federal and state least restrictive environment requirements. Adequate space shall include appropriate electrical  
12 support and Internet accessibility. Unless the parent or legal guardian of the student seeks to continue the student's enrollment in  
13 the resident school district under a medical homebound instruction program and the district approves, if appropriate, then, under  
14 these circumstances, the facility school district shall enroll the student and assume full legal and financial responsibility for the  
15 educational services including enrolling the student, approving the student's entry into a medical homebound instructional program,  
16 if appropriate, and receiving and expending funds, unless the resident school district undertakes to carry out its educational  
17 responsibilities for the student directly. Alternatively, a facility school district may choose to provide the necessary educational  
18 programs and services by contracting with the RTF provided that the RTF agrees to provide educational services to the student at the  
19 RTF's facility. Under these circumstances, the facility school district must enroll the student and pay the RTF for the educational  
20 services provided. If the facility school district determines the educational program being offered by the RTF does not meet the  
21 educational standards outlines in the contract, the facility district shall be justified in terminating the contract.

22 The facility school districts are entitled to receive the base student cost multiplied by the Education Finance Act pupil weighting  
23 for pupils in a Residential Treatment Facility of 2.10, as set forth in Proviso 1.3 of this act and any eligible categorical and federal  
24 funds. These funds may be retained by the facility school districts for the purpose of providing the educational programs and services  
25 directly to students referred or placed by the State or the facility school districts may use these funds to reimburse RTFs for the  
26 educational programs and services provided directly by the RTFs. A facility school district is entitled to reimbursement from a  
27 resident school district for the difference between (1) the reasonable costs expended for the educational services provided directly  
28 by the facility school district or the amount paid to the RTF and (2) the aggregate amount of federal and state funding received by  
29 the facility school district for that student. However, the reimbursement rate may not exceed \$90 per student per day. Through a  
30 joint agreement with the facility school district and the RTF, the funding received for RTF students must be utilized to deliver an  
31 instructional program that meets the needs of the students, and when applicable, the requirements of the Individuals with Disabilities  
32 Education Act and Section 504 of the Rehabilitation Act of 1973. Facility school districts providing the educational services shall  
33 notify the resident district in writing within forty-five calendar days that a student from the resident district is receiving educational  
34 services pursuant to the provisions of the proviso. Reimbursements shall be paid within sixty days of billing, provided the facility  
35 district has provided a copy of the invoice to both the District Superintendent and the finance office of the resident district being  
36 invoiced. Should the facility school district be unable to reach agreement with the resident school district regarding reasonable costs

1 differences, the facility school district shall notify the Department of Education's Office of General Counsel. The Department of  
2 Education shall facilitate a resolution of the dispute between the facility school district and the resident school district within  
3 forty-five days of the notice of dispute. If the issue of reasonable cost differences should remain unresolved, a facility school district  
4 shall have the right to file a complaint in a Circuit Court. Should a resident school district fail to distribute the entitled funding to  
5 the facility school district by the one hundred thirty-five day count, the Department of Education is authorized to withhold the  
6 equivalent amount of EFA funds and transfer those funds to the facility school district.

7 RTF facilities on the State Qualified Provider List not located within the boundaries of the state shall be reimbursed at a rate that  
8 may not exceed \$45 per student per day for education services and school districts shall be eligible to receive a base student cost  
9 weighted funding of 2.10 provided that the student remains enrolled in the school district. Facilities providing the educational  
10 services shall notify the resident district in writing within forty-five calendar days that a student from the resident district is receiving  
11 educational services pursuant to the provisions of the proviso. Reimbursements shall be paid within sixty days of billing, provided  
12 the qualified facility has provided a copy of the invoice to both the District Superintendent and the finance office of the resident  
13 district being invoiced. Should the facility be unable to reach agreement with the resident school district regarding reasonable costs  
14 differences, the provider shall notify the Department of Education's Office of General Counsel. The Department of Education shall  
15 facilitate a resolution of the dispute between the facility and the resident school district within forty-five days of the notice of dispute.  
16 If the issue of reasonable cost differences should remain unresolved, a facility shall have the right to file a complaint in a Circuit  
17 Court. Additionally, qualified RTF providers' general education curriculum must be aligned to the South Carolina academic  
18 standards in the core content areas. All students with disabilities who are eligible for special education and related services under  
19 the Individuals with Disabilities Education Act (IDEA), as amended, and the State Board of Education (SBE) regulations, as  
20 amended, shall receive special education and related services in the least restrictive environment by appropriately certified personnel.  
21 Students in a qualified RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned through their  
22 educational efforts. The resident school district and the RTF should develop a memorandum of understanding to outline the  
23 responsibilities of the RTF in providing the educational services and responsibilities, if any, of the resident school district while the  
24 student is housed in the RTF.

25 If a child from out of state is placed in a RTF by an out-of-state school district or agency, the child's home state remains responsible  
26 for the educational services. The facility school district may choose to provide the educational program to the child and, upon  
27 choosing to do so, shall contract with the appropriate entity for payment of educational services provided to the child. Out-of-state  
28 students provided educational services by a facility school district shall not be eligible for funding through the Education Finance  
29 Act.

30 If a child is placed in a RTF by the child's parent or guardian and is not referred, authorized, or placed by the State, the facility  
31 school district may choose to provide the educational program to the child, and upon doing so, must negotiate with the resident  
32 school district for services through medical homebound procedures. A facility school district is responsible for compliance with all  
33 child find requirements under Section 504 of the Rehabilitation Act of 1973 and Individuals with Disabilities Act of 2004 (IDEA).

34 All students enrolled in the facility school districts shall have access to the facility school districts' general education curriculum,  
35 which will be tied to the South Carolina academic standards in the core content areas. All students with disabilities who are eligible  
36 for special education and related services under the Individuals with IDEA, as amended, and the State Board of Education (SBE)



1 regulations, as amended, shall receive special education and related services in the least restrictive environment by appropriately  
2 certified personnel. Students in an RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned  
3 through their educational efforts.

4 With respect to students enrolled in the facility school districts, for accountability purposes, the assessment and accountability  
5 measures for students residing in RTFs shall be attributed to a specific school only if the child physically attends the school. The  
6 performance of students residing in a RTF who receive their educational program on site at the RTF must be reflected on a separate  
7 line on the facility school district's report card and must not be included in the overall performance ratings of the facility school  
8 district. The Department of Education shall examine the feasibility of issuing report cards for RTFs. For the current fiscal year, a  
9 facility school district shall not have the district's state accreditation rating negatively impacted by deficiencies related to the delivery  
10 of an educational program at a RTF.

11 RTFs shall notify the facility school district as soon as practical, and before admission to the RTF if practical, of a student's  
12 admission to the RTF. RTFs, the facility school districts and the Department of Education shall use their best efforts to secure and/or  
13 exchange information, including documents and records necessary to provide appropriate educational services and/or related services  
14 as necessary to assist the facility school district in determining the resident school district. The Department of Education, in  
15 collaboration with state placing agencies, RTFs, facility school districts, and resident school districts, shall implement a system to  
16 follow the release of students from a RTF and re-enrollment in public, private, or special schools to ensure these students, when  
17 appropriate, are not recorded as dropouts.

18 **1.33.** (SDE: Special Schools Flexibility) For the current fiscal year, the special schools are authorized to transfer funds among  
19 funding categories, including capital funds.

20 **1.34.** (SDE: High School Driver Education) For the current fiscal year, the requirement for high schools to provide a course in  
21 driver education is suspended however, high schools may continue to offer driver education courses if they choose to do so.

22 **1.35.** (SDE: Carry Forward Authorization) For the current fiscal year, the Department of Education is authorized to carry forward  
23 and expend any General Fund balances for school bus transportation.

24 **1.36.** (SDE: Administrative Costs Report Posting) School districts must report the amount of funds spent on administrative  
25 costs, as defined by In\$ight in the prior fiscal year and post the report on the districts website. School districts shall provide an  
26 electronic copy of this report to the Department of Education in conjunction with the financial audit report required by Section  
27 59-17-100, of the 1976 Code. If a district fails to meet these requirements, they must be notified in writing by the department that  
28 the district has sixty days to comply with the reporting requirement. If the district does not report within sixty days, the department  
29 is authorized to reduce the district's State Aid to Classrooms cost by one percent until such time as the requirement is met. Once in  
30 compliance, any funds withheld will be returned to the district.

31 **1.37.** (SDE: Holocaust Funds) Funds appropriated to the Department of Education for the SC Council on Holocaust shall not be  
32 used for any other purpose nor transferred to any other program. In addition, in the event the department is required to implement a  
33 budget reduction, SC Council on Holocaust funds may not be reduced.

34 **1.38.** (SDE: Student Health and Fitness) Funds appropriated for Student Health and Fitness shall be allocated to school districts  
35 to increase the number of physical education teachers to the extent possible and to provide licensed nurses for elementary public  
36 schools. Seventeen percent of the funds shall be allocated to the districts based on average daily membership of grades K-5 from the

1 preceding year for physical education teachers. The remaining funds will be made available for school nurses and shall be distributed  
2 to the school districts on a per school basis.

3 **1.39.** (SDE: Impute Index Value) For the current fiscal year and for the purposes of calculating the index of taxpaying ability  
4 the Department of Revenue shall impute an index value for owner-occupied residential property qualifying for the special four  
5 percent assessment ratio by adding the second preceding taxable year total school district reimbursements for Tier 1, 2, and Tier 3(A)  
6 and not to include the supplement distribution. The Department of Revenue shall not include sales ratio data in its calculation of the  
7 index of taxpaying ability. The methodology for the calculations for the remaining classes of property shall remain as required  
8 pursuant to the ~~EFA~~ *General Appropriations Act* and other applicable provisions of law.

9 **1.40.** (SDE: ~~EFA~~ *State Aid to Classrooms* State Share) A school district that does not recognize a State share of State Aid to  
10 Classrooms shall be supplemented with an amount equal to ~~seventy~~ *seventy-five* percent of the school district with the least State  
11 financial requirement.

12 **1.41.** (SDE: Health Education) (1) Each school district is required to ensure that all comprehensive health education,  
13 reproductive health education, and family life education conducted within the district, whether by school district employees or a  
14 private entity, must utilize curriculum that complies with the provisions contained in Chapter 32, Title 59 and aligns to all standards  
15 and regulations adopted by the South Carolina State Board of Education. Each district shall publish on its website the title and  
16 publisher of all health education materials it has approved, adopted, and used in the classroom. If the department determines that a  
17 district is non-compliant with mandated health education upon review of the district's annual CHE Compliance Survey or if the  
18 district fails to publish the title and publisher of materials on its website, then the Department of Education shall withhold one percent  
19 of the district's funds allocated in Part IA, Section 1, X - Student Health and Fitness Act until the department determines the district  
20 is in compliance.

21 (2) Any person may complain in a signed, notarized writing to the chairman of the governing board of a school district that matter  
22 not in compliance with the requirements of Chapter 32, Title 59 is being taught in the district. Upon receiving a notarized complaint,  
23 the chairman of the governing board must ensure that the complaint is immediately investigated and, if the complaint is determined  
24 to be founded, that immediate action is taken to correct the violation. If corrective action is not taken within 60 days of such a  
25 determination, or if no investigation is made within 60 days of the chairman's receipt of the notarized statement, then the complainant  
26 may within 60 calendar days, give written notice to the department. The notice must include the original notarized complaint. If,  
27 upon investigation, the department determines that the district has not taken appropriate immediate action to correct a violation, then  
28 the Department of Education shall withhold one percent of the district's funds allocated in Part IA, Section 1, X - Student Health and  
29 Fitness Act until the department determines the district is in compliance.

30 **1.42.** (SDE: Bus Lease/Purchase) The Department of Education is permitted to purchase or lease school buses in order to  
31 continue replacement of the state's school bus fleet.

32 **1.43.** (SDE: School Enrollment Policy) For the current fiscal year, any school district with an open enrollment policy for all  
33 schools or certain schools which had previously accepted certain students residing outside of the district to an academic magnet  
34 school in the district must continue to accept these students and their siblings for enrollment at the academic magnet school under  
35 the same terms and conditions these students were previously permitted to attend the school.

1 1.44. (SDE: District Funding Flexibility) For the current fiscal year, districts must utilize funding flexibility provided herein to  
2 ensure that district approved safety precautions are in place at every school.

3 1.45. (SDE: Transportation Maintenance Facilities) For the current fiscal year, a school district wishing to include school bus  
4 maintenance in a contract with a private vendor may enter into an agreement with the Department of Education whereby the  
5 department releases the school district to include school bus maintenance in the private vendor contract.

6 1.46. (SDE: School District Activity Bus Advertisements) School Districts may sell commercial advertising space on the outside  
7 or inside of district owned activity buses. However, as defined and determined by the local school board, a school district may not  
8 sell such commercial advertising if the advertisement promotes a political candidate, ideology, or cause, a product that could be  
9 harmful to children, or a product that appeals to the prurient interest. Revenue generated from the sale of commercial advertising  
10 space shall be retained by the school district.

11 1.47. (SDE: School District Property) The requirements of Section 59-19-250 of the 1976 Code, as amended, which requires  
12 the consent of a governing board of a county in order for school trustees to sell or lease school property whenever they deem it  
13 expedient to do so are suspended for the current fiscal year.

14 1.48. (SDE: Full-Day 4K) ~~Beginning with the current fiscal year,~~ Eligible students residing in any school district *or attending*  
15 *any charter school authorized by the South Carolina Public Charter School District or an approved institution of higher education*  
16 may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the availability of  
17 space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income of one hundred  
18 eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and  
19 Human Services or a statement of Medicaid eligibility.

20 A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the  
21 Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the  
22 Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military  
23 child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated  
24 for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds.  
25 No school district can be denied participation in CERDEP or be denied CERDEP funding pursuant to the terms of this provision.

26 ~~Beginning with the current fiscal year,~~ 4K programs in public schools and non-profit independent schools participating in CERDEP  
27 are not required to be approved, registered, or licensed by the Department of Social Services in order to participate in CERDEP.  
28 Instead, the Department of Education and the Office of First Steps are responsible for ensuring that providers deliver high-quality  
29 educational programs pursuant to Section 59-156-160.

30 Public and private providers shall be funded for instructional costs at a minimum rate of ~~\$4,800~~ \$5,100 per student enrolled.  
31 Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined  
32 by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for  
33 reimbursement at a minimum of ~~\$587~~ \$620 per eligible child transported. First Steps and the Department of Education must provide  
34 an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education  
35 must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider to the Governor,  
36 the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. All providers who

1 are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the  
2 current fiscal year and enrolling between one and six eligible children shall be eligible to receive ~~up to~~ at a minimum of \$1,000 per  
3 child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding ~~not to exceed~~ at  
4 a minimum of \$10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward  
5 funds and federal funds to supplement the amount expended for materials and equipment. Providers receiving equipment funding  
6 are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three  
7 years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level  
8 determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent  
9 upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall  
10 only provide funding for public school students whose complete records have been entered into PowerSchool based on the one  
11 hundred and thirty-five day student average daily membership. For the current fiscal year, providers may enroll pay-lunch children  
12 who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five  
13 percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or  
14 county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of  
15 Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive  
16 reimbursement for these children if funds are available. The Department of Education is required to offer waivers allowing students  
17 with disabilities to be served in multi-categorical classroom settings based on similar cognition and abilities. Funding appropriated  
18 for CERDEP may be carried forward and expended for the same purpose.

19 Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are  
20 accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department,  
21 during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust  
22 the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual  
23 audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that  
24 the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations  
25 for the current fiscal year to account for the findings.

26 Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of  
27 the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by March  
28 first of each year. To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public  
29 and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program.  
30 This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall  
31 issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be  
32 responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten  
33 programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state  
34 funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected  
35 and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success

1 in the early elementary grades along with information, recommendations, and a timeline for how the state can increase the number  
2 of students served in high-quality programs.

3 ~~For each school district that chooses not to participate in CERDEP, the district shall receive the same amount of EIA funds as~~  
4 ~~allocated in the prior fiscal year for the provision of a half day 4K program from the funds appropriated to the Department of~~  
5 ~~Education for CERDEP or from any funds carried forward from the prior fiscal year to CERDEP.~~ For eligible children residing in  
6 school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district  
7 transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in  
8 CERDEP.

9 For the current fiscal year, the Office of First Steps may expend: (1) up to \$2,000,000 to pilot a program to provide higher  
10 reimbursement rates to high-quality ~~child care centers~~ *providers*. The reimbursement rate for students enrolled by child care  
11 providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to  
12 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to ~~\$100,000~~ *\$250,000* to provide  
13 one-time supplemental, needs-based incentive grants in an amount not to exceed \$30,000 for newly created and/or newly approved  
14 private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible  
15 students in a public, private, or Head Start setting during the prior fiscal year. These grants are designed to address building  
16 renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and  
17 staffing costs, and/or other obstacles currently preventing their participation in the program. The First Steps Board of Trustees shall  
18 develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are  
19 used solely to address documented barriers to program participation. Providers receiving this one-time supplement shall be expected  
20 to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure  
21 to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the  
22 Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded  
23 enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March  
24 15; and (3) ~~up to \$1,000,000 may be used to provide grants to public-private partnerships to address building renovations and designs~~  
25 ~~necessary to get the building and classrooms into compliance with licensing regulations and other obstacles that prevent participation~~  
26 ~~in CERDEP following guidelines developed by the Office of First Steps.~~ Providers participating in this pilot shall be expected to  
27 participate in the program and provide high quality, center based programs as defined herein for a minimum of three years. Failure  
28 to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the  
29 Office of First Steps.

30 If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures,  
31 available funds may be used to fund an extended program and to increase the length of the program to a maximum of eight and a  
32 half hours per day or two hundred and twenty days per year or to fund summer programs. If a district chooses to fund summer  
33 enrollment, the program funding shall conform to the funding in this act for full year programs; however, it shall be reduced on a pro  
34 rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and  
35 shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount  
36 contained in this act and end of year adjustments shall be based on the one hundred and thirty-five-day student average daily

1 membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty  
2 days. Funds may also be used to provide parent engagement, professional development, and quality evaluations of programs. No  
3 later than April first, the Department of Education and the Office of First Steps shall report to the Chairman of the Senate Finance  
4 Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following  
5 information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the  
6 amount of money used for professional development as well as the types of professional development offered and the number of  
7 participants. The Office of First Steps is directed to determine if the provision of extended programs in private centers improves the  
8 ability of parents to enter the workforce or to pursue postsecondary training or industry credentials.

9 On or before November 15, the Department of Education and the Office of First Steps shall share data that identifies the total  
10 number of children enrolled in CERDEP in both public and private providers. If available appropriations exceed the instructional  
11 costs of serving children enrolled in the program and if a waiting list of eligible children can be documented by the Department of  
12 Education and by the Office of First Steps, then the Executive Budget Office may authorize the transfer of funds between the  
13 Department of Education and the Office of First Steps.

14 The Office of First Steps and the Department of Education shall collaborate with the South Carolina Head Start State Collaboration  
15 Office to inform parents of all publicly funded full-day 4K programs including Head Start *by participating in PalmettoPreK and*  
16 *First5SC*.

17 ~~For Fiscal Year 2022-23, in response to the COVID-19 crisis, children who were eligible to participate in the Child Early Reading~~  
18 ~~Development and Education Program in the prior fiscal year but did not participate, shall be eligible to participate in the program~~  
19 ~~during Fiscal Year 2022-23, subject to classroom availability and funding. Funding appropriated for CERDEP may be carried~~  
20 ~~forward and expended for the same purpose.~~

21 **1.49.** (SDE: Summer Reading Camps) For the current fiscal year, funds appropriated for summer reading camps must be  
22 allocated as follows: (1) up to twenty percent to the Department of Education to provide bus transportation for students attending  
23 the camps; (2) \$700,000 allocated to the department to provide grants to support community partnerships whereby community  
24 organizations shall partner with local school districts to provide enrichment activities as part of after school programs or summer  
25 reading camps that utilize volunteers, mentors or tutors to provide instructional support to struggling readers in elementary schools  
26 that have a poverty index of forty percent or greater. All mentors and tutors that are a part of these after school programs or summer  
27 reading camps must have passed a SLED criminal background check. Participant to volunteer or teacher ratio must conform to that  
28 of the school district in which the program is located; and (3) the remainder on a per pupil allocation to each school district based on  
29 the number of students who substantially failed to demonstrate third-grade reading proficiency as indicated on the prior year's state  
30 assessment as defined by Section 59-155-120 (10) of the 1976 Code. Summer reading camps must be at least six weeks in duration  
31 with a minimum of four days of instruction per week and four hours of instruction per day, or the equivalent minimum hours of  
32 instruction in the summer. School transportation shall be provided. The camps must be taught by compensated teachers who have  
33 at least an add-on literacy endorsement or who have documented and demonstrated substantial success in helping students  
34 comprehend grade-level texts. The Department of Education shall assist districts that cannot find qualified teachers to work in the  
35 summer camps. Districts may also choose to contract for the services of qualified instructors or collaborate with one or more districts  
36 to provide a summer reading camp. Schools and school districts are encouraged to partner with county or school libraries, institutions

1 of higher learning, community organizations, faith-based institutions, businesses, pediatric and family practice medical personnel,  
2 and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading  
3 camps. In the current school year, any student in third grade who substantially fails to demonstrate third-grade reading proficiency  
4 by the end of the school year must be offered the opportunity to attend a summer reading camp at no cost to the parent or guardian.  
5 The purpose of the reading camp is to provide students who are significantly below third-grade reading proficiency with the  
6 opportunity to receive quality, intensive instructional services, and support. A district may also include in the summer reading camps  
7 students who are not exhibiting reading proficiency at any grade and may charge fees for these students to attend the summer reading  
8 camps based on a sliding scale pursuant to Section 59-19-90, except where a child is found to be reading below grade level in the  
9 first, second or third grade. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending  
10 texts appropriate for his grade level must make the final decision regarding the student's participation in the summer reading camp.

11 **1.50.** (SDE: Interscholastic Athletic Association Dues) (A) A public school district supported by state funds shall not use any  
12 funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially  
13 support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or  
14 entity contain the following:

15 (1) a range of sanctions that may be applied to a student, coach, team, or program and that takes into account factors such as  
16 the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing  
17 provisions of the association, body, or entity;

18 (2)(a) guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other  
19 members of the association, body, or entity. A private or charter school may not be expelled from or have its membership  
20 unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics including,  
21 but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association,  
22 body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership  
23 must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

24 (b) guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may  
25 not be denied access to preseason and regular season interscholastic athletics including, but not limited to, jamborees and invitational  
26 tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would  
27 apply;

28 (3)(a) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate  
29 panel which consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional  
30 district;

31 (b) a member of the panel serves until his successor is appointed and qualifies. A vacancy on the panel is filled in the  
32 manner of the original appointment;

33 (c) members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have  
34 served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling  
35 of the association, body, or entity to the panel. The appellate panel also must provide the final ruling in any appeal brought against  
36 a decision of the association, body, or entity;

1 (4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate  
2 process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices; and

3 (5) provisions, implemented within one year after the effective date of this section, that require the composition of the executive  
4 committee of the association, body, or entity be geographically representative of this State.

5 (B) In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and  
6 schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are  
7 prohibited from paying dues or fees to the association, body, or entity.

8 (C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or  
9 application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

10 **1.51.** (SDE: Reading/Literacy Coaches) (A) For the current fiscal year, of the funds appropriated for Reading/Literacy Coaches,  
11 the Department of Education shall retain up to \$14,000,000 to be expended for the Palmetto Literacy Project. The Department shall  
12 identify schools in the Palmetto Literacy Project that have one-third or more of its third grade students scoring at the lowest  
13 achievement level on the statewide summative English language arts assessment. For each school identified and participating in the  
14 Palmetto Literacy Project in the prior school year, the Department of Education shall provide, at a minimum, the following support:  
15 provision of reading specialists, professional learning, and curriculum resources based on the science of reading. The reading  
16 specialist/coaches provided to the Palmetto Literacy Project schools shall be hired and evaluated annually by the Department of  
17 Education.

18 (B) The balance of funds appropriated to the Department for Reading/Literacy Coaches shall be allocated to school districts for  
19 schools not included in the Palmetto Literacy Project to support reading instruction and interventions which may include, but not be  
20 limited to, hiring reading/literacy coaches, interventionists, or professional development based on the science of reading. Expenditure  
21 of funding must be included in the district reading plan approved by the Department of Education.

22 (C) These funds must be allocated to school districts by the Department of Education as follows: for each primary and elementary  
23 school, the school district shall be eligible to receive up to \$62,730 or the actual cost of salary and benefits for a full-time  
24 reading/literacy coach.

25 (D) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures,  
26 except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A  
27 district may only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or  
28 a combination of these schools depending on the area of highest need in the district except in the event that the district can request  
29 and receive a waiver from the Department of Education to expend the funds on interventionists who spend more than fifty percent  
30 of their time providing direct support to struggling readers in grades kindergarten through grade five. The school district must align  
31 the placement of coaches to the district reading plan that is approved by the department.

32 (E) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle  
33 schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155, Title 59.

34 (F) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as  
35 an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they  
36 must withhold that districts remaining balance of funds allocated pursuant to this proviso.



1 (G) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach.  
2 These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

- 3 (1) holds a bachelor's degree or higher and an add-on endorsement for literacy coach or literacy specialist; or
- 4 (2) holds a bachelor's degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or
- 5 (3) holds a master's degree or higher in reading or a closely-related field.

6 Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that  
7 the school is not successful in identifying and directly employing a qualified candidate.

8 (H) The Department of Education shall require:

9 (1) any school district receiving funding to identify the name and qualifications of the supported reading/literacy coach; as  
10 well as the school in which the coach is assigned; and

11 (2) any school district receiving funding to account for the specific amounts and uses of such funds.

12 (I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the  
13 hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be  
14 used for Summer Reading Camps.

15 (J) Any unspent or unallocated funds may be carried forward and expended for Summer Reading Camps.

16 **1.52.** (SDE: Sports Participation) Any school receiving state funds shall be required to allow a military dependent student who  
17 has transferred from their resident school district to another school district to participate in a sport that was not offered in the resident  
18 school district. Should a school fail to comply with this provision, the Department of Education shall withhold one percent of their  
19 total state allocation.

20 **1.53.** (SDE: Graduation Rates) For the current fiscal year, if a high school has a graduation rate below sixty percent, using  
21 appropriated funds a local school district board of trustees must provide a report detailing a plan to increase the graduation rate in  
22 accordance with the provisions of the Education Accountability Act to the State Board of Education.

23 **1.54.** (SDE: Proceeds from Sale of Bus Shop & Boat) For the current fiscal year the Department of Education is authorized to  
24 retain any funds received from the sale of any bus shop and the sale of the state-owned boat and expend those funds for transportation  
25 purposes.

26 **1.55.** (SDE: Teacher Certification Exemption) For the current fiscal year, a teacher certified at the secondary level may teach  
27 such courses in grades seven through twelve without having the add on certification for middle-level education. A teacher certified  
28 in elementary education may teach first grade without having the add on certification in early childhood education. Districts must  
29 report to the Department of Education and the Center for Educator Recruitment Retention and Advancement on the teachers and  
30 courses that utilize this exemption.

31 **1.56.** (SDE: Digital Instructional Materials) The Department of Education shall continue to create an instructional materials list  
32 composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption  
33 process. The department shall continue to work with the publishers of instructional materials to ensure that districts have options for  
34 print/digital student materials to include class sets of print student editions, if needed. Funds appropriated for the purchase of  
35 instructional materials (print/digital) may be used for reimbursing school districts to offset the costs of refurbishing science kits on  
36 the state-adopted instructional materials inventory, purchasing new kits or those adopted as supplemental from the central textbook

1 depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the  
2 state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs,  
3 equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional  
4 Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the  
5 department, school districts, and special schools. These funds are not subject to flexibility.

6 **1.57.** (SDE: Technology Technical Assistance) Of the funds appropriated in VIII.D - Technology for the K-12 Technology  
7 Initiative, the department is authorized to withhold up to \$350,000 in order to provide technology technical assistance to school  
8 districts.

9 **1.58.** (SDE: Technology Technical Assistance) Funds appropriated to the Department of Education for Technology Technical  
10 Assistance must be used to increase the capacity of districts, first who are or were the original trial and plaintiff school districts in  
11 the Abbeville law suit, and then other districts that need such assistance. Funds shall be used by the department to assist school  
12 districts in procuring appropriate technology to include devices and infrastructure and to build capacity to offer online testing and  
13 increased access. For the current fiscal year, districts and individual public charter schools may request a waiver from the State  
14 Board of Education from the requirement that all assessments be administered online; however, any paper administrations must be  
15 completed according to the deadlines set by the department.

16 **1.59.** (SDE: Assistance Funding) For the current fiscal year, any funds appropriated to the Department of Education to assist  
17 districts that are or were Plaintiffs in the Abbeville law suit and funding appropriated to the department to provide technical assistance  
18 to underperforming districts may not be transferred to any other program, are not subject to flexibility, and may be carried forward  
19 and expended for the same purposes.

20 **1.60.** (SDE: Reporting and Procurement) Any state agency or school for which the department acts as the fiscal agent must  
21 comply with any state and federal reporting requirements using agency procedures and shall follow all state procurement laws.

22 **1.61.** (SDE: School Leadership) Of the funds appropriated to and retained by the department for Professional Development,  
23 \$400,000 shall be used to contract with a non-profit statewide K-12 professional association located in South Carolina whose  
24 membership provides for the development and support of current and future school leaders. The provider must specialize in multiple  
25 assessments, executive coaching, and leadership development that provides the skills necessary for a progressive career path in school  
26 leadership.

27 **1.62.** (SDE: School Bus Drivers) For the current fiscal year, a driver candidate must possess a valid driver's license that meets  
28 the requirements in State and Federal law to operate commercial and non-commercial school bus type vehicles with no restrictions  
29 other than vision correction to qualify for issuance. Driver candidates must complete all Department of Education classroom and  
30 behind-the-wheel training requirements, including a medical examination and drug/alcohol testing, for initial certification as well as  
31 all Department of Education required in-service training annually to qualify for continued certification.

32 **1.63.** (SDE: Special Education Minutes Requirement) For the current fiscal year the required two-hundred fifty minutes of  
33 specialized instruction a student is required to receive in order to qualify for the special education weighting in the ~~EFA~~ State Aid to  
34 Classrooms is waived. A special education weighting may be applied for any public school child with an Individualized Education  
35 Program in effect, regardless of the number of minutes of instruction.

1     **1.64.** (SDE: Retired Educators Employment) For the current fiscal year school districts may notify retired educators of  
2 employment in writing on or before May 1. School districts employing retired educators pursuant to Section 9-1-1795 of the 1976  
3 Code shall provide documentation of compliance with the earnings limitation exemptions to the department. The department shall  
4 verify the compliance and send the verification to the Public Employee Benefit Authority.

5     **1.65.** (SDE: Education Rate Program) For purposes of the federal Educational Rate Program, a child attending a state-funded  
6 four-year-old kindergarten program must be considered an elementary school student.

7     **1.66.** (SDE: Safe Schools Initiative) (A) For the current fiscal year, the Department of Education and the State Law Enforcement  
8 Division shall continue to support, through the state level Threat Assessment Team, school threat assessment teams and training in  
9 school districts. Each school in the state shall continue to identify key staff and maintain a threat assessment team. The department  
10 shall work with stakeholders to provide professional development to staff serving on the team. The state level Threat Assessment  
11 Team shall continue to coordinate, collect, and compile Threat Assessment & School Safety Plans from each school district with  
12 their input. These plans shall be exempt from the provisions of Section 30-4-10, et seq. of the 1976 Code. The Department of  
13 Education and the State Law Enforcement Division shall continue to provide the Governor and the General Assembly with  
14 recommendations regarding school safety which shall include any projected costs or necessary statute changes.

15     **1.67.** (SDE: Alternative Certification Programs) For the current fiscal year, the department, through the State Board of  
16 Education, is authorized to award a conditional teaching certificate to a person who is enrolled in an approved alternative certification  
17 program provided the person has earned a bachelor's degree from a regionally accredited college or university with a major, or major  
18 equivalence, as defined by the State Board of Education in guidelines developed by the department in a certification area for which  
19 the board has determined there exists a critical shortage of teachers, and the person has passed the appropriate teaching examination.

20     **1.68.** (SDE: Student Meals) For the current fiscal year, all school districts shall identify students in poverty according to the  
21 provisions in Proviso 1.3 of this act and increase access to free school meals for these students. School districts shall use the criteria  
22 to directly certify pupils eligible for free and reduced-price school meals to the extent permitted under federal law. The local board  
23 of trustees of a district in which all schools are eligible to receive the free federal reimbursement rate for all reimbursable school  
24 breakfasts and lunches served, pursuant to the Community Eligibility Provision in Section 1759(a) of Title 42 of the United States  
25 Code, shall adopt a resolution indicating participation. If a district is unable to participate, the local board of trustees shall adopt a  
26 resolution stating that it is unable to participate in CEP and demonstrate the reasons why. The resolution shall be published on a  
27 public meeting agenda concurrently with the proposed district budget as an action item and shall be approved by a majority of the  
28 board. School districts shall ensure that the parents or guardians of students eligible for free and reduced lunch receive the necessary  
29 applications and instructions and upon request are provided with assistance in completing the paperwork. Schools shall not publicly  
30 identify a student who is unable to pay for a meal for any reason. Communications from the district regarding any meal debt owed  
31 must only be directed to the parent or guardian and may be sent home through the student.

32     **1.69.** (SDE: Consolidate Administrative Functions) For the current fiscal, any school district that has an average daily  
33 membership of less than 1,500 students, has been designated in Fiscal Watch, Caution or Emergency status, has a risk assessment of  
34 medium or high, has a school or is a district with an accreditation status of probation or denied, or has a school or schools that have  
35 been in improvement status for three years may be directed by the State Superintendent of Education to consolidate administrative  
36 and professional services with one or more school districts. Administrative and professional services may include, but are not limited

1 to: finance, human resources, procurement, administrative functions, transportation and collaboration on increasing instructional  
2 offerings. The Superintendent shall notify a district in writing that they meet one or more of the criteria. The district then has thirty  
3 business days from receipt of the notification to deliver a plan to the Superintendent for her approval. The Superintendent must  
4 either approve or amend the plan within fifteen days. Plans must be implemented within sixty days of approval. If a district fails to  
5 submit a plan, the Superintendent shall direct the consolidation of services with another school district and if the district fails to  
6 comply, the department shall withhold one percent of the district's ~~EFA~~ State Aid to Classrooms allocation until the district does  
7 comply. At that time, the ~~EFA~~ State Aid to Classrooms payments shall resume and any ~~EFA~~ State Aid to Classrooms funds withheld  
8 shall be allocated to the district.

9 **1.70.** (SDE: Exceptional Needs Sports Participation) A student who meets the definition of 'Exceptional needs child' in Section  
10 12-6-3790 (A)(2) and the definition of 'Qualifying Student' in Section 12-6-3790 (A)(5) of the 1976 Code shall be eligible to  
11 participate in any sport offered at the public school for which the child is zoned to attend.

12 **1.71.** (SDE: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average  
13 teachers' salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year, the  
14 Southeastern average teacher salary is projected to be ~~\$55,898~~ \$58,048. The General Assembly remains desirous of raising the  
15 average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the  
16 national average teacher salary.

17 Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all  
18 eligible certified teachers employed by the district by no less than one year of experience credit using at a minimum the district salary  
19 schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for  
20 all eligible certified teachers. For Fiscal Year ~~2022-23~~ 2023-24, the requirement that school districts maintain local salary  
21 supplements per teacher no less than their prior fiscal year level is suspended.

22 For purposes of this provision, teachers shall be defined by the Department of Education using the Professional Certified Staff  
23 (PCS) System.

24 **1.72.** (SDE: School District Hold Harmless) If there is not an increase in state support for school districts that is disbursed  
25 pursuant to Proviso 1.3 in this act, any district that must use reserve funds to pay for teacher pay raises, to include step increases,  
26 shall be held harmless from the local school district's reserve fund requirement provisions in the Fiscal Accountability Act for ~~Fiscal~~  
27 ~~Year 2022-23~~ the current fiscal year and upon approval by the Department of Education.

28 **1.73.** (SDE: Reserve Suspension) In the current fiscal year, the provisions of Section 3 of Act 593 of 1992, as amended, relating  
29 to the limit on cash reserves are suspended for Dorchester County School District 2. The cash reserve may consist of state or federal  
30 funds allocated to the school district pursuant to this act, as well as other funds.

31 **1.74.** (SDE: Standards-Based Assessments Suspended) In ~~Fiscal Year 2022-23~~ the current fiscal year, the provisions of Section  
32 59-18-325(C)(3) of the 1976 Code requiring science standards-based assessments of students in grade eight and social studies  
33 standards-based assessments of students in grades five and seven are suspended. Of the funds available due to the suspension of  
34 these assessments, \$500,000 must be used by the Department of Education to fund educator professional development regarding the  
35 South Carolina Computer Science and Digital Literacy Standards. The remainder of the funds shall be used to pay for industry  
36 certification/credentials as approved to measure College/Career Readiness for purposes of the state accountability system.

1       **1.75.** (SDE: COVID-19 Emergency Powers) (A) The Superintendent of Education is authorized to provide maximum financial  
2 flexibility including, but not limited to, the authority to carry forward any cash balances to local school districts adjusting to  
3 operations in response to COVID-19.

4       (B) The State Superintendent of Education is authorized to carry forward any cash balances maintained by the Department of  
5 Education. The superintendent is further authorized to transfer any appropriations within the department to assist local school districts  
6 to use summer reading camps and all other available tools to ensure appropriate time is spent by students to keep them on grade level  
7 and satisfy their learning needs ~~adjusting operations~~ in response to ~~COVID-19~~ *pandemic learning loss*.

8       (C) On or before August 1, ~~2022~~ *2023*, the State Superintendent of Education shall provide a report to the Senate Finance  
9 Committee, the House of Representatives Ways and Means Committee, the Senate Education Committee, and the House of  
10 Representatives Education and Public Works Committee concerning the emergency powers exercised in this provision.

11       **1.76.** (SDE: Formative Assessment Data) For the ~~2022-2023~~ *current* school year, districts must ensure all students in first  
12 through eighth grades are assessed using a state approved interim assessment tool during the fall, winter, and spring. School districts  
13 shall provide all ~~2021-2022 and 2022-2023~~ interim and formative assessment data scores by grade and school to the Department of  
14 Education *from the prior school year*. The department is directed to compile the information received and submit a comprehensive  
15 report regarding performance on such assessments to the General Assembly by ~~January~~ *May* 31 of the current fiscal year. Any school  
16 district failing to provide this data to the department shall have ten percent of their State Aid to Classrooms funding withheld until  
17 the data is provided.

18       **1.77.** (SDE: School District Employees Data) ~~By October 1, 2021, school districts shall provide a report detailing school, district~~  
19 ~~administration, and Career Centers employees to the Department of Education. The report shall specify job duties and indicate the~~  
20 ~~number of individuals whose primary job is to provide classroom instruction. The department is directed to compile the information~~  
21 ~~received into a comprehensive report and submit such report to the General Assembly.~~

22       **1.78.** (SDE: ESSER Funds) Of the funds appropriated to the Department of Education, the department shall ensure that school  
23 districts are made aware of all the permissible uses of ESSER funds that are at their disposal. The department shall provide training  
24 and technical support to district personnel throughout the process.

25       **1.79.** (SDE: ESSER Monthly Funding Report) The Department of Education is required to submit a monthly report to the  
26 Department of Administration, Executive Budget Office documenting the expenditure of federal funds allocated to South Carolina  
27 through the Elementary and Secondary Emergency Education Relief Fund and the Emergency Assistance to Non-Public Schools  
28 Program. The Executive Budget Office, in collaboration with the Senate Finance Committee and the House Ways and Means  
29 Committee, shall determine how the data will be reported. The data shall document how federal funds are expended at the state and  
30 district level in accordance with federal guidelines on allowable expenditures and shall include information on how the funds have  
31 been used to offset the learning loss students are facing and mitigations taken due to the COVID-19 pandemic. The Department of  
32 Education and the Executive Budget Office shall post the monthly reports on their websites.

33       **1.80.** (SDE: Public School Virtual Program Funding) For ~~Fiscal Year 2022-23~~ *the current fiscal year*, school districts shall be  
34 permitted to offer a virtual education program for up to five percent of its student population based on the most recent 135 day ADM  
35 count without impacting any state funding. The Department of Education shall establish guidelines for the virtual program and

1 parameters students must meet in order to participate in the virtual program. School districts must submit their plans for the virtual  
2 program to the State Board of Education for approval.

3 School districts offering a virtual program must report their ADM counts for students participating in their virtual program and  
4 the number of students participating face to face for the 5th, 45th, 90th, and 135th day to the Department of Education.

5 For every student participating in the virtual program above the five percent threshold, the school district will not receive 47.22%  
6 of the State per pupil funding provided to that district as reported in the latest Revenue and Fiscal Affairs revenue per pupil report  
7 pursuant to Proviso 1.3. This amount shall be withheld from State Aid to Classroom's district allocation.

8 The five percent threshold shall not apply to students whose IEP or 504 status requires their participation in a program administered  
9 in a virtual format.

10 **1.81.** (SDE: Capital Funding for ~~Disadvantaged~~ Schools) The funds appropriated for Capital Funding for ~~Disadvantaged~~ Schools  
11 shall be prioritized by the Department of Education pursuant to subsections (A) ~~and (B)~~, (B), and (C).

12 (A) Up to ~~\$25,000,000~~ \$20,000,000 of the funds shall be made available first to a local school district or districts that is  
13 consolidating with another school district. The funds may be used to support costs directly related to the consolidation which shall  
14 include, but are not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology,  
15 and other factors for which the district or districts demonstrates are necessary to complete consolidation. On or before August 1, the  
16 eligible districts must submit a preliminary plan and timeline for pursuing consolidation, including the use of the consolidation funds  
17 requested, to the Department of Education for review and approval. When the department has approved the final plan, the districts  
18 shall forward the plan to the local legislative delegation outlining the specific request that local legislation be enacted to effect the  
19 consolidation. The legislation may include, but is not limited to, composition of the consolidated board, transition procedures, and  
20 disposition and/or assumption of district assets and liabilities. Upon approval of a consolidation plan, the department shall make an  
21 initial allocation to the impacted districts and shall allocate remaining funds upon enactment of legislation formally consolidating  
22 the districts for the benefit of the consolidated district.

23 (B) Up to \$10,000,000 of the funds shall be made available to a local school district consolidating at least three schools within  
24 a single district into a single school campus and consolidating other district-owned educational buildings or buildings that support  
25 district functions into a single building. The funds may be used to support costs directly related to the consolidation and other factors  
26 for which the district demonstrates are necessary to complete consolidation.

27 (C) Up to \$20,000,000 of the funds shall be made available for the department to allocate to school districts for the purpose of  
28 funding facilities upgrades aligned with school safety priorities. Eligible school facility upgrades shall include: (a)  
29 classroom/internal door locks; (b) secure school entry points and access control; (c) window covers; and (d) bulletproof glass or  
30 bulletproof film for windows. School facilities eligible for safety upgrades under this subsection are defined as locations with daily  
31 student attendance and shall not include unimproved real property, centralized district administration facilities, or other facilities,  
32 including those normally identified with interscholastic sports activities.

33 ~~(BD)~~ The remaining funds shall be set aside by the department to create a source of state funding for local school district  
34 infrastructure based on need. Additional funds may be appropriated by the General Assembly with either recurring or non-recurring  
35 funds from the General Fund, EIA, or lottery. Federal funds authorized by a federal agency or authorized by the General Assembly  
36 may also be included in this fund. The fund may also accept gifts from private sources.

1 The department shall submit recommendations to the Senate Finance Committee and the House Ways and Means Committee to  
2 establish guidelines for the program consisting of award criteria, conditions for the awards and any match requirements by December  
3 31. Criteria shall include, but not be limited to, consideration of a district's index of taxpaying ability, consideration of a district's  
4 or county's per capita income and the age and condition of the district's existing academic buildings as well as the ability to  
5 commence construction in a timely matter and the quality of the application.

6 For purposes of this provision, school infrastructure shall not include unimproved real property, centralized district administration  
7 facilities, or other facilities, including those normally identified with interscholastic sports activities.

8 ~~(C)~~The Department of Education must submit to the General Assembly by June 30 of each year a report documenting, at a  
9 minimum, the number of applications received and approved, information on the types of infrastructure supported by these funds,  
10 and the projected and final costs of each project.

11 Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same  
12 purposes by the department and school districts.

13 **1.82.** (SDE: Partisanship Curriculum) For the current fiscal year, of the funds allocated by the Department of Education to  
14 school districts, no monies shall be used by any school district or school to provide instruction in, to teach, instruct, or train any  
15 administrator, teacher, staff member, or employee to adopt or believe, or to approve for use, make use of, or carry out standards,  
16 curricula, lesson plans, textbooks, instructional materials, or instructional practices that serve to inculcate any of the following  
17 concepts: (1) one race or sex is inherently superior to another race or sex; (2) an individual, by virtue of his race or sex, is inherently  
18 racist, sexist, or oppressive, whether consciously or unconsciously; (3) an individual should be discriminated against or receive  
19 adverse treatment solely or partly because of his race or sex; (4) an individual's moral standing or worth is necessarily determined  
20 by his race or sex; (5) an individual, by virtue of his race or sex, bears responsibility for actions committed in the past by other  
21 members of the same race or sex; (6) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress  
22 on account of his race or sex; (7) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by members of  
23 a particular race to oppress members of another race; and (8) fault, blame, or bias should be assigned to a race or sex, or to members  
24 of a race or sex because of their race or sex. Nothing contained herein shall be construed as prohibiting any professional development  
25 training for teachers related to issues of addressing unconscious bias within the context of teaching certain literary or historical  
26 concepts or issues related to the impacts of historical or past discriminatory policies.

27 **1.83.** (SDE: Retired Teacher Salary Negotiation) With funds appropriated for State Aid to Classrooms, when hiring retired  
28 teachers for the ~~2022-23~~ 2023-24 school year, school districts uniformly may negotiate salaries below the school district salary  
29 schedule.

30 **1.84.** (SDE: Mask Mandate Prohibition) No school district, or any of its schools, may use any funds appropriated or authorized  
31 pursuant to this act to require that its students and/or employees wear a facemask at any of its education facilities. This prohibition  
32 extends to the announcement or enforcement of any such policy.

33 **1.85.** (SDE: Magnet School Athletics) From funds authorized or appropriated *in the current fiscal year*, a *any* public magnet  
34 school ~~that~~ *which* shares a physical campus with another public magnet school ~~must~~ *shall* allow any student enrolled at a school on  
35 that physical campus to participate in an athletic sport not offered at the ~~school in which the student is enrolled~~, *student's school of*  
36 *enrollment*, provided the student meets all age and academic requirements for participation. For the purposes of *determining* athletic

1 ~~competition~~ classification, *competition status, or eligibility*, schools with students participating pursuant to this provision ~~must~~ *shall*  
2 not have their school enrollments joined or modified due to compliance with this provision, nor shall any school *or student* be  
3 subjected to a change in athletic ~~competition~~ classification ~~as a result of compliance~~ *competition status, or eligibility as a result of*  
4 *compliance with this provision*. *The Department of Education*, all public schools ~~and, or~~ all public school districts *in this State*,  
5 receiving *or expending* funds authorized or appropriated *in the current fiscal year* are prohibited from expending any funds to pay  
6 membership dues or other funds to any organization that ~~prevents a student from playing sub-varsity or varsity athletics or changes~~  
7 ~~or alters a school's athletic competition classification or competition status as a result of any school or school district's compliance~~  
8 ~~with this provision~~ *changes or alters a school's or student's athletic classification, eligibility, or competition status as a result of any*  
9 *student, school, or school district's compliance with this provision, or to any organization that refuses to allow, accept, or approve*  
10 *participation pursuant to the terms of this provision*. This provision shall not limit the ability of any magnet school student, provided  
11 the student meets all age and eligibility requirements, to otherwise elect to participate in sub-varsity or varsity athletics at the student's  
12 zoned or resident school.

13 **1.86.** (SDE: Graduation Requirements) ~~Of the funds appropriated or authorized herein, and pursuant to Section 59-39-100 of~~  
14 ~~the 1976 Code, the Department of Education, through the State Board of Education, is directed to promulgate regulations to update~~  
15 ~~the current graduation requirements to include within the existing credits a required half credit in personal finance. The regulation~~  
16 ~~shall be submitted to the State Board of Education for first reading by September 30th.~~

17 **1.87.** (SDE: Charter School Management Organizations) A person paid or employed by an Education Management Organization  
18 (EMO) or a Charter Management Organization (CMO) shall not be allowed to serve on the board of any charter school sponsored  
19 by a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning  
20 if the EMO or CMO is contracted to provide any services to the charter school. Any school violating this provision shall have fifty  
21 percent of all appropriated state funds withheld until the school becomes compliant with this provision. A person paid or employed  
22 by an Education Management Organization (EMO) or a Charter Management Organization (CMO) shall not be allowed to serve on  
23 the board of any authorizer's board of a public school district, the South Carolina Public Charter School District, or a public or  
24 independent institution of higher learning. Any authorizing board violating this provision shall have fifty percent of all appropriated  
25 state funds retained for operations withheld until the authorizer and its board becomes compliant with this provision.

26 **1.88.** (SDE: READY Program) Funds for the Resources for Early Acceleration and Development in Youth (READY) program  
27 must be awarded by the South Carolina First Steps to School Readiness Board of Trustees to First Steps local partnerships through  
28 a competitive and targeted grants process. Grant awards must prioritize evidenced-based programs for children from birth through  
29 age three who live in rural communities and in communities where kindergarten readiness scores are consistently below the state  
30 average. Of the funds appropriated, no more than ten percent may be distributed to any one county, and no more than three percent  
31 may be retained by the Office of First Steps for administering, monitoring, and evaluating the program. An annual report on the  
32 state's investment in early learning and development must be provided by the Office of First Steps to the General Assembly and the  
33 Governor by ~~June 30, 2023~~ *December 1<sup>st</sup> of the current fiscal year*.

34 **1.89.** (SDE: Education Data Dashboard) The Education Oversight Committee is directed to pilot an Education Data Dashboard.  
35 The data dashboard must interface with existing systems to provide school districts, schools, policymakers, families, and the public  
36 with meaningful information on school district, school, and system progress. The Education Data Dashboard would use existing data



1 to document educational attainment and growth as well as financial expenditures of state, local, and federal funds. The Department  
2 of Education and public school districts shall provide accountability and financial data as requested by the committee for the  
3 establishment of the dashboard.

4 ~~1.90. (SDE: Dyslexia Screener) Of the funds appropriated to the Dyslexia Screener, \$1,500,000 shall be used by the State~~  
5 ~~Department of Education to establish the Learning Ally—USC Literacy Screener Pilot Project.~~

6 **1.91.** (SDE: Teaching Transformation Pilot Program) On or before July 31<sup>st</sup> of the current fiscal year, \$1,000,000 shall be  
7 allocated to the University of South Carolina’s College of Education for the design and implementation of a pilot program to reinvent  
8 and transform the state’s teaching profession. The goals of the pilot program are to:

- 9 (1) diversify the PK-12th grade educator workforce;
- 10 (2) address teacher shortages through innovations in educator development; and
- 11 (3) accelerate student learning and systems of whole child education.

12 The pilot program shall support at least three diverse school districts which shall include a minimum of one, with a maximum of  
13 two, large urban districts and a minimum of two, with a maximum of four, rural districts in order to:

- 14 (1) incentivize the recruitment and preparation of high quality educators including a focus on diversifying the teaching workforce  
15 for high-need students and stipends for student teachers/residents;
- 16 (2) support the development of a coherent and financially sustainable system, based on current school funding models, of teacher  
17 leadership that improves learning environments and educator retention and effectiveness; and
- 18 (3) produce several models of the school-university-community partnerships in South Carolina, testing evidence-based elements  
19 of a coherent system of teacher development including, but not limited to:
  - 20 (a) prototyping a paid teacher residency for South Carolina, modeled from the medical profession, to develop well-prepared  
21 new recruits to teaching and new school designs to support teacher learning and leadership for whole child education;
  - 22 (b) applying state of the art technology and tools that save time, not only to help teachers problem-solve instructional  
23 challenges, but also to teach students across schools and districts;
  - 24 (c) reinventing the school day and/or school year calendar as teachers work on different contracts to create expanded and more  
25 personalized student learning as well as more opportunities for educators to lead;
  - 26 (d) reducing teaching loads for some of the state’s top teachers, including over six thousand who are National Board certified,  
27 so they can lead without leaving the classrooms; and
  - 28 (e) rethinking the teacher salary schedule to:
    - 29 (i) include opportunities for additional pay for increased responsibility, leadership roles, and expanded impact; and
    - 30 (ii) prototype a menu of financial and nonfinancial incentives for effective educators to work in priority schools, subjects,  
31 and grade levels.

32 State funding will support both an external evaluation of the pilot program as well as South Carolina districts participating in a  
33 national learning community of other school-university partnerships seeking to transform the educator workforce.

34 The pilot program to transform the teaching profession will be in partnership with selected South Carolina Historically Black  
35 Colleges and Universities which will be critical to recruiting and developing teachers of color. In addition, the pilot program will be  
36 designed and developed in collaboration with national partners, Education Resource Strategies and Bank Street College, bringing

1 respective expertise in resource reallocations for innovative school staffing in public education and recruiting and preparing diverse  
2 teachers through teaching residences. The pilot program will be anchored in data collection underway by SC-TEACHER, with a  
3 grant funded by the Carnegie Corporation of New York, as well as in effective educator practices from across the globe.

4 The pilot program shall compliment and/or enhance the state's effective innovations in educator recruitment, induction, evaluation,  
5 and professional learning, and draw upon research evidence to create a transformative system of educator development including  
6 new ways to compensate teachers and principals that impact student learning and more efficient use of human capital across the  
7 State. Current teacher shortages cannot be addressed without transforming the teaching job and the profession itself.

8 **1.92.** (SDE: Base Student Cost/EFA) For ~~Fiscal Year 2022-23~~ *the current fiscal year*, references to Base Student Cost and EFA  
9 for reimbursement purposes for other entities shall have the same meaning as in the previous fiscal year.

10 For ~~Fiscal Year 2022-23~~ *the current fiscal year*, references to Base Student Cost and EFA for withholding purposes shall mean a  
11 withholding of State Aid to Classroom.

12 ~~From funds appropriated to the Department of Education, the department will make recommendations in their annual budget~~  
13 ~~request for any changes to Base Student Cost or EFA references in the annual appropriations act.~~

14 **1.93.** (SDE: Educational Services for Children with Disabilities Report) ~~In order to determine whether educational services~~  
15 ~~provided to students with disabilities are delivered effectively and efficiently and whether services or funding should be reformed,~~  
16 ~~the Department of Education shall provide a report to the Joint Citizens and Legislative Committee on Children and to the Revenue~~  
17 ~~and Fiscal Affairs Office on targets identified from the Annual Performance Report on the most recent State Performance Plan~~  
18 ~~submitted as required by the Individuals with Disabilities Education Act (IDEA) of 2004, Section 616 and Section 619 to include all~~  
19 ~~Indicators 1-16 (Indicator 1 Graduation; Indicator 2 Drop out; Indicator 3 Achievement; Indicator 4 Significant Discrepancy~~  
20 ~~(Suspension); Indicator 5 School-aged Least Restrictive Environment; Indicator 6 Preschool Least Restrictive Environment;~~  
21 ~~Indicator 7 Preschool Outcomes; Indicator 8 Parent Involvement; Indicator 9 Disproportionate Representation (All Special~~  
22 ~~Education); Indicator 10 Disproportionate Representation (Selected Categories); Indicator 11 60 Day Evaluation Timeline; Indicator~~  
23 ~~12 Part C to B Transition; Indicator 13 Transition Components; Indicator 14 Post Secondary Outcomes; Indicator 15 Mediations;~~  
24 ~~and Indicator 16 Due Process Complaints) and Tables 1-5 (Table 1 Child Count; Table 2 Personnel; Table 3 Placement; Table~~  
25 ~~4 Exiting; and Table 5 Discipline) required under these sections that have not been met by a school district.~~

26 ~~The department shall submit the required reports to the Joint Citizens and Legislative Committee on Children committee on or~~  
27 ~~before August 1, 2022. The Joint Citizens and Legislative Committee on Children is directed to report its finding and a work plan to~~  
28 ~~assess and develop recommendations concerning service delivery to students with disabilities to the Governor, the General Assembly,~~  
29 ~~the Department of Education, and the State Board of Education by November 1, 2022.~~

30 **1.94.** (SDE: Surplus Property) A school district must transfer, or offer for sale or lease, any surplus real property or property  
31 which has been vacant, unused, or unused for direct student instruction for the previous four school years and is not currently included  
32 in any district capital improvement plan for future use on or before July 1, 2022. All school districts must publish on their website  
33 by September 15, 2022, a list of properties that qualify under this provision.

34 A school district shall comply with the requirements of this provision by transferring such property to another governmental  
35 subdivision or state agency that has provided written confirmation of an intent to accept the property for public use by December 31,  
36 2022. Any governmental subdivision or state agency providing such written confirmation must comply with all requirements related

1 to the acquisition of real property or surplus property, and/or requirements related to the establishment of permanent improvement  
2 projects prior to accepting property transferred pursuant to this provision.

3 If no governmental subdivision or state agency confirms an intent to accept the property, the district shall offer the property for  
4 sale or lease at fair market value as determined by a neutral appraiser and in compliance with existing law providing for sale or lease  
5 of such property by a school district. If a school district fails to comply with this provision, the Department of Education must  
6 withhold five percent of all state payments to the district until the district complies.

7 **1.95.** (SDE: Teacher Recruitment and Retention) ~~(A) The Department of Education shall convene a task force to examine and~~  
8 ~~propose necessary revisions for improving teacher recruitment, retention, and advancement.~~

9 ~~(B) The task force shall be comprised of the following individuals who each should have background and expertise in education:~~

10 ~~(1) one member appointed by the Governor; who shall serve as Chair of the task force;~~

11 ~~(2) the State Superintendent of Education or his designee;~~

12 ~~(3) one member of the South Carolina House of Representatives appointed by the Chair of the House of Representatives~~  
13 ~~Education and Public Works Committee;~~

14 ~~(4) one member of the South Carolina Senate appointed by the Chair of the Senate Education Committee;~~

15 ~~(5) one member appointed by the Chair of the House of Representatives Ways and Means Committee;~~

16 ~~(6) one member appointed by the Chair of the Senate Finance Committee;~~

17 ~~(7) one member appointed by the Chair of the Board of the Revenue and Fiscal Affairs Office;~~

18 ~~(8) one member appointed by the Governor upon recommendation of the South Carolina Association of School Administrators;~~

19 ~~(9) one member appointed by the Governor upon recommendation of the South Carolina School Boards Association;~~

20 ~~(10) two members appointed by the Commission of Higher Education. Both appointments shall be employed as a Dean or~~  
21 ~~Interim Dean of a College of Education at an institution of higher learning. One appointee shall be from a public institution, and one~~  
22 ~~shall be from a private institution;~~

23 ~~(11) the current South Carolina State Teacher of the Year;~~

24 ~~(12) three current classroom teachers, with at least one representative from each of the groups listed below, with direct~~  
25 ~~instructional responsibilities, and at least one of which is employed at a Title I school, to be appointed by the Superintendent of~~  
26 ~~Education upon the recommendation of the:~~

27 ~~(a) Palmetto State Teachers Association;~~

28 ~~(b) South Carolina Education Association; and~~

29 ~~(c) South Carolina Alliance of Black School Educators;~~

30 ~~(13) a current participant in the Teaching Fellows program appointed by the Center for Educator Recruitment and Retention;~~  
31 ~~and~~

32 ~~(14) a representative from SC TEACHER appointed by the Dean of the College of Education of the University of South~~  
33 ~~Carolina.~~

34 ~~(C) Members of the task force shall receive no compensation but may receive per diem and mileage from the South Carolina~~  
35 ~~Department of Education as provided for boards and commissions.~~

1 ~~(D) In examining necessary revisions and improvements to the education profession, the task force must consider factors~~  
2 ~~including:~~

3 ~~(1) public input gathered through meaningful consultation with teachers, principals, district officials, education preparation~~  
4 ~~programs including both alternative and traditional higher education providers, and members of the public, including conducting~~  
5 ~~hearings to gather public input;~~

6 ~~(2) research on how teacher salary structures can:~~

7 ~~(a) improve teacher recruitment and retention;~~

8 ~~(b) incentivize methods used within the teaching profession which have an evidence-based impact on student achievement;~~

9 ~~and~~

10 ~~(c) address staffing shortages in critical needs geographic and content areas;~~

11 ~~(3) assistance from the Southern Region Education Board, Education Commission of the States, the National Conference of~~  
12 ~~State Legislatures, and the National Center on Education and the Economy regarding educator recruitment, retention, and~~  
13 ~~advancement from high performing jurisdictions; and~~

14 ~~(4) information provided from the Working Conditions Survey administered by SC TEACHER.~~

15 ~~(E) The task force must submit recommendations for potential reforms to the Governor, the Speaker of the House of~~  
16 ~~Representatives, and the President of the Senate by no later than May 31, 2023. Recommendations shall include, but not be limited~~  
17 ~~to, the following areas:~~

18 ~~(1) increasing recruitment to the teaching profession;~~

19 ~~(2) improving teacher preparation;~~

20 ~~(3) transforming compensation for teachers;~~

21 ~~(4) enhancing the effectiveness of teacher evaluation;~~

22 ~~(5) improving working conditions for all teachers; and~~

23 ~~(6) identifying best practices from other jurisdictions and designing them for South Carolina.~~

24 **1.96.** (SDE: Competency-Based Education) (A) In the current fiscal year, districts seeking to implement competency-based  
25 education may submit a waiver application to the State Board of Education in a format developed by the State Department of  
26 Education. For purposes of this proviso, competency-based education refers to a comprehensive learning approach for a student to  
27 master competencies and related standards along a personalized, self-paced, and flexible pathway. As part of the waiver application,  
28 districts may include in-person instruction, virtual instruction, self-guided learning, and experiential learning through approved  
29 off-campus educational opportunities in calculating instructional hours and may offer the required instructional days at any time  
30 during the school year, consistent with the law.

31 (B) Of the funds appropriated to the Department, the State Department of Education shall create evaluation criteria and guidelines  
32 for schools that are operating under a waiver pursuant to this proviso. A participating school shall submit required data for a biennial  
33 cyclical review on a form developed by the department. A report summarizing the reviews including the waivers requested and how  
34 they hindered implementation must be distributed to the Governor and members of the General Assembly no later than June 30, ~~2023~~  
35 2024.

1 1.97. (SDE: First Steps Transfer Plan) The Office of First Steps shall work with the Department of Administration, Executive  
2 Budget Office, in consultation with the Department of Education, to develop a plan to operate independently from the Department  
3 of Education. The plan should include, but is not limited to, proposed program structure, the amount of personal services, operating  
4 expenses, employer contributions funding which shall be transferred from the Department of Education, and personnel required to  
5 perform human resource and accounting functions. A report shall be submitted to the Chairman of the Senate Finance Committee,  
6 the Chairman of the House Ways and Means Committee, and the Governor by December 1, 2023.

7 1.98. (SDE: Career Readiness Assessments) For the current fiscal year, the Education Oversight Committee and the State Board  
8 of Education are directed to create a waiver form by which school districts and high schools may request an exemption from reporting  
9 student performance on the career readiness assessment for the 2022-23 school year only for students who are taking the career  
10 readiness assessment for the second time and when the career readiness assessment is different from the career readiness assessment  
11 the student took in 11th grade. The exemption form must be available for schools no later than July 31, 2023.

12 1.99. (SDE: Alternative Education Programs Options) The State Department of Education shall create, publish, and provide to  
13 all public schools in the State a list of alternative education programs that can award a high school degree or high school equivalency  
14 credential. The list must include, but not be limited to, the Wil Lou Gray Opportunity School and the South Carolina Youth Challenge  
15 Academy. As part of each student's annual review of his Individualized Graduation Plan, school counselors shall distribute  
16 information provided by the Wil Lou Gray Opportunity School, the South Carolina Youth Challenge Academy, and any other  
17 alternative education program to students who are not on track for on-time graduation or who otherwise are at risk of dropping out  
18 of school. School counselors shall provide those institutions the names and addresses of all students who are not on track for on-  
19 time graduation or who are otherwise at risk of dropping out of school, except for students who have opted out of disclosure of  
20 directory information under the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g. Parents or students age  
21 eighteen or older may complete a form to opt the student out of the disclosure of student contact information with these institutions.  
22 The department shall develop this opt-out and each district shall make the form available on its website.

23 1.100. (SDE: Incentive prohibition) No school district, or any of its schools, may use any funds appropriated or authorized  
24 pursuant to this act to offer students any monetary incentive or inducement to receive a COVID-19 vaccination.

## 25 SECTION 1A - H630 - DEPARTMENT OF EDUCATION-EIA

26  
27  
28 **1A.1.** (SDE-EIA: Prohibition on Appropriation Transfers) The amounts appropriated herein for aid to subdivisions or allocations  
29 to school districts shall not be transferred or reduced and must be expended in accordance with the intent of the appropriation.  
30 However, transfers are authorized from allocations to school districts or special line items with projected year-end excess  
31 appropriations above requirements, to allocations to school districts or special line items with projected deficits in appropriations.

32 **1A.2.** (SDE-EIA: African-American History) Funds provided for the development of the African-American History curricula  
33 may be carried forward into the current fiscal year. Funds that are currently a salary line item will be reallocated for the development  
34 of instructional materials and programs and the implementation of professional learning opportunities that promote African American  
35 history and culture. For the current fiscal year, not less than seventy percent of the funds carried forwarded must be expended for

1 the development of additional instructional materials by nonprofit organizations, school districts, or institutions of higher education  
2 selected through a grant process by the Department of Education.

3 **1A.3.** (SDE-EIA: Teacher Evaluations, Implementation/Education Oversight) The Department of Education is directed to  
4 oversee the evaluation of teachers at the School for the Deaf and the Blind and the Department of Juvenile Justice under the ADEPT  
5 model.

6 **1A.4.** (SDE-EIA: Teacher Salaries/State Agencies) Each state agency which does not contain a school district but has  
7 instructional personnel shall receive an appropriation as recommended by the Department of Education and funded by the General  
8 Assembly for teacher salaries based on the following formula: Each state agency shall receive such funds as are necessary to adjust  
9 the pay of all instructional personnel to the appropriate salary provided by the salary schedules of the school district in which the  
10 agency is located. Instructional personnel may include all positions which would be eligible for EIA supplements in a public school  
11 district, and may at the discretion of the state agency, be defined to cover curriculum development specialists, educational testing  
12 psychologists, psychological and guidance counselors, and principals. The twelve-month agricultural teachers located at Clemson  
13 University are to be included in this allocation of funds for base salary increases. The South Carolina Governor's School for the Arts  
14 and Humanities, the South Carolina Governor's School for Science and Mathematics, and the Governor's School for Agriculture at  
15 John de la Howe are authorized to increase the salaries of instructional personnel by an amount equal to the percentage increase  
16 given by the School District in which they are both located.

17 Teacher salary increases recommended by the Department of Education and funded in this act shall be incorporated into each  
18 agency's EIA appropriation contained in Section 1, VIII.F.

19 **1A.5.** (SDE-EIA: Work-Based Learning) Of the funds appropriated in Part IA, Section 1, VIII.A.1. for the Work-Based Learning  
20 Program, \$75,000 shall be used by the State Department of Education to provide for regional professional development in contextual  
21 methodology techniques and integration of curriculum, and professional development in career guidance for teachers and guidance  
22 counselors and training mentors. Pilot-site delivery of contextual methodology training in mathematics will be supported by  
23 technology and hands-on lab activities. In addition, \$500,000 shall be allocated for Regional Career Specialists. Each Regional  
24 Career Specialist shall (1) be housed within the regional centers/ WIOA geographic areas, (2) provide career development activities  
25 throughout all schools within the region, (3) be under the program supervision of the Office of Career and Technology Education,  
26 State Department of Education, and (4) adhere to an accountability and evaluation plan created by the Office of Career and  
27 Technology Education, State Department of Education. The Office of Career and Technology Education, State Department of  
28 Education, shall provide a report, in February of the current fiscal year to the Senate Finance Committee and the House Ways and  
29 Means Committee on accomplishments of the Career Counseling Specialists. Of the funds appropriated in the prior fiscal year,  
30 unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.

31 **1A.6.** (SDE-EIA: CHE/Teacher Recruitment) Of the funds appropriated in Part IA, Section 1, VIII.F. for the Teacher  
32 Recruitment Program, the South Carolina Commission on Higher Education shall distribute a total of ninety-two percent to the Center  
33 for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) for a state teacher recruitment program, of which  
34 at least seventy-eight percent must be used for the Teaching Fellows Program specifically to provide scholarships for future teachers,  
35 and of which twenty-two percent must be used for other aspects of the state teacher recruitment program, including the Teacher  
36 Cadet Program and \$166,302 which must be used for specific programs to recruit minority teachers: and shall distribute eight percent

1 to South Carolina State University to be used only for the operation of a minority teacher recruitment program and therefore shall  
2 not be used for the operation of their established general education programs. Working with districts with an absolute rating of  
3 At-Risk or Below Average, CERRA will provide shared initiatives to recruit and retain teachers to schools in these districts. CERRA  
4 will report annually by October first to the Education Oversight Committee and the Department of Education on the success of the  
5 recruitment and retention efforts in these schools. The South Carolina Commission on Higher Education shall ensure that all funds  
6 are used to promote teacher recruitment on a statewide basis, shall ensure the continued coordination of efforts among the three  
7 teacher recruitment projects, shall review the use of funds and shall have prior program and budget approval. The South Carolina  
8 State University program, in consultation with the Commission on Higher Education, shall extend beyond the geographic area it  
9 currently serves. Annually, the Commission on Higher Education shall evaluate the effectiveness of each of the teacher recruitment  
10 projects and shall report its findings and its program and budget recommendations to the House and Senate Education Committees,  
11 the State Board of Education, and the Education Oversight Committee by October first annually, in a format agreed upon by the  
12 Education Oversight Committee and the Department of Education.

13 With the funds appropriated CERRA shall also appoint and maintain the South Carolina Teacher Loan Advisory Committee. The  
14 Committee shall be composed of one member representing each of the following: (1) Commission on Higher Education; (2) State  
15 Board of Education; (3) Education Oversight Committee; (4) Center for Educator Recruitment, Retention, and Advancement; (5)  
16 South Carolina Student Loan Corporation; (6) South Carolina Association of Student Financial Aid Administrators; (7) a local school  
17 district human resources officer; (8) a public higher education institution with an approved teacher education program; and (9) a  
18 private higher education institution with an approved teacher education program. The members of the committee representing the  
19 public and private higher education institutions shall rotate among those institutions and shall serve a two-year term on the committee.  
20 The committee must be staffed by CERRA, and shall meet at least twice annually. The committee's responsibilities are limited to:  
21 (1) establishing goals for the Teacher Loan Program; (2) facilitating communication among the cooperating agencies; (3) advocating  
22 for program participants; and (4) recommending policies and procedures necessary to promote and maintain the program.

23 **1A.7.** (SDE-EIA: Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, South  
24 Carolina Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, VIII.F. Other State  
25 Agencies and Entities shall be disbursed on a quarterly basis by the Department of Revenue directly to the state agencies and entities  
26 referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology,  
27 which shall receive their full appropriation at the start of the fiscal year from available revenue. The Executive Budget Office is  
28 authorized to make necessary appropriation reductions in Part IA, Section 1, VIII.F. to prevent duplicate appropriations. If the  
29 Education Improvement Act appropriations in the agency and entity respective sections of the General Appropriations Act at the start  
30 of the fiscal year do not agree with the appropriations in Part IA, Section 1, VIII.F. Other State Agencies and Entities, the "other  
31 funds" appropriations in the respective agency and entity sections of the General Appropriations Act will be adjusted by the Executive  
32 Budget Office to conform to the appropriations in Part IA, Section 1, VIII.F. Other State Agencies and Entities. Further, the  
33 Department of Revenue is directed to provide the full appropriation of the funding appropriated in Part IA, Section 1, VIII.C.2.  
34 Teacher Supplies to the Department of Education at the start of the fiscal year from available revenue. ~~The Department of Revenue~~  
35 ~~is also directed to provide the first quarter appropriation of the funding appropriated in Part IA, Section 1, VIII.H. Charter School~~  
36 ~~District to the Department of Education at the start of the fiscal year from available revenue.~~

1       **1A.8.** (SDE-EIA: Arts in Education) Funds appropriated in Part IA, Section 1, VIII.A.1. Arts Curricula shall be used to support  
2 innovative practices in arts education curriculum, instruction, and assessment in the visual and performing arts including dance,  
3 music, theatre, and visual arts which incorporates strengths from the Arts in Education sites. They shall also be used to support the  
4 advancement of the implementation of the visual and performing arts academic standards. These funds shall be distributed to schools  
5 and school districts under a competitive grants program; however, up to thirty-three percent of the total amount of the grant fund  
6 shall be made available as “Aid to Other Agencies” to facilitate the funding of professional development arts institutes that have been  
7 approved by the State Department of Education for South Carolina arts teachers, appropriate classroom teachers, and administrators.  
8 Arts Curricular Grants funds may be retained and carried forward into the current fiscal year to be expended in accordance with the  
9 proposed award.

10       **1A.9.** (SDE-EIA: Teacher Supplies) All certified and non-certified public school teachers identified in PCS, certified special  
11 school classroom teachers, certified media specialists, certified guidance counselors, and career specialists who are employed by a  
12 school district, a charter school, or lead teachers employed in a publicly funded full day 4K classroom approved by the South Carolina  
13 First Steps to School Readiness, as of November thirtieth of the current fiscal year, based on the public decision of the school board  
14 may receive reimbursement of ~~three hundred dollars~~ \$350 each school year to offset expenses incurred by them for teaching supplies  
15 and materials. Funds shall be disbursed by the department to School districts by July fifteenth based on the last reconciled  
16 Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS  
17 and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision  
18 of the school district and no later than May fifteenth annually, the district shall notify all individuals entitled to receive these funds  
19 the manner in which the funds will be disbursed. Funds may be disbursed to each teacher via check in a manner separate and distinct  
20 from their payroll check on the first day teachers, by contract, are required to be in attendance at school for the current contract year,  
21 or the funds may be disbursed to each teacher via direct deposit as long as the funds are handled in a manner to be separate and  
22 distinct from their payroll check. This reimbursement shall not be considered by the state as taxable income. Special schools include  
23 the Governor’s School for Science and Math, the Governor’s School for the Arts and Humanities, Wil Lou Gray Opportunity School,  
24 Governor’s School for Agriculture at John de la Howe, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice,  
25 and Palmetto Unified School District. Funds distributed to school districts or allocated to schools must not supplant existing supply  
26 money paid to teachers from other sources. If a school district requires receipts for tax purposes the receipts may not be required  
27 before December thirty-first. Districts that do not wish to require receipts may have teachers retain the receipts and certify for the  
28 district they have received the allocation for purchase of teaching supplies and/or materials and that they have purchased or will  
29 purchase supplies and/or materials during the fiscal year for the amount of the allocation. Districts shall not have an audit exception  
30 related to non-retention of receipts in any instances where a similar instrument is utilized. Any district requiring receipts must notify  
31 any teacher from whom receipts have not been submitted between November twenty-fifth and December sixth that receipts must be  
32 submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement.

33       Any classroom teacher, including a classroom teacher at a South Carolina private school, that is not eligible for the reimbursement  
34 allowed by this provision, may claim a refundable income tax credit on the teacher’s ~~2022~~ 2023 tax return, provided that the return  
35 or any amended return claiming the credit is filed prior to the end of the fiscal year. The credit is equal to three hundred dollars, or  
36 the amount the teacher expends on teacher supplies and materials, whichever is less. If any expenditures eligible for a credit are made



1 after December thirty-first, the teacher may include the expenditures on his initial return or may file an amended ~~2022~~ 2023 return  
2 claiming the credit, so long as the return or amended return is filed in this fiscal year. The Department of Revenue may require  
3 whatever proof it deems necessary to implement the credit provided by this part of this provision. Any person receiving the  
4 reimbursement provided by this proviso is ineligible to take the income tax credit allowed by this proviso.

5 **1A.10.** (SDE-EIA: Teacher of the Year Awards) Of the funds provided herein for Teacher of the Year Awards, each district  
6 Teacher of the Year shall receive an award of \$1,000. In addition, the State Teacher of the Year shall receive an award of \$25,000,  
7 and each of the four Honor Roll Teachers of the Year will receive an award of \$10,000. To be eligible, districts must participate in  
8 the State Teacher of the Year Program sponsored by the State Department of Education. These awards shall not be subject to South  
9 Carolina income taxes.

10 **1A.11.** (SDE-EIA: EOC) The Education Oversight Committee may collect, retain and expend revenue from conference  
11 registration and fees; charges for materials supplied to local school districts or other entities not otherwise mandated to be provided  
12 by state law; and from other activities or functions sponsored by the committee including public awareness campaign activities. Any  
13 unexpended revenue from these sources may be carried forward into the current fiscal year and expended for the same purposes.

14 **1A.12.** (SDE-EIA: Proviso Allocations) In the event an official EIA revenue shortfall is declared by the Board of Economic  
15 Advisors, the Department of Education may reduce any allocation in Section 1A specifically designated by proviso in accordance  
16 with the lower Board of Economic Advisors revenue estimate as directed by the Executive Budget Office. No allocation for teacher  
17 salaries shall be reduced as a result of this proviso.

18 **1A.13.** (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may  
19 transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery  
20 Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance,  
21 to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated  
22 specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance  
23 of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for  
24 Career and Technology Education, nor funds required for debt service or bonded indebtedness. All school districts must report the  
25 student teacher ratio for every classroom to the Department of Education at the forty-fifth and the one hundred and thirty-fifth day  
26 mark. The department shall report this information to the General Assembly for the ~~2022-2023~~ current school year.

27 In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district's per  
28 pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food  
29 service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business  
30 services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall  
31 report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional  
32 support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June  
33 thirtieth. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

34 "In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

35 School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low  
36 enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and

1 memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and  
2 expanding virtual instruction.

3 School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

4 Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil  
5 allocation due to them for each categorical program.

6 Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school  
7 district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken.

8 The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State  
9 Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of  
10 the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education  
11 and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting,  
12 and the certification must be conspicuously posted on the internet website maintained by the school district.

13 For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical  
14 education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the  
15 most economical type of bus fuel.

16 For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school  
17 districts based on weighted pupil units.

18 School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars,  
19 from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made  
20 available for public viewing and downloading. The register must include for each expenditure:

- 21 (i) the transaction amount;
- 22 (ii) the name of the payee; and
- 23 (iii) a statement providing a detailed description of the expenditure.

24 The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must  
25 not include any information that can be used to identify an individual employee. The register must be accompanied by a complete  
26 explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at  
27 least once a month.

28 Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards  
29 maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each  
30 statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the  
31 thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

32 The Comptroller General must establish and maintain a website to contain the information required by this section from a school  
33 district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate  
34 between the school districts and search for the information they are seeking.

1 The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title  
2 30 of the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of  
3 Education to exercise its authority to grant waivers under Regulation 43-261.

4 **1A.14.** (SDE-EIA: Teacher Salary Supplement) The department is directed to carry forward prior year unobligated teacher salary  
5 supplement and related employer contribution funds into the current fiscal year to be used for the same purpose. Any unexpended  
6 funds in teacher salary supplement may be used to fund shortfalls in the associated employer contribution funding in the current  
7 fiscal year.

8 **1A.15.** (SDE-EIA: Dropout Prevention and High Schools That Work Programs) The Department of Education must report  
9 annually by December first, to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and  
10 Means Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works  
11 Committee on the effectiveness of dropout prevention programs funded by the Education and Economic Development Act and on  
12 the High Schools that Work Programs' progress and effectiveness in providing a better prepared workforce and student success in  
13 post-secondary education. The department, school districts, and special schools may carry forward unexpended funds from the prior  
14 fiscal year into the current fiscal that were allocated for High Schools That Work.

15 **1A.16.** (SDE-EIA: Assessment) The department is authorized to carry forward into the current fiscal year, prior year state  
16 assessment funds for the same purpose. Reimbursements shall resume in the current fiscal year for PSAT, pre-ACT or 10th grade  
17 Aspire.

18 **1A.17.** (SDE-EIA: Report Card Information) The percentage each school district expended on classroom instruction as defined  
19 by the Department of Education's InSite classification for "Instruction" must be printed on the Annual School and District Report  
20 Card.

21 **1A.18.** (SDE-EIA: Core Curriculum Materials) The funds appropriated in Part IA, Section 1, VIII.A.3 for instructional materials  
22 for core curriculum shall be expended consistent with the requirements of Section 59-31-600 of the 1976 Code requiring the  
23 development of higher order thinking skills and critical thinking which should be integrated throughout the core curriculum  
24 instructional materials. Furthermore, the evaluation criteria used to select instructional materials with funds appropriated in Part IA,  
25 Section 1, VIII.A.3 shall include a weight of up to ten percent of the overall criteria to the development of higher order thinking skills  
26 and critical thinking.

27 **1A.19.** (SDE-EIA: Accountability Program Implementation) To support implementation of the accountability program, the  
28 Education Oversight Committee may carry forward unexpended Education Accountability Act funds authorized specifically for the  
29 administration of the Education Oversight Committee. For the current fiscal year the Education Oversight Committee may carry forward  
30 prior year ~~EIA South Carolina Community Block Grants for Education Pilot Program funds not awarded by the grant committee. These~~  
31 ~~funds must be used for an independent common evaluation of each awarded grant to ensure high quality programs that maximize a~~  
32 ~~return on the state's investment~~ *Education Data Dashboard funds.*

33 **1A.20.** (SDE-EIA: 4K Targeting) EIA funds allocated for the provision of four-year-old kindergarten shall be utilized for the  
34 provision of services to age-eligible children in poverty, as defined in Proviso 1.3 of this act. Children with developmental delays  
35 documented through state approved screening assessments or children with medically documented disabilities who do not already  
36 qualify for special need services should also be considered for enrollment. In the event that more students seek to enroll than available

1 space permits, districts shall prioritize students (at the time of acceptance) on the basis of family income expressed as a percentage  
2 of the federal poverty guidelines, with the lowest family incomes given the highest enrollment priority.

3 **1A.21.** (SDE-EIA: Reading) The funds allocated to the Department of Education for reading shall be used to provide districts  
4 with research-based strategies and professional development and to work directly with schools and districts to assist with  
5 implementation of research-based strategies. When providing professional development the department and school districts must  
6 use the most cost effective method and when able utilize ETV to provide such services throughout the state. The department shall  
7 establish measurements for monitoring impact on student achievement.

8 **1A.22.** (SDE-EIA: Professional Development) Of the funds appropriated for professional development, up to \$500,000 may be  
9 expended for gifted and talented teacher endorsement and certification activities. The Department of Education must provide  
10 professional development on assessing student mastery of the content standards through classroom, formative and end-of-year  
11 assessments. The Department of Education also must post on the agency's website the South Carolina Professional Development  
12 Standards and provide training through telecommunication methods to school leadership on the professional development standards.  
13 The department is authorized to carry forward and expend professional development funds for the same purpose.

14 **1A.23.** (SDE-EIA: Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Funds  
15 appropriated and/or authorized for assessment shall be used for assessments to determine eligibility of students for gifted and talented  
16 programs and for the cost of Advanced Placement, International Baccalaureate, and Cambridge International exams.

17 **1A.24.** (SDE-EIA: Adult Education) A minimum of thirty percent of the funds appropriated for adult education must be allocated  
18 to school districts to serve adult education students between the ages of seventeen and twenty-one who are enrolled in programs  
19 leading to a state high school diploma, state high school equivalency diploma (GED), or career readiness certificate. The remaining  
20 funds will be allocated to districts based on a formula which includes factors such as target populations without a high school  
21 credential, program enrollment the previous school year, number of students making an educational gain the previous school year,  
22 and performance factors such as number of high school credentials and career readiness certificates awarded the previous school  
23 year. Overall levels of state funding must meet the federal requirement of state maintenance of effort. Each school district must  
24 collect information from both the student and the school including why the student has enrolled in Adult Education and whether or  
25 not the student is pursuing a GED or Diploma. The school district must then provide a quarterly report to the Department of Education  
26 and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and  
27 Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education  
28 Committee on the information. Up to a maximum of \$300,000 of funds may be used to establish an initiative by which qualifying  
29 adult education students may qualify for a free high school equivalency test. The Department of Education shall establish guidelines  
30 for the free high school equivalency testing initiative.

31 **1A.25.** (SDE-EIA: Clemson Agriculture Education Teachers) The funds appropriated in Part IA, Section VIII.F. for Clemson  
32 Agriculture Education Teachers must be transferred to Clemson University PSA to fund summer employment of agriculture teachers  
33 and to cover state-mandated salary increases on that portion of the agriculture teachers' salaries attributable to summer employment.  
34 If sufficient funds remain, Clemson University PSA may utilize such funds for a Regional Coordinator.

35 **1A.26.** (SDE-EIA: Full-Day 4K) ~~Beginning with the current fiscal year,~~ Eligible students residing in any school district *or*  
36 *attending any charter school authorized by the South Carolina Public Charter School District or an approved institution of higher*

1 education may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the  
2 availability of space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income  
3 of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department  
4 of Health and Human Services or a statement of Medicaid eligibility.

5 A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the  
6 Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the  
7 Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military  
8 child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated  
9 for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds.  
10 No school district can be denied participation in CERDEP or be denied CERDEP funding pursuant to the terms of this provision.

11 ~~Beginning with the current fiscal year,~~ 4K programs in public schools and non-profit independent schools participating in CERDEP  
12 are not required to be approved, registered, or licensed by the Department of Social Services in order to participate in CERDEP.  
13 Instead, the Department of Education and the Office of First Steps are responsible for ensuring that providers deliver high-quality  
14 educational programs pursuant to Section 59-156-160.

15 Public and private providers shall be funded for instructional costs at a minimum rate of ~~\$4,800~~ \$5,100 per student enrolled.  
16 Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined  
17 by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for  
18 reimbursement at a minimum of ~~\$587~~ \$620 per eligible child transported. First Steps and the Department of Education must provide  
19 an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education  
20 must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider to the Governor,  
21 the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. All providers who  
22 are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the  
23 current fiscal year and enrolling between one and six eligible children shall be eligible to receive ~~up to~~ at a minimum of \$1,000 per  
24 child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding ~~not to exceed~~ at  
25 a minimum of \$10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward  
26 funds and federal funds to supplement the amount expended for materials and equipment. Providers receiving equipment funding  
27 are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three  
28 years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level  
29 determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent  
30 upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall  
31 only provide funding for public school students whose complete records have been entered into PowerSchool based on the one  
32 hundred and thirty-five day student average daily membership. For the current fiscal year, providers may enroll pay-lunch children  
33 who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five  
34 percent of the total number of children eligible for the Child Early Reading Development and Education Program in a district or  
35 county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of  
36 Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive

1 reimbursement for these children if funds are available. The Department of Education is required to offer waivers allowing students  
2 with disabilities to be served in multi-categorical classroom settings based on similar cognition and abilities. Funding appropriated  
3 for CERDEP may be carried forward and expended for the same purpose.

4 Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are  
5 accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department,  
6 during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust  
7 the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual  
8 audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that  
9 the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations  
10 for the current fiscal year to account for the findings.

11 Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of  
12 the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by March  
13 first of each year. To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public  
14 and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program.  
15 This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall  
16 issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be  
17 responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten  
18 programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state  
19 funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected  
20 and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success  
21 in the early elementary grades along with information, recommendations, and a timeline for how the state can increase the number  
22 of students served in high-quality programs.

23 ~~For each school district that chooses not to participate in CERDEP, the district shall receive the same amount of EIA funds as~~  
24 ~~allocated in the prior fiscal year for the provision of a half day 4K program from the funds appropriated to the Department of~~  
25 ~~Education for CERDEP or from any funds carried forward from the prior fiscal year to CERDEP.~~ For eligible children residing in  
26 school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district  
27 transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in  
28 CERDEP.

29 For the current fiscal year, the Office of First Steps may expend: (1) up to \$2,000,000 to pilot a program to provide higher  
30 reimbursement rates to high-quality ~~child care centers~~ *providers*. The reimbursement rate for students enrolled by child care  
31 providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to  
32 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to ~~\$100,000~~ *\$250,000* to provide  
33 one-time supplemental, needs-based incentive grants in an amount not to exceed \$30,000 for newly created and/or newly approved  
34 private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible  
35 students in a public, private, or Head Start setting during the prior fiscal year. These grants are designed to address building  
36 renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and

1 staffing costs, and/or other obstacles currently preventing their participation in the program. The First Steps Board of Trustees shall  
2 develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are  
3 used solely to address documented barriers to program participation. Providers receiving this one-time supplement shall be expected  
4 to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure  
5 to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the  
6 Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded  
7 enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March  
8 15; and (3) up to \$1,000,000 may be used to provide grants to public-private partnerships to address building renovations and designs  
9 necessary to get the building and classrooms into compliance with licensing regulations and other obstacles that prevent participation  
10 in CERDEP following guidelines developed by the Office of First Steps. Providers participating in this pilot shall be expected to  
11 participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure  
12 to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the  
13 Office of First Steps.

14 If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures,  
15 available funds may be used to fund an extended program and to increase the length of the program to a maximum of eight and a  
16 half hours per day or two hundred and twenty days per year or to fund summer programs. If a district chooses to fund summer  
17 enrollment, the program funding shall conform to the funding in this act for full year programs; however, it shall be reduced on a pro  
18 rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and  
19 shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount  
20 contained in this act and end of year adjustments shall be based on the one hundred and thirty-five-day student average daily  
21 membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty  
22 days. Funds may also be used to provide parent engagement, professional development, and quality evaluations of programs. No  
23 later than April first, the Department of Education and the Office of First Steps shall report to the Chairman of the Senate Finance  
24 Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following  
25 information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the  
26 amount of money used for professional development as well as the types of professional development offered and the number of  
27 participants. The Office of First Steps is directed to determine if the provision of extended programs in private centers improves the  
28 ability of parents to enter the workforce or to pursue postsecondary training or industry credentials.

29 On or before November 15, the Department of Education and the Office of First Steps shall share data that identifies the total  
30 number of children enrolled in CERDEP in both public and private providers. If available appropriations exceed the instructional  
31 costs of serving children enrolled in the program and if a waiting list of eligible children can be documented by the Department of  
32 Education and by the Office of First Steps, then the Executive Budget Office may authorize the transfer of funds between the  
33 Department of Education and the Office of First Steps.

34 The Office of First Steps and the Department of Education shall collaborate with the South Carolina Head Start State Collaboration  
35 Office to inform parents of all publicly funded full-day 4K programs including Head Start *by participating in PalmettoPreK and*  
36 *First5SC.*

1 For Fiscal Year 2022-23, in response to the COVID-19 crisis, children who were eligible to participate in the Child Early Reading  
2 Development and Education Program in the prior fiscal year but did not participate, shall be eligible to participate in the program  
3 during Fiscal Year 2022-23, subject to classroom availability and funding. Funding appropriated for CERDEP may be carried  
4 forward and expended for the same purpose.

5 **1A.27.** (SDE-EIA: Centers of Excellence) Of the funds appropriated for Centers of Excellence, \$350,000 must be allocated to the  
6 Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand statewide training for  
7 individuals who teach children of poverty through weekend college, nontraditional or alternative learning opportunities.

8 **1A.28.** (SDE-EIA: Career Cluster Industry Partnerships) From the funds appropriated to the Department of Education, \$800,000  
9 must be provided as direct grants to the private sector statewide trade association or educational foundation providing nationally  
10 certified programs in career and technology education representing the automotive, construction, engineering, healthcare, mechanical  
11 contracting/construction, and hospitality tourism career clusters. Organizations applying for a grant must do so by July thirty-first  
12 and the Department of Education must award a minimum of one grant of at least \$150,000 in at least four of these specified career  
13 clusters to be used exclusively for career and technology education. The recipient industry organization must conduct end-of-course  
14 exams graded by a national industry organization and must include in their grant request how the money will be spent in direct  
15 support of students to further industry-specific career technology education; a description and history of their program nationally and  
16 within South Carolina; estimates of future employment growth in their industry; and the national scope of their program. By August  
17 first of the following year, the organization must submit to the department a report detailing how the grant increased  
18 industry/employer awareness; the number of increased schools using the industry-based curriculum and partnered with the industry  
19 organization; the increased number of students in the program; and an overview and analysis of the organization's statewide student  
20 competition. The grant must be used for career awareness programs for that industry cluster; statewide student competitions leading  
21 to national competitions; teacher development and training; post-secondary scholarships in industry-specific degree programs;  
22 student recruitment into that career cluster programs; programs to educate middle and high school Career or Guidance Counselors  
23 about the industry; service to disadvantaged youth; and administering business/employer awareness and partnerships which help lead  
24 to experience-based, career-oriented experiences including internships, apprenticeships, mentoring, co-op education and service  
25 learning. The Office of Career and Technology Education of the department will develop goals with each career cluster on the  
26 number of new schools using the industry-based curriculum and partnered with that career cluster organization. These funds may  
27 not be used to supplant or replace, in whole or in part, other existing resources/assets sourced outside the present grant being used to  
28 provide the same services or programs. Organizations may carry-over grants for up to three years when a large project is identified  
29 in the grant application to be used at a future date; otherwise excess funds must be returned to the state. Organizations awarded must  
30 submit a semi-annual programmatic and financial report on the last day of December in addition to the final report due August first  
31 that has been audited by a third party accounting firm.

32 **1A.29.** (SDE-EIA: Partnerships/Other Agencies & Entities) For the current fiscal year, agencies and other entities receiving funds  
33 appropriated in Part IA, Section 1, VIII. F. will continue to report annually to the Education Oversight Committee (EOC). Any entity  
34 receiving funds that must flow through a state agency will receive those funds through the EOC, unless requested in writing by the  
35 entity to match federal or other funds. The EOC will make funding recommendations to the Governor and General Assembly as part  
36 of the agency's annual budget request.



1       **1A.30.** (SDE-EIA: ETV Teacher Training/Support) Of the funds appropriated in Part IA, Section 1, VIII.F. South Carolina  
2 Educational Television must provide training and technical support on the educational resources available to teachers and school  
3 districts.

4       **1A.31.** (SDE-EIA: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the  
5 average teachers' salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school  
6 year, the Southeastern average teacher salary is projected to be ~~\$55,898~~ \$58,048. The General Assembly remains desirous of raising  
7 the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to  
8 the national average teacher salary.

9       Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all  
10 eligible certified teachers employed by the district by no less than one year of experience credit using at a minimum the district salary  
11 schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for  
12 all eligible certified teachers. For Fiscal Year ~~2022-23~~ 2023-24, the requirement that school districts maintain local salary  
13 supplements per teacher no less than their prior fiscal year level is suspended.

14       For purposes of this provision, teachers shall be defined by the Department of Education using the Professional Certified Staff  
15 (PCS) System.

16       **1A.32.** (SDE-EIA: PowerSchool Dropout Recovery Data) With the funds appropriated to the Department of Education for  
17 PowerSchool and data collection, the department will begin in the current fiscal year to collect data from schools and school districts  
18 on the number of students who had previously dropped out of school and who reenrolled in a public school or adult education to  
19 pursue a high school diploma. The Education Oversight Committee working with the Department of Education will determine how  
20 to calculate a dropout recovery rate that will be reflected on the annual school and district report cards. The department may carry  
21 forward and expend the funds for the same purpose.

22       **1A.33.** (SDE-EIA: Assisting, Developing and Evaluating Professional Teaching -ADEPT) With funds appropriated in the current  
23 fiscal year, the Department of Education, school districts, the Department of Juvenile Justice and special schools of the state may  
24 continue implementation of the ADEPT program. Governing boards of public institutions of higher education may provide by policy  
25 or regulation for a tuition waiver for the tuition for one three-hour course at that institution for those public school teachers who serve  
26 as supervisors for full-time students completing education degree requirements. Unexpended funds appropriated for this purpose  
27 may be carried forward from the prior fiscal year into the current fiscal year and expended for the same purposes.

28       **1A.34.** (SDE-EIA: Educational Partnerships) The funds provided to the Center for Educational Partnerships at the College of  
29 Education at the University of South Carolina will be used to create a consortium of educational initiatives and services to schools  
30 and communities. These initiatives will include, but are not limited to, professional development in writing, geography and other  
31 content areas; training; research; advocacy; and practical consultancy. The Center will establish collaborative educational enterprises  
32 with schools, school districts, parents, communities, and businesses while fulfilling the responsibilities of the School Improvement  
33 Council Assistance. The Center will focus on connecting the educational needs and goals of communities to improve efficiency and  
34 effectiveness.

35       **1A.35.** (SDE-EIA: STEM Centers SC) All EIA-funded entities that provide professional development and science programming  
36 to teachers and students should be included in the state's science, technology, engineering and mathematics education strategic plan.

1       **1A.36.** (SDE-EIA: EOC Partnerships for Innovation) Of the funds appropriated or carried forward from the prior fiscal year, the  
2 Education Oversight Committee is directed to participate in public-private partnerships to promote innovative ways to transform the  
3 assessment of public education in South Carolina that support increased student achievement in reading and college and career  
4 readiness. The Education Oversight Committee may provide financial support to districts and to public-private partnerships for  
5 planning and support to implement, sustain and evaluate the innovation and to develop a matrix and measurements of student  
6 academic success based on evidence-based models. These funds may also be used to support the innovative delivery of science,  
7 technology, and genetic education and exposure to career opportunities in science, including mobile science laboratory programs, to  
8 students enrolled in the Abbeville equity school districts and students in high poverty schools. These funds may also focus on  
9 creating public-private literacy partnerships utilizing a 2:1 matching funds provision when the initiative employs research-based  
10 methods, has demonstrated success in increasing reading proficiency of struggling readers, and works directly with high poverty  
11 schools and districts. The committee will work to expand the engagement of stakeholders including state agencies and boards like  
12 the Educational Television Commission, businesses, and higher education institutions. The committee shall annually report to the  
13 General Assembly on the measurement results.

14       **1A.37.** (SDE-EIA: Aid to Districts Draw Down) For the current fiscal year, in order to draw down funds appropriated in Part IA,  
15 Section 1, VIII.A.1, Aid to Districts, school districts, Palmetto Unified District and the Department of Juvenile Justice must work  
16 with local law enforcement agencies and fire marshals, and when necessary, state law enforcement agencies and the Office of the  
17 State Fire Marshal in order to ensure that the district has updated school safety and fire plans in place. The safety and fire plans must  
18 include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of  
19 the updated plans must be submitted to the Department of Education no later than September first, of the current fiscal year. In the  
20 current fiscal year, school districts may continue to negotiate with local law enforcement for the provision of School Resource  
21 Officers. The department must report to the Chairman of the House Ways and Means Committee, the Chairman of the House  
22 Education and Public Works Committee, the Chairman of the Senate Finance Committee, and the Chairman of the Senate Education  
23 Committee by September thirtieth, of the current fiscal year, on any districts that failed to submit an updated plan.

24       **1A.38.** (SDE-EIA: Education and Economic Development Act Carry Forward) Funds provided for the Education and Economic  
25 Development Act may be carried forward into the current fiscal year to be expended for the same purposes by the department, school  
26 districts, and special schools.

27       **1A.39.** (SDE-EIA: EEDA Regional Education Centers) Funds appropriated from the EEDA for Regional Education Centers must  
28 not be less than \$108,500.

29       **1A.40.** (SDE-EIA: Teach for America SC) Because Teach For America SC receives EIA funds in the current fiscal year, school  
30 districts that partner with Teach For America SC are required to provide to Teach For America SC by September first annually,  
31 information on the prior year's academic achievement of students who were directly taught by Teach For America corps members.  
32 The information must be in a format that protects the identity of individual students and must include state assessment data as  
33 appropriate.

34       **1A.41.** (SDE-EIA: EOC-South Carolina Autism Society) Of the funds appropriated in Section 1A, VIII.F. Partnerships, Education  
35 Oversight Committee (A85), \$500,000 must be transferred in quarterly installments from the Education Oversight Committee to the  
36 South Carolina Autism Society for the Autism Parent-School Partnership Program. No more than ten percent of these funds may be

1 used for central office related administrative purposes, with the remaining funds used to directly provide services through the  
2 Parent-School Partnership Program.

3 On a quarterly basis, the South Carolina Autism Society shall submit to the Chairmen of the Senate Finance Committee and the  
4 House Ways and Means Committee a comprehensive report concerning the society's finances. The report must include, but is not  
5 limited to:

6 (1) All income derived during the quarter from any source;

7 (2) An itemized list of all expenditures for the quarter, including the amount of each expenditure;

8 (3) A list of employees, independent contractors hired by the society, and any other person or entity that provides goods or  
9 services to the society, including the amount paid to each; and

10 (4) Any other such information that aids in fully understanding the fiscal health of the society.

11 On or before August 1, ~~2022~~ 2023, the society shall provide the Chairman of the Senate Finance Committee and the Chairman of  
12 the House Ways and Means Committee an audit of the society's books from the society's previous fiscal year. On or before June 30,  
13 ~~2023~~ 2024, the society shall provide an updated audit to the Chairman of the Senate Finance Committee and the Chairman of the  
14 House Ways and Means Committee.

15 **1A.42.** (SDE-EIA: CHE/CERRA) The Center for Educator Recruitment, Retention and Advancement (CERRA) must complete  
16 periodic evaluations of the institutions currently hosting a Teaching Fellows (TF) program and ensure that the TF programs at the  
17 current host institutions continue to meet the requirements for a TF program as set forth by the CERRA Board of Directors. Further,  
18 CERRA will continue implementing a long-range plan for approving additional TF programs at other public, four-year institutions  
19 who wish to be considered to host a TF program, provided the proposed programs meet the requirements set forth by the CERRA  
20 Board of Directors. CERRA will publish TF program criteria and requirements prominently on its website. Any institution who  
21 applies but is not selected to host a TF program will be informed in writing of the basis for the selection decision and be offered  
22 technical support if the institution elects to reapply. Any institution that applies but is not selected to host a TF program may appeal  
23 to the Commission on Higher Education.

24 **1A.43.** (SDE-EIA: Public Charter Pupil Counts) With funds appropriated to charter schools sponsored by either the South Carolina  
25 Public Charter School District or a registered Institution of Higher Education, the sponsor must require each charter school to submit  
26 a student attendance report for the 5<sup>th</sup>, 45<sup>th</sup>, 90<sup>th</sup> and 135<sup>th</sup> days. Reporting requirements shall include both Average Daily Membership  
27 and Weighted Pupil Unit membership. The South Carolina Public Charter School District or a registered Institution of Higher  
28 Education shall then provide the data for each charter school to the Department of Education. Quarterly, the department will submit  
29 the information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance  
30 Committee, and the Senate Education Committee.

31 The South Carolina Public Charter School District or a registered Institution of Higher Education must also require each virtual  
32 charter school to collect the following information: (1) the reason or reasons why each student enrolled in the virtual charter school  
33 district from both the parent(s) and the referring school district; and (2) the reason or reasons why a student withdrew from the virtual  
34 charter school district. This data must be provided to the Department of Education quarterly and must include the unique student  
35 identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House

1 Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the enrollment and  
2 withdrawal information on June 30<sup>th</sup> of the current fiscal year.

3 **1A.44.** (SDE-EIA: CDEPP Student Information and Reporting) For the current fiscal year, the Department of Education and the  
4 Office of First Steps to School Readiness must acquire unique student identifiers or SUNS numbers for each student enrolled in the  
5 CDEPP program no later than the 45<sup>th</sup> day and must provide a report of such to the House Ways and Means Committee, the House  
6 Education Committee, the Senate Finance Committee, the Senate Education Committee and the Education Oversight Committee by  
7 November thirtieth. The Department of Education and the Office of First Steps to School Readiness must provide any information  
8 required by the Education Oversight Committee for the annual CDEPP report no later than November thirtieth.

9 **1A.45.** (SDE-EIA: Rural Teacher Recruiting Incentive) (A) There is created a program within the South Carolina Center for  
10 Educator Recruitment, Retention, and Advancement (CERRA) to recruit and retain classroom educators in rural and underserved  
11 districts experiencing excessive turnover of classroom teachers on an annual basis.

12 (B) During the current fiscal year CERRA shall publish eligibility requirements and applications for individual educators, school  
13 districts, and institutions of higher education not inconsistent with existing licensure requirements for each, but also including:

14 (1) Eligible districts identified by CERRA as experiencing greater than eleven percent average annual teacher turnover, as  
15 reported on the districts' five most recent district report cards issued by the South Carolina Department of Education and are not one  
16 of the fifteen wealthiest districts based on the index of taxpaying ability, may make application to participate in the program.

17 (2) Individuals eligible for incentives shall be willing to provide instructional services in an eligible district in exchange for  
18 participation in an incentive detailed in item (C) of this section, pursuant to the obligations and restrictions stated for each.

19 (3) Institutions of higher education eligible to receive education funding as a component of recruiting incentives created  
20 pursuant to item (C) of this section shall not be excluded from participation in Teaching Fellows Program.

21 (4) Any incentives requiring individuals to relocate into an eligible district to provide instructional services shall not be made  
22 available to individuals providing instructional services in other eligible districts.

23 (C) Pursuant to item (A), CERRA shall develop a set of incentives including, but not limited to, salary supplements, education  
24 subsidies, loan forgiveness, professional development, and mentorship to be provided to classroom educators that offer instructional  
25 services in eligible districts and shall provide incentive options for eligible individuals at all stages of their careers, including  
26 high-school and college or university students interested in entering the teaching profession and including individuals entering the  
27 field through an alternative certification pathway to include, but not limited to, PACE, ABCTE, Teach for American and CATE  
28 Work-Based Certification.

29 At a minimum, the incentives shall include:

30 (1) Development of a program for forgiveness of undergraduate student loans, not to exceed \$5,000 per year, for up to 7 years,  
31 for teachers participating in this incentive that achieve certification through an alternative pathway or who have a loan from an  
32 institution other than the South Carolina Student Loan Corporation or program other than the South Carolina Teachers Loan Program.

33 (2) Development of a forgivable loan program for individuals pursuing graduate coursework in furtherance of a teaching  
34 career, including enrollment in graduate-level coursework necessary to seek additional credentialing or certification relevant to the  
35 participant's teaching practice, or individuals seeking an alternative pathway to certification as a teacher.

1 (3) Support for the establishment and maintenance of a teaching mentorship program, including salary supplements for  
2 teaching mentors not to exceed \$2,500 per year.

3 (4) Other technical support and recruiting incentives as developed by CERRA in conjunction with the Department of Education  
4 and the Education Oversight Committee consistent with the objectives of this section.

5 (D) In addition to eligibility and application requirements, CERRA shall develop a process for recovering an amount equal to the  
6 incentives given to individual participants who fail to comply with the obligations associated with a relevant incentive in which they  
7 participate including, but not limited to, failure to complete a prescribed course of study, failure to obtain a relevant certification or  
8 licensure upon completion of a course of study, or failure to provide instructional services in an eligible district for a prescribed  
9 period of time.

10 (E) CERRA shall report by July thirty-first of the current fiscal year to the Governor, President of the Senate, and Speaker of the  
11 House on the incentives developed pursuant to item (C) of this section and make recommendations for attracting and retaining high  
12 quality teachers in rural and underserved districts. The report shall contain at a minimum eligibility requirements and application  
13 processes for districts and individuals, descriptions of and proposed budgets for each incentive program and an analysis of the number  
14 and demographics of individuals potentially eligible for each.

15 (F) Funds appropriated or transferred for use in the Rural Teacher Recruiting Incentive may be carried forward from prior fiscal  
16 years and used for the same purpose.

17 **1A.46.** (SDE-EIA: Project Read) Of the funds appropriated in Section 1A. VIII.A.3. for Reading, \$500,000 must be used for  
18 teacher in-service training and professional development related to Project Read. The department may set accountability guidelines  
19 to ensure that funds are spent in accordance with the proviso.

20 **1A.47.** (SDE-EIA: Reading/Literacy Coaches) (A) For the current fiscal year, of the funds appropriated for Reading/Literacy  
21 Coaches, the Department of Education shall retain up to \$14,000,000 to be expended for the Palmetto Literacy Project. The  
22 Department shall identify schools in the Palmetto Literacy Project that have one-third or more of its third grade students scoring at  
23 the lowest achievement level on the statewide summative English language arts assessment. For each school identified and  
24 participating in the Palmetto Literacy Project in the prior school year, the Department of Education shall provide, at a minimum, the  
25 following support: provision of reading specialists, professional learning, and curriculum resources based on the science of reading.  
26 The reading specialist/coaches provided to the Palmetto Literacy Project schools shall be hired and evaluated annually by the  
27 Department of Education.

28 (B) The balance of funds appropriated to the Department for Reading/Literacy Coaches shall be allocated to school districts for  
29 schools not included in the Palmetto Literacy Project to support reading instruction and interventions which may include, but not be  
30 limited to, hiring reading/literacy coaches, interventionists, or professional development based on the science of reading. Expenditure  
31 of funding must be included in the district reading plan approved by the Department of Education.

32 (C) These funds must be allocated to school districts by the Department of Education as follows: for each primary and elementary  
33 school, the school district shall be eligible to receive up to \$62,730 or the actual cost of salary and benefits for a full-time  
34 reading/literacy coach.

35 (D) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures,  
36 except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A

1 district may only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or  
2 a combination of these schools depending on the area of highest need in the district except in the event that the district can request  
3 and receive a waiver from the Department of Education to expend the funds on interventionists who spend more than fifty percent  
4 of their time providing direct support to struggling readers in grades kindergarten through grade five. The school district must align  
5 the placement of coaches to the district reading plan that is approved by the department.

6 (E) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle  
7 schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155 of Title 59.

8 (F) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as  
9 an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they  
10 must withhold that districts remaining balance of funds allocated pursuant to this proviso.

11 (G) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach.  
12 These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

- 13 (1) holds a bachelor's degree or higher and an add-on endorsement for literacy coach or literacy specialist; or
- 14 (2) holds a bachelor's degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or
- 15 (3) holds a master's degree or higher in reading or a closely-related field.

16 Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that  
17 the school is not successful in identifying and directly employing a qualified candidate.

18 (H) The Department of Education shall require:

- 19 (1) any school district receiving funding to identify the name and qualifications of the supported reading/literacy coach; as  
20 well as the school in which the coach is assigned; and
- 21 (2) any school district receiving funding to account for the specific amounts and uses of such funds.

22 (I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the  
23 hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be  
24 used for Summer Reading Camps.

25 (J) Any unspent or unallocated funds may be carried forward and expended for Summer Reading Camps.

26 **1A.48.** (SDE-EIA: Digital Instructional Materials) The Department of Education shall continue to create an instructional materials  
27 list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption  
28 process. The department shall continue to work with the publishers of instructional materials to ensure that districts have options for  
29 print/digital student materials to include class sets of print student editions, if needed. Funds appropriated for the purchase of  
30 instructional materials (print/digital) may be used for reimbursing school districts to offset the costs of refurbishing science kits on  
31 the state-adopted instructional materials inventory, purchasing new kits or those adopted as supplemental from the central textbook  
32 depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the  
33 state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs,  
34 equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional  
35 Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the  
36 department, school districts, and special schools. These funds are not subject to flexibility.

1       **1A.49.** (SDE-EIA: 4K Early Literacy Competencies Assessments) Of the funds carried forward from the full-day 4K program  
2 from the previous fiscal year, the Department of Education is authorized to expend up to \$800,000 on assessments and professional  
3 development to analyze the early literacy competencies of children in publicly funded prekindergarten. If these funds are not  
4 available, funds appropriated and/or authorized for assessment shall be used to administer the prekindergarten assessments. The  
5 department shall manage the administration of assessments that analyze the early literacy and language development of children in  
6 publicly funded prekindergarten as done in the prior fiscal year. Each school district and private provider participating in a publicly  
7 funded prekindergarten program will administer one of the formative assessments selected by the department to each child eligible  
8 for and enrolled in a publicly funded prekindergarten program during the first forty-five days of the school year and during the last  
9 forty-five days of the school year. Accommodations that do not invalidate the results of these assessments must be provided in the  
10 manner set forth by the student's Individualized Education Program or 504 Accommodations Plan and for students who are Limited  
11 English Proficient according to their LEP Plan. The department will provide the assessment data to the Education Oversight  
12 Committee. The results of the assessment and the developmental intervention strategies recommended or services needed to address  
13 the child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a  
14 student to admission to prekindergarten.

15       Furthermore, up to \$2,000,000 of the funds appropriated for half-day programs for four-year-olds and funds carried forward from  
16 assessment must be expended by the Department of Education to administer the Kindergarten Readiness Assessment (KRA) to each  
17 child entering kindergarten in the public schools. The assessment of kindergarten students must be administered at a minimum of  
18 once during the first forty-five days of the school year with the results collected by the department. The results of the assessments  
19 and the developmental intervention strategies recommended or services needed to address each child's identified needs must also be  
20 provided, in writing, to the parent or guardian. The assessment may not be used to deny a student admission to kindergarten.  
21 Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's  
22 Individualized Education Program, 504 Accommodations Plan, or LEP Plan. Districts are given the option of designating up to two  
23 days of the one hundred eighty day school calendar to administer the assessment to kindergarten students. The department will also  
24 provide the results of the assessment of kindergarten students to the Education Oversight Committee. With available funds, the  
25 department will also provide or secure training for appropriate educators in how to administer the assessment.

26       For all students assessed with the Kindergarten Readiness Assessment (KRA), the Department of Education is required to collect  
27 data from schools and school districts on the prior early learning experience of each student. The data would include whether the  
28 kindergartener had attended in the prior school year a Head Start program, a South Carolina Early Reading Development and  
29 Education Program in a public school or a private center, a half-day 4K program in a public school, a full-day 4K program in a public  
30 school, a child care center (registered faith-based, registered family home, group home, or exempt provider) or informal child care.

31       **1A.50.** (SDE-EIA: Industry Certifications/Credentials) Of the funds appropriated for Industry Certifications/Credentials,  
32 \$3,000,000 must be allocated to school districts based upon the number of national industry exams administered in the prior school  
33 year with each district receiving a base amount of \$10,000. The department will identify the national industry exams that will be  
34 funded based upon the job availability in the state. School districts may carry forward funds from the prior fiscal year into the current  
35 fiscal year and expend the funds for the cost of national industry exams. The department shall work with the Department of  
36 Commerce, the Department of Employment and Workforce, state and local chambers of commerce and economic development

1 offices and the Tech Board to ensure that students are aware of the industry required credentials for current job availability in the  
2 state organized by region. Any additional funds appropriated must be allocated to school districts based upon the number of national  
3 industry exams/credentials earned in the prior school year, and districts must expend these funds to pay for the cost of industry exams  
4 or to support students in preparing for the exams in the current fiscal year.

5 **1A.51.** (SDE-EIA: Career and Technology Education) Funds Of the funds appropriated for Career and Technology Education,  
6 multi-district careers centers that received funds in Fiscal Year 2022-23 from the State Aid to Classrooms line item shall receive in  
7 the current fiscal year at least \$2,750,000. The balance of funds appropriated for Career and Technology Education will be  
8 distributed to school districts and multi-district career centers based on the prior year actual student enrollment for career and  
9 technology education courses, with no district or multi-district career center receiving less than \$50,000. Funds may be expended  
10 for the purchase of career and technical equipment, the up fitting of facilities and the purchase of consumables, regional career  
11 specialists, and such evidence-based initiatives like High Schools that Work and Project Lead the Way. Each district must include  
12 in the district plan submitted to the Office of Career and Technology Education information on other career and technical equipment  
13 available. The district must include, at a minimum, equipment located at the career center and at the technical college, information  
14 on the alignment of equipment to current industry jobs and needs in the state as recommended by career and technical program  
15 advisory committees. District plans must include charter schools within the school district offering at least one career and technical  
16 education completer program. School districts and career centers may carry forward unexpended funds to be used for the same  
17 intended purposes to up fit career and technical facilities and replace career and technical program consumables. In addition,  
18 \$125,000 of the funds appropriated shall be allocated to the Palmetto Partners for Science and Technology for robotics competition,  
19 curriculum, and support.

20 **1A.52.** (SDE-EIA: Family Connection South Carolina) Funds appropriated in Part IA, Section 1, VIII.F, Partnerships, for Family  
21 Connection South Carolina (H63), shall be transferred in quarterly installments from the Department of Education to Family  
22 Connection South Carolina. Funds shall be used to provide support to families of children with disabilities. Support shall include,  
23 home visits, transition assistance, education assistance, parent support and parent training. The department shall establish guidelines  
24 through which Family Connection South Carolina shall provide planning documents to the department not later than July fifteenth  
25 of the current fiscal year, and quarterly reporting of expenditures thereafter; and a performance report submitted annually.

26 **1A.53.** (SDE-EIA: Assistance Funding) For the current fiscal year, any funds appropriated to the Department of Education to  
27 assist districts that are or were Plaintiffs in the Abbeville law suit and funding appropriated to the department to provide technical  
28 assistance to underperforming districts may not be transferred to any other program, are not subject to flexibility, and may be carried  
29 forward and expended for the same purposes.

30 **1A.54.** (SDE-EIA: Educator Preparation Provider) Of the funds carried forward from the prior fiscal year, the department is  
31 authorized to use up to \$300,000 to develop a data system to house post-certification data and employment for Education Preparation  
32 Provider (EPP) completers in accordance with S.C. Code Reg. 43-90. The system must provide the department with the ability to  
33 collect, store, and disseminate data elements needed for national accreditation of providers. Such data shall be exempted from  
34 disclosure under Section 30-4-40 of the 1976 Code, the South Carolina Freedom of Information Act.

35 **1A.55.** (SDE-EIA: Alternative Commitment to Truancy) As part of its plan for an alternative school, a school district receiving  
36 funds from the Department of Education for an alternative school shall identify available alternatives to commitment for children



1 whose truancy is approaching the level of being referred to family court. When proceeding under Section 59-65-50 of the 1976 Code  
2 to bring an individual case before the family court, the school district must present this plan as well as the district's efforts with  
3 respect to the individual child to the court. Each school district's plan under this proviso shall include possible assignment to  
4 alternative school for a non-attending child before petitioning the court.

5 **1A.56.** (SDE-EIA: Grants Committee) Of the funds appropriated to the Department of Education for Innovation Grants, the grants  
6 committee shall accept applications per the established process for new grantees not to exceed the amount appropriated by the General  
7 Assembly.

8 The process shall include the application procedure, selection process, and matching grant formula if applicable. The grants  
9 committee must be comprised of seven members, three members selected from the education community and four members selected  
10 from the business community. The suggested criteria for awarding the grants to schools or school districts or directly purchasing  
11 services must include, but are not limited to:

- 12 (1) a demonstrated ability to meet the match throughout the granting period;
- 13 (2) a demonstrated ability to implement the initiative or model as set forth in the application;
- 14 (3) identification of key measurable benchmarks in the education continuum that must be improved to raise student achievement  
15 and ensure all students graduate college, career and civic ready;
- 16 (4) a demonstrated ability to be both replicable and scalable with priority given to those projects that focus on applied learning  
17 opportunities and experiences, especially in the STEM or STEAM fields;
- 18 (5) blended and personalized learning focused on content mastery and experiential learning; and
- 19 (6) innovative strategies to close student achievement gaps, with a focus on below average and unsatisfactory schools.

20 The required match may be met by funds or by in-kind donations, such as technology, to be further defined by the grants committee.  
21 Public school districts and schools that have high poverty and low achievement will receive priority for grants when their applications  
22 are judged to meet the criteria established for the grant program. The committee shall submit an annual report to the Governor, the  
23 Chairman of House Ways and Means and the Chairman of Senate Finance by June 30.

24 Grantees and service providers will be required to participate in an external evaluation as prescribed by the committee and agreed  
25 upon in the application and award process.

26 **1A.57.** (SDE-EIA: Teacher Loan Program) With the funds appropriated for the Teacher Loan Program and with funds in the  
27 revolving fund, in the current fiscal year the annual maximum award for eligible juniors, seniors and graduate students is \$7,500 per  
28 year and the aggregate maximum loan amount is \$27,500.

29 **1A.58.** (SDE-EIA: Digital Learning Plan) The implementation of the e-Learning program is the responsibility of the Department  
30 of Education. Those e-Learning school districts who meet the criteria for an e-Learning district as determined by the Department of  
31 Education may use up to five e-Learning days to allow for the make-up of short-term disruptions to in-person teaching and learning.

32 **1A.59.** (SDE-EIA: Teacher Recruitment Program) On or before September 30th of ~~Fiscal Year 2022-23~~ *the current fiscal year*,  
33 following the development of accountability metrics, \$750,000 of the funds appropriated in this act to the Department of Education  
34 for "Rural Teacher Recruitment" shall be allocated to the University of South Carolina's College of Education (COE) for the  
35 development and implementation of a new teacher recruitment pilot program to be administered by the COE in partnership with the  
36 Center for Teaching Quality (CTQ). The purpose of the pilot program shall be the employment of innovative and cost-effective

1 teacher recruitment strategies, customized training for new teachers, and dedicated, ongoing mentoring support. The pilot program  
2 shall compliment and/or enhance the state's ongoing rural teacher recruitment initiatives such as those supported pursuant to Proviso  
3 1A.45 of this act. At minimum, the pilot program must assist no fewer than ten school districts to include at least four districts along  
4 the I-95 corridor and serve no fewer than 250 teacher candidates. The pilot program shall stipulate reasonable fees for participating  
5 candidates and districts and districts shall agree to release time for required on site mentors who shall be experienced, practicing  
6 teachers within the district for the purposes of co-teaching with and supporting candidates' development. Within participating  
7 districts, the pilot program shall emphasize high-need schools and within selected schools, the emphasis shall be on developing  
8 teacher candidates teaching in high-need subject areas to include, but not be limited to, STEM and special education with all  
9 candidates receiving training in literacy skills. The pilot program design shall be based on emerging empirical evidence of effective  
10 teacher education as well as best practices from recent innovations in university-based and alternative certification and residency  
11 programs for the dual purpose of recruiting needed candidates with equal focus on retaining accomplished, experienced teachers  
12 utilizing, in part, a model which contains intensive mentoring and support for candidate teachers. Before any funds are disbursed to  
13 the COE, the COE and CTQ shall develop accountability metrics for the pilot program that must include, at minimum, employment  
14 outcome indicators such as job placement and retention statistics as well as survey instrumentation in order to measure candidate,  
15 mentor, and principal satisfaction with the pilot program. No later than June 30th, program data and evidence collected as a result  
16 of this accountability requirement must be shared in report form with the Department of Education, the Education Oversight  
17 Committee, the South Carolina Center for Educator Recruitment, Retention, and Advancement, the Commission on Higher  
18 Education, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee,  
19 the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee.

20 **1A.60.** (SDE: Bridge Program) Of the funds appropriated for "Rural Teacher Recruitment" in Fiscal Year ~~2022-23~~ 2023-24,  
21 \$1,400,000 shall be transferred to South Carolina State University for the implementation and enhancement of a BRIDGE program  
22 to recruit minority high school students along the I-95 corridor into the teaching profession by offering them, while still in high  
23 school, access to counseling, mentoring, on campus summer enrichment programs, and opportunities for dual enrollment credits at  
24 South Carolina State University for the purpose of preparing these students to major in education and to become future teachers along  
25 the I-95 corridor. South Carolina State University must utilize \$400,000 of these funds to partner with one or more institutions of  
26 higher education to establish a similar bridge program.

27 **1A.61.** (SDE-EIA: Return to Covered Employment) For compensation earned during the current fiscal year, the earnings  
28 limitation imposed pursuant to Sections 9-1-1790(A)(1) and 9-11-90(4)(a)(i) of the 1976 Code does not apply if the retired member  
29 is hired by the Department of Education to primarily provide services to the department for its tiered system of support for  
30 underperforming schools and districts. The department may not pay a retiree who qualifies for the earnings limitation exception  
31 under this provision more than \$125,000 per year. The department may only use this provision for a maximum of twenty employees  
32 during the fiscal year. The department shall report the number of employees hired under this provision to the Chairman of the House  
33 Ways and Means Committee and the Chairman of the Senate Finance Committee by June 30.

34 **1A.62.** (SDE-EIA: Kindergarten Start Dates) A district superintendent or charter school authorizer may submit a request to the  
35 department to waive the minimum one hundred eighty day school attendance requirement for kindergarten students for the purpose

1 of scheduling a readiness assessment. Upon approval of the waiver request, the approved school may stagger administering the  
2 readiness assessment to kindergarten students during the first five days of the academic year.

3 **1A.63.** (SDE-EIA: Surplus) For Fiscal Year ~~2022-23~~ 2023-24, EIA cash funds from the prior fiscal year and EIA funds not  
4 otherwise appropriated or authorized must be carried forward and expended on the following items in the order listed:

5	1. SDE-Grants Committee .....	<del>\$12,148,240</del> <u>14,000,000;</u>
6	2. Instructional Materials .....	<del>\$100,000,000</del> <u>30,000,000;</u>
7	3. Carolina Collaborative for Alternative	
8	Preparation(H270).....	\$ 450,000;
9	4. <del>Pattison's Academy (H630).....</del>	<del>\$ 1,214,094;</del>
10	5. <del>Reading Partners.....</del>	<del>\$ 400,000;</del>
11	6. <del>Center for Educational Partnerships (H270).....</del>	<del>\$ 1,500,000;</del>
12	7. <del>Working Conditions Survey (H270).....</del>	<del>\$ 500,000;</del>
13	8. <del>Meyer Center .....</del>	<del>\$ 307,667;</del>
14	9. <del>Capital Funding for Disadvantaged Schools.....</del>	<del>\$ 40,000,000;</del>
15	10. <del>Project Read .....</del>	<del>\$ 100,000;</del>
16	11. <del>RIZE Prevention .....</del>	<del>\$ 150,000;</del>
17	12. <del>Communities in Schools .....</del>	<del>\$ 1,000,000;</del>

18 and

19	13. <del>First South Carolina (SC First Lego League) .....</del>	<del>\$ 150,000;</del>
20	4. <del>SC-TEACHER (H270) .....</del>	<del>\$ 1,500,000;</del>
21	<u>5. SC-TEACHER Working Conditions</u>	
22	<u>Survey (H270) .....</u>	<u>\$ 500,000;</u>
23	6. <u>High Intensity Tutoring (H630) .....</u>	<u>\$ 15,000,000;</u>
24	7. <u>School Bus Lease/Purchase.....</u>	<u>\$ 20,631,000;</u>
25	8. <u>Capital Funding for Schools.....</u>	<u>\$120,000,000;</u>
26	9. <u>Literacy Instruction Program .....</u>	<u>\$ 42,000,000;</u>
27	10. <u>ESA Trust Fund – Startup Admin .....</u>	<u>\$ 2,073,300; and</u>
28	11. <u>Instructional Support for Districts</u>	
29	<u>(LMS, LOR, and AMS).....</u>	<u>\$ 10,240,000.</u>

30 Any additional funds carried forward and not otherwise appropriated or authorized may be used for instructional materials and  
31 school bus purchase.

32 **1A.64.** (SDE EIA: National Board Certification Incentive) Public school classroom teachers, to include teachers employed at the  
33 special schools or classroom teachers who work with classroom teachers, to include teachers employed at the special schools who  
34 are certified by both the State Board of Education and the National Board for Professional Teaching Standards (NBPTS), shall be  
35 paid an annual salary supplement of either \$7500 or \$5000. When all other criteria included in this provision are met, the amount of

1 the supplement shall be determined by the teacher's date of application to NBPTS and the length of the national certificate as  
2 described below.

3 (A) A salary supplement of \$7500 shall be paid to National Board Certified Teachers (NBCTs) who made an initial application  
4 before July 1, 2010, and who hold a ten-year national certificate.

5 (B) A salary supplement of \$5000 shall be paid to NBCTs who made an initial application before July 1, 2010, and who hold a  
6 five-year national certificate.

7 (C) A salary supplement of \$5000 shall be paid to NBCTs who made an initial application after July 1, 2010, and who hold either  
8 a five-year or a ten-year national certificate.

9 The salary supplement shall begin in the year the teacher achieves national certification, be added to the teacher's annual pay, and  
10 continue as long as the teacher is certified by both the State Board of Education and NBPTS and employed as a public school  
11 classroom teacher as described above. However, the supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid  
12 to the teacher in accordance with the districts payroll procedure.

13 The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou  
14 Gray Opportunity School, Governor's School for Agriculture at John de la Howe, School for the Deaf and the Blind, Department of  
15 Juvenile Justice, and Palmetto Unified School District 1.

16 Public school classroom teachers who are certified by NBPTS shall enter a recertification cycle for their South Carolina certificate  
17 consistent with the length of the recertification cycle for National Board Certification. Teachers who are certified by NBPTS moving  
18 to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and  
19 are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with  
20 the length of the recertification cycle for National Board Certification. The department is authorized to carry forward funds and only  
21 expend them for the same purpose. Appropriations in excess of applicable expenditures shall be distributed to school districts based  
22 on the EFA formula.

23 **1A.65.** (SDE-EIA: ARP Maintenance of Equity): The Department of Education is authorized to utilize funds appropriated in State  
24 Aid to Classrooms - Maintenance of Effort and Equity to ensure Maintenance of Equity is met under the American Rescue Plan and  
25 maintenance of state financial support for IDEA.

26 **1A.66.** (SDE-EIA: Evaluation of Alternative Instruction Methods) With funds appropriated, the Education Oversight Committee  
27 is responsible for evaluating the impact of alternative methods of instruction on student learning and working with other agencies to  
28 expand access to quality remote instruction which can be dispatched if necessary. Alternative methods of instruction may include,  
29 but are not limited to, online or virtual instruction, remote learning, and hybrid models. The Department of Education and school  
30 districts providing alternative methods of instruction must provide data as requested by the committee to evaluate the effectiveness  
31 of the instruction. The Education Oversight Committee shall report annually to the Governor, the General Assembly, the Department  
32 of Education, and the State Board of Education.

33 **1A.67.** (SDE-EIA: Report Card) For the current fiscal year, the department is directed to produce the school report cards by  
34 October 15.

35 **1A.68.** (SDE-EIA: Return of Local Control) Utilizing funds appropriated to the Department of Education, any school or district  
36 declared under a state of emergency where management was taken over by the State Superintendent of Education in a previous fiscal

1 year shall remain under such management until the Superintendent of Education deems the school or district has shown significant  
2 improvements and has met targets as set by the Superintendent of Education. Management of the school or district includes direct  
3 management, consolidation with another district, charter management, public/private management, or contracting with an  
4 educational management organization or another school district.

5 After management of a school district formerly under a state of emergency declared by the State Superintendent of Education has  
6 been relinquished and returned to the local board of education, the school district must provide the State Board of Education with  
7 monthly updates on the economic and academic conditions within the district for the remainder of the current fiscal year.

8 1A.69. (SDE-EIA: Developmental Education and Therapy Services) Of the funds appropriated for Developmental Education and  
9 Therapy Services for students with multiple documented disabilities, \$486,486 shall be allocated to the Meyer Center and \$1,513,514  
10 shall be allocated to Pattison's Academy.

### 11 12 SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

13  
14 **3.1.** (LEA: Audit) Each state agency receiving lottery funds shall develop and implement procedures to monitor the expenditures  
15 of lottery funds in order to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations.

16 For institutions of higher learning, adopted procedures to monitor expenditures of lottery funds shall be reported to the Commission  
17 on Higher Education and the Executive Budget Office by October 1 of the current fiscal year, and these expenditures are subject to  
18 annual verification and audit by the Commission on Higher Education on a rotational schedule not to exceed three years. The annual  
19 verification and audit shall be funded from the funds appropriated to or authorized for the Commission on Higher Education and the  
20 commission shall not assess a fee or charge institutions of higher learning for performing this function. In addition, the Commission  
21 on Higher Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the  
22 Chairman of the House Ways and Means Committee by October first each year summarizing, by institution, how lottery funds were  
23 expended in the prior fiscal year, issues and concerns as well as institution responses to those issues and concerns discovered as a  
24 result of the commission's verification and/or audit activity during the prior fiscal year, if any.

25 For the Department of Education, adopted procedures to monitor expenditures of lottery funds that are allocated to the South  
26 Carolina school districts and other recipient institutions according to law and Department of Education guidelines shall be reported  
27 to the Executive Budget Office by October 1 of the current fiscal year. In addition, the Department of Education shall provide a  
28 report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and  
29 Means Committee on the amount of lottery funds the department distributed to each entity in the prior fiscal year.

30 All other state agencies must submit their adopted procedures to monitor expenditures of lottery funds to the Executive Budget  
31 Office by October 1 of the current fiscal year.

32 The Executive Budget Office shall ensure that state agencies receiving lottery funds have procedures in place to monitor  
33 expenditures of lottery funds and that the monitoring procedures are operating effectively.

34 **3.2.** (LEA: Election Day Sales) For the current fiscal year, Section 59-150-210(E) is suspended.

35 **3.3.** (LEA: Student Unique Identifiers) For the current fiscal year, in order to provide longitudinal data, institutions of higher  
36 education and technical colleges accepting lottery funds must retain the student unique identifier or SUNS number assigned to

1 students who attended public high schools in South Carolina. This shall not prohibit institutions of higher education or technical  
 2 colleges from using additional student identifiers.

3 ~~3.4. (LEA: FY 2022-23 Lottery Funding) There is appropriated from the Education Lottery Account for the following education~~  
 4 ~~purposes and programs and funds for these programs and purposes shall be transferred by the Executive Budget Office as directed~~  
 5 ~~below. These appropriations must be used to supplement and not supplant existing funds for education. For cash flow purposes, the~~  
 6 ~~Executive Budget Office may facilitate limited transfers from the general deposits of the state for the exclusive purpose of ensuring~~  
 7 ~~the timely distribution of scholarships and tuition assistance payments as provided below. Any use of this transfer allowance must~~  
 8 ~~include full reimbursement from the Education Lottery Account to the general deposit accounts of the state prior to the close of the~~  
 9 ~~fiscal year.~~

10 ~~The Executive Budget Office is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the~~  
 11 ~~appropriations of the Education Lottery Account as provided in this section.~~

12 ~~All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any~~  
 13 ~~interest earnings, which shall be used to support the appropriations contained below.~~

14 ~~For Fiscal Year 2022-23, certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2020-21~~  
 15 ~~certified surplus, and Fiscal Year 2021-22 projected surplus and undesignated fund balance are appropriated as follows:~~

16	<del>(1) Commission on Higher Education LIFE Scholarships as provided in Chapter 149, Title 59 .....</del>	<del>\$235,150,272;</del>
17	<del>(2) Commission on Higher Education HOPE Scholarships as provided in Section 59-150-370 .....</del>	<del>\$ 10,904,039;</del>
18	<del>(3) Commission on Higher Education Palmetto Fellows Scholarships</del>	
19	<del>as provided in Section 59-104-20 .....</del>	<del>\$ 72,139,864;</del>
20	<del>(4) Commission on Higher Education and State Board for Technical and Comprehensive Education-</del>	
21	<del>Tuition Assistance .....</del>	<del>\$ 51,100,000;</del>
22	<del>(5) Commission on Higher Education-</del>	
23	<del>Need Based Grants .....</del>	<del>\$ 70,000,000;</del>
24	<del>(6) Higher Education Tuition Grants Commission</del>	
25	<del>Tuition Grants .....</del>	<del>\$ 20,000,000;</del>
26	<del>(7) Commission on Higher Education SC National Guard College Assistance Program</del>	
27	<del>as provided in Section 59-111-75 .....</del>	<del>\$ 6,200,000;</del>
28	<del>(8) State Board for Technical and Comprehensive Education South Carolina Workforce Industry</del>	
29	<del>Needs Scholarship .....</del>	<del>\$ 17,000,000;</del>
30	<del>(9) South Carolina State University .....</del>	<del>\$ 2,500,000;</del>
31	<del>(10) State Board for Technical and Comprehensive Education Workforce Scholarships and Grants .....</del>	<del>\$ 39,000,000;</del>
32	<del>(11) State Board for Technical and Comprehensive Education High Demand Job Skill Training</del>	
33	<del>Equipment .....</del>	<del>\$ 7,000,000;</del>
34	<del>(12) Commission on Higher Education College Transition Program Scholarships .....</del>	<del>\$ 4,105,597;</del>
35	<del>(13) Commission on Higher Education Nursing Initiative .....</del>	<del>\$ 10,000,000;</del>
36	<del>(14) Commission on Higher Education PASCAL .....</del>	<del>\$ 1,500,000;</del>

1	(15) Commission on Higher Education—Higher Education Excellence Enhancement Program.....	\$ 5,177,526;
2	(16) Commission on Higher Education—Technology Public Four Year, Two Year, and State	
3	Technical Colleges.....	\$ 8,000,000;
4	(17) State Department of Education—School Buses.....	\$ 1;
5	(18) State Department of Education—Dyslexia Screener.....	\$ 1,500,000;
6	(19) State Department of Education—Teacher Transformation Pilot.....	\$ 1,000,000;
7	(20) State Library—Increase State Aid.....	\$ 1;
8	(21) Clemson University—College of Veterinary Medicine.....	\$ 10,000,000;
9	(22) Commission on Higher Education—University Center Greenville.....	\$ 1;
10	(23) Commission on Higher Education—Career Clusters.....	\$ 550,000;

11 and

12	(24) Commission on Higher Education—Institutes of Innovation.....	\$ 700,000.
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13 For Fiscal Year 2022-23, funds certified from unclaimed prizes are appropriated as follows:

14	(1) Commission on Higher Education—Higher Education Excellence Enhancement Program.....	\$ 6,072,474;
15	(2) Department of Alcohol and Other Drug Abuse Services—Gambling Addiction Services.....	\$ 100,000;
16	(3) Department of Education—School Bus Lease/Purchase.....	\$ 1;

17 and

18	(4) State Board for Technical and Comprehensive Education—High Demand Job Skill Training	
19	Equipment.....	\$ 13,827,525.

20 Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate of \$20,000,000 shall be appropriated  
21 as follows:

22	Department of Education—School Bus Lease/Purchase.....	\$ All remaining.
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23 If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2022-23 is less than the amounts appropriated, the  
24 projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.

25 Fiscal Year 2022-23 funds appropriated to the Commission on Higher Education and the State Board for Technical and  
26 Comprehensive Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided  
27 in Section 59-150-360. Annually the State Board for Technical and Comprehensive Education and the Commission on Higher  
28 Education shall develop the Tuition Assistance distribution of funds.

29 The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of  
30 Excellence Matching Endowment are suspended for the current fiscal year.

31 The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to  
32 ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance  
33 program at such a level to support at least \$996 per student per term for full time students.

34 Fiscal Year 2022-23 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment  
35 earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for  
36 Fiscal Year 2022-23 are fully funded.

1 If the lottery revenue received for Fiscal Year 2022-23 certified net lottery proceeds and investment earnings for the current fiscal  
2 year, Fiscal Year 2021-22 projected surplus, and Fiscal Year 2020-21 certified surplus and the undesignated fund balance are less  
3 than the amounts appropriated, the Executive Budget Office is authorized to use surplus lottery proceeds accumulated in the lottery  
4 account from previous fiscal years to fully fund appropriations from the lottery authorized by the General Assembly. If a revenue  
5 shortfall still exists once the fund balance has been exhausted, then the projects and programs receiving appropriations for any such  
6 year shall have their appropriations reduced on a pro-rata basis, except that a reduction must not be applied to the funding of LIFE,  
7 HOPE, and Palmetto Fellows Scholarships.

8 The Commission on Higher Education is authorized to use up to \$400,000 of the funds appropriated in this provision for LIFE,  
9 HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process and  
10 to provide for a Scholarship Compliance Auditor.

11 The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision  
12 for Tuition Grants to provide the necessary level of program support for the grants award process.

13 The funds appropriated to the State Board for Technical and Comprehensive Education (SBTCE) for Workforce Scholarships and  
14 Grants shall be used to provide grants for tuition, fees, transportation, or expenses for required course related materials to South  
15 Carolina residents enrolled in a career education program that meets all eligibility guidelines promulgated by the SBTCE in  
16 consultation with the Department of Education. Funds shall not be used for continuing education courses that do not lead to a degree,  
17 professional certificate, or industry recognized credential (IRC).

18 Funds carried forward from the prior year for the South Carolina State University Institutes of Innovation must be retained by the  
19 Commission on Higher Education to be used for the Institutes of Innovation and Information program.

20 Of the funds appropriated to the Commission on Higher Education for College Transition Scholarships, the commission shall  
21 provide scholarships to South Carolina resident students enrolled at a public institution of higher education in an established College  
22 Transition Program (CTP) that serves students with intellectual disabilities. The commission, in consultation with the CTPs, shall  
23 develop guidelines establishing scholarship eligibility, retention, and/or renewal requirements in accordance with this paragraph.  
24 Scholarships shall be awarded to each South Carolina resident student enrolled in an established public CTP in an amount of at least  
25 \$2,500 per semester, not to exceed \$10,000 per academic year (including summer semester), and no student may receive a scholarship  
26 for more than eight semesters in total. In addition, the limitations of Proviso 11.12 notwithstanding, individual CTPs shall have the  
27 discretion to allocate a portion of their aggregate funding provided pursuant to this provision for need-based grants to eligible  
28 students. This discretion is allowable only to the extent that the funding for need-based grants for eligible CTP students provided  
29 pursuant to Proviso 11.12 has first been fully exhausted. The commission, in cooperation with the CTPs, shall collect and report the  
30 number of scholarship recipients and other information determined necessary to evaluate the effectiveness of these scholarships in  
31 assisting students with intellectual disabilities in college transition programs. The commission shall provide this report to the  
32 Governor, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Education Committee,  
33 the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee no later than September  
34 30. Unexpended funds may be carried forward and used for the same purpose, except that up to \$250,000 may be used by the CTP  
35 consortium (known as The South Carolina Inclusive Post Secondary Education Consortium) to be used collaboratively by the  
36 consortium to promote better awareness of CTP programs statewide as an option for youth with intellectual disabilities after high



1 school through dedicated support for activities such as, but not necessarily limited to, student recruitment, development and  
2 maintenance of a consortium website and associated materials, and the provision of strategic informational events for prospective  
3 students and families across the State.

4 Of the funds appropriated to the Commission on Higher Education for Need Based Grants, public colleges and universities must  
5 submit requests to carry forward Need Based Grants to the Commission on Higher Education by June 30, 2023, and final invoices  
6 for Need based Grants by a date determined by the commission. For Fiscal Year 2022-23, all eligible students must be awarded up  
7 to the maximum allowable amount prior to any Need Based Grant funds being carried forward. Funds only shall be carried forward  
8 if all eligible Need based Grant students at the public colleges and universities are fully funded with financial aid that does not require  
9 student repayment. Funds allocated for Fiscal Year 2022-23 must be distributed in the same academic year.

10 Of the funds appropriated to the Commission on Higher Education for the Nursing Initiative, the commission shall use the funds  
11 to address the nursing shortage. Funds shall be allocated accordingly to the state's public colleges and universities, including technical  
12 colleges, that have accredited nursing programs. The first \$5 million shall be used to supplement the salaries of existing full-time  
13 faculty and the hourly rates of part-time faculty, or the salaries of clinical nursing faculty. The funds shall be allocated to each public  
14 college or university, including technical colleges, based on the number of students enrolled in nursing programs. The second \$5  
15 million shall be used to provide tuition reimbursement or scholarships for students enrolled in graduate-level nurse educator  
16 programs, Doctor of Nursing Practice, or Ph.D. programs. The scholarship recipients must agree to assume a faculty role in a state  
17 nursing program after graduation for a minimum of two years for each year they receive the scholarship.

18 Of the funds appropriated to the Commission on Higher Education for Carolina Career Clusters Grant, upon application by an  
19 eligible institution as defined in this paragraph, the commission shall disburse \$250,000 to Voorhees College, \$100,000 to Allen  
20 University, \$50,000 to Benedict University, \$50,000 to Claflin University, and \$100,000 to Coker College. The proceeds of \$250,000  
21 to Voorhees College must be expended on rebranding efforts related to its transition to a university.

22 Of the funds appropriated to the Commission on Higher Education for institutions of higher learning entitled "Technology Public  
23 Four Year Institutions, Two Year Institutions, and State Technical Colleges," (Technology), the commission shall allocate the  
24 realized funds on a proportional basis as follows:

25	(1) The Citadel .....	\$ 336,127;
26	(2) University of Charleston .....	\$ 704,209;
27	(3) Coastal Carolina University .....	\$ 699,630;
28	(4) Francis Marion University .....	\$ 320,859;
29	(5) Lander University .....	\$ 341,685;
30	(6) South Carolina State University .....	\$ 262,090;
31	(7) USC Aiken Campus .....	\$ 310,502;
32	(8) USC Upstate .....	\$ 394,928;
33	(9) USC Beaufort Campus .....	\$ 240,535;
34	(10) USC Lancaster Campus .....	\$ 131,918;
35	(11) USC Salkehatchie Campus .....	\$ 98,896;
36	(12) USC Sumter Campus .....	\$ 116,009;

- 1       ~~(13) USC – Union Campus ..... \$ 109,655;~~
- 2       ~~(14) Winthrop University ..... \$ 389,434;~~
- 3       ~~and~~
- 4       ~~(15) State Technical Colleges and State Board~~
- 5       ~~for Technical and Comprehensive Education... \$ 3,543,523.~~

6       Each institution shall use the amount appropriated only for technology repair and related technology maintenance and/or upgrades  
7 that are necessary to support an institution’s educational purpose.

8       Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes,  
9 the extent to which they have met this requirement.

10       Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the  
11 Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of  
12 this provision.

13       Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose,  
14 subject to certification from the Commission on Higher Education that they continue to meet the requirement of this provision.

15       3.5. (LEA: Disclosure of Winner Information) Pursuant to Section 30-4-40, the South Carolina Freedom of Information Act, the  
16 Lottery Board of Commissioners is prohibited from disclosing a winner’s name, address, telephone number, date of birth, social  
17 security number, electronic address, and any copy of the forms of identification provided to the board unless consent is given by the  
18 winner. In response to a request, the board only may allow the release of the date of the claim and draw, game played, amount of  
19 prize won, retailer location where the ticket was sold, and the hometown of the winner.

20       3.6. (LEA: FY 2023-24 Lottery Funding) There is appropriated from the Education Lottery Account for the following education  
21 purposes and programs and funds for these programs and purposes shall be transferred by the Executive Budget Office as directed  
22 below. These appropriations must be used to supplement and not supplant existing funds for education. For cash flow purposes, the  
23 Executive Budget Office may facilitate limited transfers from the general deposits of the state for the exclusive purpose of ensuring  
24 the timely distribution of scholarships and tuition assistance payments as provided below. Any use of this transfer allowance must  
25 include full reimbursement from the Education Lottery Account to the general deposit accounts of the state prior to the close of the  
26 fiscal year.

27       The Executive Budget Office is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the  
28 appropriations of the Education Lottery Account as provided in this section.

29       All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including  
30 any interest earnings, which shall be used to support the appropriations contained below.

31       For Fiscal Year 2023-24, certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2021-22  
32 certified surplus, and Fiscal Year 2022-23 projected surplus and undesignated fund balance are appropriated as follows:

- 33       (1) Commission on Higher Education - LIFE Scholarships as provided in Chapter 149, Title 59..... \$201,194,944;
- 34       (2) Commission on Higher Education - HOPE Scholarships as provided in Section 59-150-370 ..... \$ 12,574,147;
- 35       (3) Commission on Higher Education - Palmetto Fellows Scholarships as provided in
- 36       Section 59-104-20 ..... \$ 67,328,890;

1	<u>(4) Commission on Higher Education and State Board for Technical and Comprehensive Education –</u>	
2	<u>Tuition Assistance .....</u>	<u>\$ 51,100,000;</u>
3	<u>(5) Commission on Higher Education - Need-Based Grants.....</u>	<u>\$ 80,000,000;</u>
4	<u>(6) Higher Education Tuition Grants Commission Tuition Grants.....</u>	<u>\$ 20,000,000;</u>
5	<u>(7) Commission on Higher Education - SC National Guard College</u>	
6	<u>Assistance Program as provided in Section 59-111-75 .....</u>	<u>\$ 6,200,000;</u>
7	<u>(8) State Board for Technical and Comprehensive Education –</u>	
8	<u>South Carolina Workforce Industry Needs Scholarship .....</u>	<u>\$100,000,000;</u>
9	<u>(9) South Carolina State University .....</u>	<u>\$ 2,500,000;</u>
10	<u>(10) State Board for Technical and Comprehensive Education –</u>	
11	<u>High Demand Job Skill Training Equipment.....</u>	<u>\$ 7,000,000;</u>
12	<u>(11) Commission on Higher Education - College Transition Program Scholarships.....</u>	<u>\$ 4,105,597;</u>
13	<u>(12) Commission on Higher Education - Nursing Initiative.....</u>	<u>\$ 10,000,000;</u>
14	<u>(13) Commission on Higher Education - PASCAL.....</u>	<u>\$ 1,500,000;</u>
15	<u>(14) Commission on Higher Education - readySC.....</u>	<u>\$ 2,000,000;</u>
16	<u>(15) USC System – Carolina Internship Pilot Program.....</u>	<u>\$ 3,500,000;</u>
17	<u>(16) Tech Board- South Carolina Youth and Small Businesses Grant.....</u>	<u>\$ 3,500,000;</u>
18	<u>(17) Medical University of South Carolina – SC First Scholarship.....</u>	<u>\$ 5,000,000;</u>
19	<u>and</u>	
20	<u>(18) State Department of Education - School Buses.....</u>	<u>\$ 11,139,407.</u>
21	<u>For Fiscal Year 2023-24, funds certified from unclaimed prizes are appropriated as follows:</u>	
22	<u>(1) Department of Alcohol and Other Drug Abuse Services – Gambling Addiction Services.....</u>	<u>\$ 100,000;</u>
23	<u>(2) State Board for Technical and Comprehensive Education –</u>	
24	<u>High Demand Job Skill Training Equipment.....</u>	<u>\$ 13,000,000;</u>
25	<u>(3) Commission on Higher Education - Higher Education Excellence Enhancement Program.....</u>	<u>\$ 6,072,474;</u>
26	<u>and</u>	
27	<u>(4) Department of Education - School Bus Lease/Purchase .....</u>	<u>\$ 827,526.</u>
28	<u>Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate of \$20,000,000 shall be appropriated</u>	
29	<u>as follows:</u>	
30	<u>Department of Education--School Bus Lease/Purchase.....</u>	<u>\$ All remaining.</u>
31	<u>If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2023-24 is less than the amounts appropriated, the</u>	
32	<u>projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.</u>	
33	<u>Fiscal Year 2023-24 funds appropriated to the Commission on Higher Education and the State Board for Technical and</u>	
34	<u>Comprehensive Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided</u>	
35	<u>in Section 59-150-360. Annually, the State Board for Technical and Comprehensive Education and the Commission on Higher</u>	
36	<u>Education shall develop the Tuition Assistance distribution of funds.</u>	

1 The provisions of Section 2-75-30 regarding the aggregate amount of funding provided for the Centers of Excellence Matching  
2 Endowment are suspended for the current fiscal year.

3 The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to  
4 ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance  
5 program at such a level to support at least \$996 per student per term for full-time students.

6 Fiscal Year 2023-24 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment  
7 earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for  
8 Fiscal Year 2023-24 are fully funded.

9 If the lottery revenue received for Fiscal Year 2023-24 certified net lottery proceeds and investment earnings for the current fiscal  
10 year, Fiscal Year 2022-23 projected surplus, and Fiscal Year 2021-22 certified surplus and the undesignated fund balance are less  
11 than the amounts appropriated, the Executive Budget Office is authorized to use surplus lottery proceeds accumulated in the lottery  
12 account from previous fiscal years to fully fund appropriations from the lottery authorized by the General Assembly. If a revenue  
13 shortfall still exists once the fund balance has been exhausted, then the projects and programs receiving appropriations for any such  
14 year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE,  
15 HOPE, and Palmetto Fellows Scholarships.

16 The Commission on Higher Education is authorized to use up to \$400,000 of the funds appropriated in this provision for LIFE,  
17 HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process and  
18 to provide for a Scholarship Compliance Auditor.

19 The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision  
20 for Tuition Grants to provide the necessary level of program support for the grants award process.

21 Funds carried forward from the prior year for the South Carolina State University Institutes of Innovation must be retained by the  
22 Commission on Higher Education to be used for the Institutes of Innovation and Information program.

23 Of the funds appropriated to the Commission on Higher Education for College Transition Scholarships, the commission shall  
24 provide scholarships to South Carolina resident students enrolled at a public institution of higher education in an established College  
25 Transition Program (CTP) that serves students with intellectual disabilities. The commission, in consultation with the CTPs, shall  
26 develop guidelines establishing scholarship eligibility, retention, and/or renewal requirements in accordance with this paragraph.  
27 Scholarships shall be awarded to each South Carolina resident student enrolled in an established public CTP in an amount of at  
28 least \$2,500 per semester, not to exceed \$10,000 per academic year (including summer semester), and no student may receive a  
29 scholarship for more than eight semesters in total. In addition, the limitations of Proviso 11.12 notwithstanding, individual CTPs  
30 shall have the discretion to allocate a portion of their aggregate funding provided pursuant to this provision for need-based grants  
31 to eligible students. This discretion is allowable only to the extent that the funding for need-based grants for eligible CTP students  
32 provided pursuant to Proviso 11.12 has first been fully exhausted. The commission, in cooperation with the CTPs, shall collect and  
33 report the number of scholarship recipients and other information determined necessary to evaluate the effectiveness of these  
34 scholarships in assisting students with intellectual disabilities in college transition programs. The commission shall provide this  
35 report to the Governor, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Education  
36 Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee no later

1 than September 30. Unexpended funds may be carried forward and used for the same purpose, except that up to \$250,000 may be  
2 used by the CTP consortium (known as The South Carolina Inclusive Post-Secondary Education Consortium) to be used  
3 collaboratively by the consortium to promote better awareness of CTP programs statewide as an option for youth with intellectual  
4 disabilities after high school through dedicated support for activities such as, but not necessarily limited to, student recruitment,  
5 development and maintenance of a consortium website and associated materials, and the provision of strategic informational events  
6 for prospective students and families across the State.

7 Of the funds appropriated to the Commission on Higher Education for Need-Based Grants, public colleges and universities must  
8 submit requests to carry forward Need-Based Grants to the Commission on Higher Education by June 30, 2024, and final invoices  
9 for Need-based Grants by a date determined by the commission. For Fiscal Year 2023-24, all eligible students must be awarded up  
10 to the maximum allowable amount prior to any Need-Based Grant funds being carried forward. Funds only shall be carried forward  
11 if all eligible Need-based Grant students at the public colleges and universities are fully funded with financial aid that does not  
12 require student repayment. Funds allocated for Fiscal Year 2023-24 must be distributed in the same academic year.

13 Of the funds appropriated to the Commission on Higher Education for the Nursing Initiative, the commission shall use the funds  
14 to address the nursing shortage. Funds shall be allocated accordingly to the state's public colleges and universities, including  
15 technical colleges, that have accredited nursing programs accredited by a national accrediting agency recognized by the United  
16 States Department of Education. The first \$5 million shall be used to provide bonuses or supplement the salaries of existing full-time  
17 faculty and the hourly rates of part-time faculty, or the salaries of clinical nursing faculty, which includes adjunct faculty. The funds  
18 shall be allocated to each public college or university, including technical colleges, based on the number of students enrolled in  
19 nursing programs. The second \$5 million shall be used to provide tuition reimbursement or scholarships for students enrolled in  
20 graduate-level nurse educator programs, Doctor of Nursing Practice, or Ph.D. programs. The scholarship recipients must agree to  
21 assume a faculty role in a state nursing program after graduation for a minimum of two years for each year they receive the  
22 scholarship. Annually by September 15, the Commission shall report on the Nursing Initiative, at a minimum, the following: (1) total  
23 number of students receiving tuition reimbursements or scholarships; (2) total number of students receiving tuition reimbursements  
24 or scholarships subsequently hired as faculty; (3) total number of students receiving tuition reimbursements or scholarships not hired  
25 as faculty; (4) amount of funding allocated to each institution with eligible nursing programs; (5) expenditures and encumbrances  
26 of Nursing Initiative funds for eligible faculty for each program; and (6) retention rates, new hires and vacancies for full-time, part-  
27 time (including adjunct), and clinical faculty for each eligible program. The Commission may also request institutions to provide  
28 other information related to nursing workforce development. This report shall be submitted to the House Education and Public Works  
29 Committee, House Ways and Means Committee, Senate Education Committee, and Senate Finance Committee.

### 30 SECTION 5 - H710 - WIL LOU GRAY OPPORTUNITY SCHOOL

31  
32  
33 **5.1.** (WLG: Truants) The Opportunity School will incorporate into its program services for students, ages fifteen and over, who  
34 are deemed truant; and will cooperate with the Department of Juvenile Justice, the Family Courts, and School districts to encourage  
35 the removal of truant students to the Opportunity School when such students can be served appropriately by the Opportunity School's  
36 program.

1       **5.2.** (WLG: GED Test) Students attending school at the Wil Lou Gray Opportunity School that are sixteen years of age and are  
2 unable to remain enrolled due to the necessity of immediate employment or enrollment in post-secondary education may be eligible  
3 to take the General Education Development (GED) Test.

4       **5.3.** (WLG: Deferred Salaries Carry Forward) Wil Lou Gray is authorized to carry forward into the current fiscal year the amount  
5 of the deferred salaries and employer contributions earned in the prior fiscal year for non-twelve month employees. These deferred  
6 funds are not to be included or part of any other authorized carry forward amount.

7       **5.4.** (WLG: Lease Revenue) Wil Lou Gray Opportunity School is authorized to retain revenues derived from the lease of school  
8 properties titled to or utilized by the school and may use revenues retained for general school operations, including, but not limited  
9 to, maintenance of such properties. Unexpended funds may be carried forward into the current fiscal year and used for the same  
10 purposes.

11       **5.5.** (WLG: USDA Federal Grants) All revenues generated from USDA federal grants may be retained and expended by the  
12 school in accordance with Federal regulations for the purpose of covering actual expenses in the cafeteria/food service operations of  
13 the school.

14       **5.6.** (WLG: By-Products Revenue Carry Forward) The Wil Lou Gray Opportunity School is authorized to sell goods that are  
15 by-products of the school's programs and operations, charge user fees and fees for services to the general public, individuals,  
16 organizations, agencies and school districts, and such revenue may be retained and carried forward into the current fiscal year and  
17 expended for the purpose of covering expenses of the school's programs and operations.  
18

19       **SECTION 6 - H750 - SCHOOL FOR THE DEAF AND THE BLIND**

20  
21       **6.1.** (SDB: Weighted Student Cost) The School for the Deaf and the Blind shall receive through the Education Finance Act the  
22 average State share of the required weighted cost for each student enrolled in the School.

23       **6.2.** (SDB: Cafeteria Revenues) All revenues generated from cafeteria operations may be retained and expended by the institution  
24 for the purpose of covering actual expenses in cafeteria operations.

25       **6.3.** (SDB: School Buses) The school buses of the South Carolina School for the Deaf and the Blind are authorized to travel at  
26 the posted speed limit.

27       **6.4.** (SDB: By-Products Revenue Carry Forward) The School for the Deaf and the Blind is authorized to sell goods that are  
28 by-products of the school's programs and operations, charge user fees and fees for services to the general public: individuals,  
29 organizations, agencies and school districts, and such revenue may be retained and carried forward into the current fiscal year and  
30 expended for the purpose of covering expenses of the school's programs and operations.

31       **6.5.** (SDB: Deferred Salaries Carry Forward) South Carolina School for the Deaf and the Blind is authorized to carry forward in  
32 the current fiscal year the amount of the deferred salaries and employer contributions earned in the prior fiscal year for non-twelve  
33 month employees. These deferred funds are not to be included or part of any other authorized carry forward amount.

34       **6.6.** (SDB: Sale of Property) After receiving approval from the Department of Administration or State Fiscal Accountability  
35 Authority for the sale of property, the school may retain revenues associated with the sale of property titled to or utilized by the  
36 school. These funds shall be expended on capital improvements approved by the Joint Bond Review Committee and the State Fiscal

1 Accountability Authority. For the current fiscal year, the school is authorized to use the retained revenue from the sale of donated  
2 property for educational and other operating purposes.

3 **6.7.** (SDB: USC-Upstate Visual Impairment Master of Education Program) Of the funds appropriated to the South Carolina  
4 School for the Deaf and the Blind, \$50,000 shall be used to fund the Master of Education Program In Visual Impairment at the  
5 University of South Carolina - Upstate.

6 **6.8.** (SDB: Educational Program Initiatives) The School for the Deaf and Blind is authorized to utilize funds received from the  
7 Department of Education for vocational equipment on educational program initiatives.

8 **6.9.** (SDB: School Leave Policy) The School for the Deaf and Blind is authorized to promulgate administrative policy governing  
9 annual and sick leave relative to faculty and staff with the approval of the School's board of directors. This policy shall address the  
10 school calendar in order to comply with the instructional needs of students attending the school.

11 **6.10.** (SDB: Deferred Maintenance) The School for the Deaf and the Blind is authorized to establish a Deferred Maintenance  
12 Project for the upkeep and maintenance of campus facilities and to transfer remaining balances from The Early Childhood Center  
13 Construction (Part 1A Sec. 4 2012-13), Robertson Hall Wing Construction (Part 1B Sec. 90 90.20 B17 2012-13), and Deferred  
14 Maintenance (Part 1A Sec. 4 2012-13).

15  
16 **SECTION 7 - L120 - GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE**

17  
18 **7.1.** (JDLHS: Status Offender Carry Forward) ~~Unexpended status offender funds distributed to the Governor's School for~~  
19 ~~Agriculture at John de la Howe from the Department of Education may be carried forward and used for the same purpose.~~

20 **7.2.** (JDLHS: Campus Private Residence Leases) The Governor's School for Agriculture at John de la Howe is authorized to  
21 lease, to its employees, private residences on the agency's  
22 campus. Funds generated may be retained and used for general operating purposes including, but not limited to, maintenance of the  
23 residences.

24 **7.3.** (JDLHS: Deferred Salaries Carried Forward) ~~The Governor's School for Agriculture at John de la Howe is authorized to~~  
25 ~~carry forward into the current fiscal year the amount of deferred salaries and employer contributions earned in the prior fiscal year~~  
26 ~~for non twelve month employees. These deferred funds are not to be included or part of any other authorized carry forward amount.~~

27  
28 **SECTION 8 - H670 - EDUCATIONAL TELEVISION COMMISSION**

29  
30 **8.1.** (ETV: Grants/Contributions Carry Forward) The Educational Television Commission shall be permitted to carry forward  
31 any funds derived from grant awards or designated contributions and any state funds necessary to match such funds, provided that  
32 these funds be expended for the programs which they were originally designated.

33 **8.2.** (ETV: Spectrum Auction) The Educational Television Commission shall be authorized to receive and retain up to  
34 \$35,000,000 of the proceeds from the Federal Communication Commission TV Auction and place them in a segregated, restricted  
35 account. These proceeds shall be used to fund capital needs, including broadcast industry standards changes, existing equipment  
36 repair, maintenance and replacement needs, and operational costs. Unexpended funds shall be carried forward from the prior fiscal

1 year into the current fiscal year and used for the same purpose. No later than June thirtieth of the current fiscal year, ETV must  
2 report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee the amount of  
3 money expended from the fund and the balance of the fund.

4 **8.3.** (ETV: Antenna and Tower Placement) All leases for antenna and tower operations within institutions of higher learning  
5 campuses must conform to master plans for such property, as determined solely by the institution of higher learning.

6 **8.4.** (ETV: Wireless Communications Tower) The Educational Television Commission is directed to coordinate tower and  
7 antenna operations within South Carolina state government. The commission shall: (1) approve all leases regarding antenna  
8 placement on state-owned towers and buildings; (2) coordinate all new tower construction on state-owned property; (3) promote and  
9 market excess capacity on the State’s wireless communications infrastructure; (4) generate revenue by leasing, licensing, or selling  
10 excess capacity on the State’s wireless communications infrastructure; and (5) construct new communications assets on appropriate  
11 state-owned property for the purpose of generating revenue pursuant to this proviso. The commission shall retain and expend such  
12 funds for agency operations. The commission shall be authorized to carry forward unexpended funds from the prior fiscal year into  
13 the current fiscal year. The commission shall annually report to the Chairmen of the Senate Finance and House Ways and Means  
14 Committees by October first of each year all revenue collected and disbursed.

15  
16 **SECTION 9 - H640 - GOVERNOR’S SCHOOL FOR THE ARTS AND HUMANITIES**

17  
18 **9.1** (GSAH: Leave Policy) The Governor’s School for the Arts and Humanities shall be authorized to promulgate administrative  
19 policy governing annual and sick leave relative to faculty and staff with the approval of their board of directors. This policy shall  
20 address their school calendar in order to comply with the instructional needs of students attending the special school.

21 **9.2.** (GSAH: Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or  
22 generated by the Governor’s School for the Arts and Humanities may be carried forward and expended in the current fiscal year  
23 pursuant to the discretion of the board of trustees of the school.

24 **9.3.** (GSAH: Schools’ Fees) The Governor’s School for the Arts and Humanities shall be authorized to charge, collect, expend,  
25 and carry forward student fees as approved by their Board of Directors. The purpose and amount of any such fees shall be to maintain  
26 program quality in both academics and residential support. No student shall be denied admittance or participation due to financial  
27 inability to pay. The Board of Directors shall promulgate administrative policy governing the collection of all student fees. The  
28 school shall conspicuously publish a fee schedule on their website. All student fees must be reported by August first of the current  
29 fiscal year to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means  
30 Committee.

31 **9.4.** (GSAH: Certified Teacher Designation) Because of the unique nature of the Governor’s School for the Arts and Humanities,  
32 the Charleston School of the Arts, and the Greenville County Fine Arts Center, the schools are authorized to employ, at its discretion,  
33 noncertified classroom teachers teaching in the literary, visual, and performing arts subject areas who are otherwise considered to be  
34 appropriately qualified in a ratio of up to one hundred percent of the entire teacher staff.

35 **9.5.** (GSAH: Residency Requirement) Of the funds appropriated, the Governor’s School for the Arts and the Humanities shall  
36 ensure that a parent(s) or guardian(s) of a student attending the Governor’s School must prove that they are a legal resident of the



1 state of South Carolina at the time of application and must remain so throughout time of attendance. The Governor's School for the  
2 Arts and the Humanities may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

3 **9.6.** (GSAH: Informational Access to Students) For the current fiscal year, school districts must permit the Governor's School  
4 for the Arts and Humanities to collaborate with individual schools and their staff to share information with students and families  
5 about the educational opportunities offered at the Governor's School through avenues including school visits, informational  
6 presentations, and posters. By June thirtieth of the current fiscal year, the Governor's School for the Arts and Humanities must report  
7 to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of these  
8 informational access efforts. Further, the Governor's School shall work with districts, the Department of Education, and School  
9 Report Card administrators to ensure that SAT scores of current Governor's School students are included in the School Report Card  
10 of those students' resident schools and districts.  
11

12 **SECTION 10 - H650 - GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS**

13  
14 **10.1.** (GSSM: Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or  
15 generated by the Governor's School for Science and Mathematics may be carried forward and expended in the current fiscal year  
16 pursuant to the direction of the board of trustees of the school.

17 **10.2.** (GSSM: Leave Policy) The Governor's School for Science and Mathematics shall be authorized to promulgate  
18 administrative policy governing annual and sick leave relative to faculty and staff with the approval of their board of directors. This  
19 policy shall address their school calendar in order to comply with the instructional needs of students attending the special school.

20 **10.3.** (GSSM: Schools' Fees) The Governor's School for Science and Mathematics shall be authorized to charge, collect, expend,  
21 and carry forward student fees as approved by their Board of Directors. The purpose and amount of any such fees shall be to maintain  
22 program quality in both academics and residential support. No student shall be denied admittance or participation due to financial  
23 inability to pay. The Board of Directors shall promulgate administrative policy governing the collection of all student fees. The  
24 school shall conspicuously publish a fee schedule on their website. All student fees must be reported by August first of the current  
25 fiscal year to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means  
26 Committee.

27 **10.4.** (GSSM: Residency Requirement) Of the funds appropriated, the Governor's School for Science and Mathematics shall  
28 ensure that a parent(s) or guardian(s) of a student attending the Governor's School for Science and Mathematics must prove that they  
29 are a legal resident of the state of South Carolina at the time of application and must remain so throughout time of attendance. The  
30 Governor's School for Science and Mathematics may not admit students whose parent(s) or guardian(s) are not legal residents of  
31 South Carolina.

32 **10.5.** (GSSM: Informational Access to Students) For the current fiscal year, school districts must permit the Governor's School  
33 for Science and Mathematics to collaborate with individual schools and their staff to share information with students and families  
34 about the educational opportunities offered at the Governor's School through avenues including school visits, informational  
35 presentations, and posters. By June thirtieth of the current fiscal year, the Governor's School for Science and Mathematics must  
36 report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of

1 these informational access efforts. Further, the Governor's School shall work with districts, the Department of Education, and School  
2 Report Card administrators to ensure that SAT scores of current Governor's School students are included in the School Report Card  
3 of those students' resident schools and districts.  
4

#### 5 SECTION 11 - H030 - COMMISSION ON HIGHER EDUCATION 6

7 **11.1.** (CHE: Contract for Services Program Fees) The amounts appropriated in this section for "Southern Regional Education  
8 Board Contract Programs" and "Southern Regional Education Board Dues" are to be used by the commission to pay to the Southern  
9 Regional Education Board the required contract fees for South Carolina students enrolled under the Contract for Services program  
10 of the Southern Regional Education Board, in specific degree programs in specified institutions and the Southern Regional Education  
11 Board membership dues. The funds appropriated may not be reduced to cover any budget reductions or be transferred for other  
12 purposes.

13 **11.2.** (CHE: African-American Loan Program) Of the funds appropriated to the Commission on Higher Education for the  
14 African-American Loan Program, 73.7 percent shall be distributed to South Carolina State University and 26.3 percent shall be  
15 distributed to Benedict College, and must be used for a loan program with the major focus of attracting African-American males to  
16 the teaching profession. The Commission of Higher Education shall act as the monitoring and reporting agency for the  
17 African-American Loan Program. Of the funds allocated according to this proviso, no more than ten percent shall be used for  
18 administrative purposes.

19 **11.3.** (CHE: GEAR-UP) Funds appropriated for GEAR-UP shall be used for state grants programs to reach disadvantaged  
20 middle school students to improve their preparation for college. Eligible South Carolina public schools and public institutions of  
21 higher education shall cooperate with the Commission on Higher Education in the provision of services under the Gaining Early  
22 Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.

23 **11.4.** (CHE: EPSCoR Committee Representation) With the intent that the four-year teaching institutions receive a portion of  
24 EPSCoR funding, the State EPSCoR Committee shall have an executive committee consisting of one representative from each of the  
25 research institutions and one representative from the four-year teaching university sector.

26 **11.5.** (CHE: SREB Funds Exempt From Budget Cut) In the calculation of any across the board cut mandated by the Executive  
27 Budget Office or General Assembly, the amount which the Commission on Higher Education is appropriated for Southern Regional  
28 Education Board (SREB) Professional Scholarship Programs and Fees, Dues and Assessments shall be excluded from the  
29 Commission on Higher Education's base budget. Funds appropriated for SREB programs may be carried forward into the current  
30 fiscal year and expended for the same purpose by the Commission on Higher Education.

31 **11.6.** (CHE: Performance Improvement Pool Allocation) Of the funds appropriated to the Commission on Higher Education  
32 under Section II. Other Agencies & Entities: Special Items: Performance Funding, eighty percent will be allocated to the EPSCoR  
33 program under the Commission on Higher Education to improve South Carolina's research capabilities and twenty percent will be  
34 allocated to support the management education programs of the School of Business at South Carolina State University.

1       **11.7.** (CHE: Troop-to-Teachers) Members of the Armed Forces either active-duty, retired, or separated who are admitted to and  
2 enrolled in the South Carolina Troop-to-Teachers Alternative Route to Certification program are entitled to pay in-state rates at  
3 participating state institutions for requisite program work.

4       **11.8.** (CHE: Need-Based Grants for Foster Youth) For the current academic year, youth in the custody of the Department of  
5 Social Services and attending a higher education institution in South Carolina are eligible for additional need-based grants funding  
6 of up to \$2,000 above the \$2,500 maximum. Foster youth must apply for these funds no later than May first, of the preceding year.  
7 All other grants, both state and federal, for which these foster youth are eligible must be applied first to the cost of attendance prior  
8 to using the additional need-based grant funding. If the cost of attendance for a foster youth is met with other grants and scholarships,  
9 then no additional need-based grant may be used. The Department of Social Services, in cooperation with the Commission on Higher  
10 Education will track the numbers of recipients of this additional need-based grant to determine its effectiveness in encouraging more  
11 foster youth to pursue a secondary education. No more than \$100,000 may be expended from currently appropriated need-based  
12 grants funding for this additional assistance.

13       **11.9.** (CHE: Tuition Age) For the current fiscal year, the age limitation for those children of certain war veterans who may be  
14 admitted to any state-supported college, university, or post high school technical education institution free of tuition is suspended for  
15 eligible children that successfully appeal the Department of Veterans' Affairs on the grounds of a serious extenuating health  
16 condition.

17       **11.10.** (CHE: LIFE and Palmetto Fellows Enhancement Stipends) In the current fiscal year before fall awards are made, to  
18 continue eligibility for LIFE and Palmetto Fellows Enhancement Stipends, students shall certify and the institutions shall verify that  
19 the student is meeting all requirements as stipulated by the policies established by the institution and the academic department to be  
20 enrolled as a declared major in an eligible program and is making academic progress toward completion of the student's declared  
21 eligible major. These determinations are subject to the verification and audit of the Commission on Higher Education. Institutions  
22 shall return funds determined to have been awarded to ineligible students.

23       **11.11.** (CHE: SmartState) The Commission on Higher Education is prohibited from expending any source of funds on the  
24 marketing of the SmartState Program.

25       **11.12.** (CHE: College Transition Need-Based Grants) Of the currently appropriated need-based grants funding, no more than  
26 \$700,000 shall be used to provide need-based grants to South Carolina resident students enrolled at a public institution of higher  
27 education in an established college transition program that serves students with intellectual disabilities. The Commission on Higher  
28 Education shall allocate the available funds to eligible institutions on the basis of student need and enrollment in the established  
29 college transition programs. All other grants and gift aid for which these students are eligible must be applied first to the cost of  
30 attendance prior to using the need-based grant funding. If the cost of attendance for an eligible student is met with all other grants  
31 and gift aid, the need-based grant shall not be used. The participating institutions, in cooperation with the Commission on Higher  
32 Education, shall track the number of grant recipients and other information determined necessary to evaluate the effectiveness of  
33 these grants in assisting students with intellectual disabilities in college transition programs.

34       **11.13.** (CHE: Scholarship Awards) A student may receive a Palmetto Fellows or LIFE scholarship award during the summer, in  
35 addition to fall and spring semesters of an academic year, provided continued eligibility requirements are met as of the end of the  
36 spring semester. Students must enroll full-time, which for purposes of the summer award will require enrollment in at least twelve

1 hours over the course of the summer. The summer is defined as the period between the end of the spring term and prior to the  
2 opening of the fall term. The total summer award per student may not exceed half of the allowable academic year award up to the  
3 cost of attendance and must be reimbursed if less than twelve hours for academic credit are not attempted by the student during  
4 summer sessions. If awarded in the summer, a student's total award during his or her enrollment may not exceed the amount that  
5 would otherwise be provided under current semester limits applied for the scholarship awards. The Commission on Higher Education  
6 may provide additional guidelines necessary to ensure uniform implementation.

7 **11.14.** (CHE: Other Funded FTE Revenue) When institutions of higher learning request additional other funded full-time  
8 equivalent positions, the Executive Budget Office shall inform the Commission on Higher Education of its decision regarding the  
9 request and whether or not sufficient revenues exist to fund the salary and fringe benefits for the positions.

10 **11.15.** (CHE: Abatements) By November first of each year, state supported institutions of higher learning must submit to the  
11 Commission on Higher Education the total number of out-of-state undergraduate students during the prior fiscal year that received  
12 abatement of rates pursuant to Section 59-112-70 of the 1976 Code as well as the total dollar amount of the abatements received.  
13 The report must include the geo-origin of the student, class of the student, comprehensive listing of all financial awards received by  
14 the student, number of semesters the student has received the abated rate, as well as the athletic status of the student. The report  
15 must also include the calculation method used to determine the abatement amount awarded to students as well as the number of  
16 students that received educational fee waivers pursuant to Section 59-101-620. The Commission on Higher Education is directed to  
17 compile the information received from the state-supported institutions of higher learning into a comprehensive report and submit  
18 such report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by  
19 January fifth each year.

20 **11.16.** (CHE: Outstanding Institutional Debt) By November first, institutions of higher learning must submit to the Chairman of  
21 the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Commission on Higher Education,  
22 or its successor entity, data on all outstanding institutional debt for their respective institution. Data shall include, but not be limited  
23 to, the amount of the initial debt, year in which the debt was incurred, the year in which the debt will be satisfied, the repayment  
24 schedule, and the purpose for which the debt was incurred.

25 **11.17.** (CHE: Longitudinal Data Reports) By December first each year, the Commission on Higher Education is directed to  
26 provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on  
27 tuition and required fee trends submitted to the commission by the state's public colleges and universities. The baseline of the report  
28 must be the most recent fall semester compared to the previous five fall semesters. The commission shall also provide comparable  
29 data and trends for and among SREB states for the same period of time. For the same time periods noted above, the commission  
30 shall also calculate in the report the level of recurring base state operating funding received by each college and university as  
31 measured on an in-state student basis as well as the average of such funding provided in each SREB state. In addition, for the same  
32 time periods noted above, the commission shall also provide in the report a calculation of the level of recurring and/or non-recurring  
33 funding provided by the state to each college and university for capital related needs, including facilities and/or equipment related  
34 capital funding, as measured on an in-state student basis as well as the average of such funding provided in each SREB state.

35 **11.18.** (CHE: Suspend Governor's Professor of the Year Award) The requirements of Section 59-104-220 of the 1976 Code  
36 pertaining to the Governor's Professor of the Year Award shall be suspended for ~~Fiscal Year 2022-23~~ *the current fiscal year*.

1       **11.19.** (CHE: Prohibition of Discriminatory Practices) (A) In the current fiscal year and from the funds appropriated to the  
2 Commission on Higher Education, the commission shall print and distribute to all South Carolina public colleges and universities  
3 the definition of anti-Semitism.

4       (B) For purposes of this proviso, the term “definition of anti-Semitism” includes:

5       (1) a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of  
6 anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and  
7 religious facilities;

8       (2) calling for, aiding, or justifying the killing or harming of Jews;

9       (3) making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a  
10 collective;

11       (4) accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or  
12 group, the state of Israel, or even for acts committed by non-Jews;

13       (5) accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust;

14       (6) accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interest of  
15 their own nations;

16       (7) using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis;

17       (8) drawing comparisons of contemporary Israeli policy to that of the Nazis;

18       (9) blaming Israel for all inter-religious or political tensions;

19       (10) applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation;

20       (11) multilateral organizations focusing on Israel only for peace or human rights investigations; and

21       (12) denying the Jewish people their right to self-determination, and denying Israel the right to exist, provided, however, that  
22 criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic.

23       (C) South Carolina public colleges and universities shall take into consideration the definition of anti-Semitism for purposes of  
24 determining whether the alleged practice was motivated by anti-Semitic intent when reviewing, investigating, or deciding whether  
25 there has been a violation of a college or university policy prohibiting discriminatory practices on the basis of religion.

26       (D) Nothing in this proviso may be construed to diminish or infringe upon any right protected under the First Amendment to the  
27 Constitution of the United States or Section 2, Article I of the South Carolina Constitution, 1895.

28       **11.20.** (CHE: Doctoral/Professional University Classification) In the current fiscal year, the Commission on Higher Education is  
29 directed to study and implement a classification system for South Carolina public institutions of higher education that includes a  
30 classification of a Doctoral/Professional University. Institutions in this classification shall have a mission or focus to advance the  
31 post-secondary educational opportunities for South Carolina citizens. These institutions shall be permitted to offer college-level  
32 baccalaureate, master’s, and no more than a combined five terminal professional or Ph.D. degrees that lead to continued education  
33 or employment.

34       **11.21.** (CHE: Institutes of Innovation and Information) Of the funds appropriated to the Commission on Higher Education for  
35 the Institutes of Innovation and Information (Institutes), the commission may provide administrative services, oversight, consulting,

1 technical assistance, and other services in support of the Institutes. The commission shall also establish a separate and distinct fund  
2 and/or nonprofit foundation to receive private donations on behalf of the program. This fund shall retain its interest earnings.

3 For accountability purposes, by March first, each institution shall submit a final report to the Commission on Higher Education  
4 that details the Institutes: (a) final expenditures and any remaining funds in the operating budget; (b) achieved goals and the timeline  
5 detailing when the goals were achieved; and (c) specific measures demonstrating success in implementing and meeting the stated  
6 goals. By March fifteenth, the Commission on Higher Education shall report this information to the Chairman of the Senate Finance  
7 Committee and the Chairman of the House Ways and Means Committee.

8 The Executive Director of the commission shall order an audit of any participating institution's Institutes of Innovation and  
9 Information program activities and expenditures as he deems necessary.

10 11.22. (CHE: Educator Report Card) To maximize the effectiveness and to minimize cost, the Commission on Higher Education  
11 shall collaborate with the Education Oversight Committee and the Department of Education to develop and build out the online  
12 educator report card by expending up to \$350,000 in funds carried forward from Fiscal Year 2022-23 into Fiscal Year 2023-24 by  
13 the Education Oversight Committee for implementing the Education Data Dashboard.

14 11.23. (CHE: FAFSA) High school seniors shall complete and submit a free application for federal student aid (FAFSA) before  
15 graduating from high school. Families and legal guardians may elect to be exempted from this requirement. The Commission on  
16 Higher Education and the State Board of Education must: (1) develop and adopt a form for the purpose of declining to complete the  
17 application; and (2) develop and provide user-friendly resources and information about the purpose of FAFSA, how to complete the  
18 FAFSA, and other postsecondary financial aid options.

## 20 SECTION 15 - H150 - UNIVERSITY OF CHARLESTON

21  
22 ~~15.1. (UOC: Institutional Capital Resources) In the current fiscal year, the University of Charleston may use any institutional~~  
23 ~~capital resources necessary to make repairs to McAlister Hall. Any recovery from ongoing litigation must first be used to repay~~  
24 ~~allocations made from the institution's capital improvement fee for this renovation.~~

## 26 SECTION 20 - H450 - UNIVERSITY OF SOUTH CAROLINA

27  
28 **20.1.** (USC: Palmetto Poison Center) Of the funds appropriated or authorized herein, the University of South Carolina shall  
29 expend at least \$150,000 on the Palmetto Poison Center.

30 **20.2.** (USC: School Improvement Council) Of the funds appropriated to the University of South Carolina Columbia Campus,  
31 \$100,000 shall be used for the School Improvement Council.

32 **20.3.** (USC: South Carolina Children's Advocacy Medical Response System) Of the funds appropriated to the University of  
33 South Carolina School of Medicine, not less than \$3,200,000 shall be expended for the South Carolina Children's Advocacy Medical  
34 Response System. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain  
35 percentage, the university may not reduce the funds for the South Carolina Children's Advocacy Medical Response System greater  
36 than such stipulated percentage.

1     **SECTION 23 - H510 - MEDICAL UNIVERSITY OF SOUTH CAROLINA**  
2

3     **23.1.** (MUSC: Rural Dentist Program) The Rural Dentist Program, in coordination with the Department of Health and  
4 Environmental Control's Public Health Dentistry Program, is established at the Medical University of South Carolina. The funds  
5 appropriated to the Medical University of South Carolina for the Rural Dentist Program shall be administered by the South Carolina  
6 Area Health Education Consortium physician recruitment office. The costs associated with administering this program are to be paid  
7 from the funds appropriated to the Rural Dentist Program and shall not exceed four percent of the appropriation. The Medical  
8 University of South Carolina is responsible for the fiscal management of funds to ensure that state policies and guidelines are adhered  
9 to. MUSC shall be permitted to carry forward unspent general funds appropriated to the Rural Dentist program provided that these  
10 funds be expended for the program for which they were originally designated. A board is created to manage and allocate these funds  
11 to insure the location of licensed dentists in rural areas of South Carolina and on the faculty of the College of Dental Medicine at  
12 MUSC. The board will be composed of the following: the Dean, or his designee, of the MUSC College of Dental Medicine; three  
13 members from the South Carolina Dental Education Foundation Board who represent rural areas; and the President, or his designee,  
14 of the South Carolina Dental Association. The Director of DHEC's Office of Primary Care; the Director or his designee of the  
15 Department of Health and Human Services; and the Executive Director of the South Carolina Dental Association shall serve as ex  
16 officio members without vote. This board shall serve without compensation.

17     **23.2.** (MUSC: Rural Access Plan) The MUSC Hospital Authority, in conjunction with the Department of Health and Human  
18 Services, shall study how to partner with existing rural hospitals and other entities to ensure that these regions maintain access to  
19 medical care. The MUSC Hospital Authority shall submit a report to the Chairman of the Senate Finance Committee and the  
20 Chairman of the House Ways and Means Committee detailing efforts to maintain medical care at rural hospitals no later than the end  
21 of the fiscal year.

22     **23.3.** (MUSC: Children's Hospital Infrastructure) Of the funds appropriated for South Carolina Children's Hospitals  
23 infrastructure, the Medical University of South Carolina shall establish the South Carolina Children's Hospital Innovation Center  
24 to ensure that all children in South Carolina have access to high-quality medical services in a coordinated, cost-effective manner.  
25 Under the direction of the South Carolina Children's Hospital Collaborative, the center annually shall establish children's healthcare  
26 infrastructure priorities, determining allocations for those priorities, and then contracting with qualifying children's hospitals to fund  
27 established priorities. Qualifying South Carolina children's hospitals must be not-for-profit systems providing comprehensive  
28 pediatric inpatient and outpatient services, serve as the regional perinatal center for their region, serve as training sites for the Medical  
29 University of South Carolina and the University of South Carolina medical schools, and participate in the South Carolina Telehealth  
30 Alliance pediatric telehealth workgroup. The center shall submit an annual report to the Governor, the Chairman of the House Ways  
31 and Means Committee, and the Chairman of the Senate Finance Committee within 120 days of the close of the fiscal year detailing  
32 established children's healthcare infrastructure priorities and expenditures made to fund these priorities, specifying both innovation  
33 center funds and matching institutional funds.

34     **23.4.** (MUSC: Pediatric Transgender Clinic) No funds appropriated to MUSC pursuant to this appropriations act shall be used  
35 to fund or support any action furthering the gender transition of a minor child under the age of sixteen. This proviso shall not prohibit

1 MUSC from providing medically necessary treatment that is unrelated to physical gender transition. Further, this proviso does not  
2 prohibit mental health counseling services.

3 ~~23.5. (MUSC: Campus Renovation Funds) Funds remaining of the \$6,500,000 appropriated in Act 95 of 2021, Section 1, Item  
4 (23) to the Medical University of South Carolina for Statewide Teaching Partnerships shall be redirected to be used for campus  
5 renovations and improvements.~~

6 ~~23.6. (MUSC: Regional Medical Center Partnership) Of the funds appropriated in this act, the Medical University of South  
7 Carolina and the Medical University Hospital Authority shall partner with the Regional Medical Center in Orangeburg for research  
8 and improved access to care in rural and underserved communities experiencing chronic disease. This partnership shall provide for  
9 teaching opportunities through resident and medical intern slots as available and cooperatively agreed upon by the two institutions,  
10 specifically focusing on, but not limited to, telehealth and victims services.~~

11 ~~23.7. (MUSC: Admissions) No funds appropriated or authorized by this act may be used by the Medical University of South  
12 Carolina to conduct admissions interviews.~~

## 13 14 SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

15  
16 **25.1.** (TEC: Training of New & Expanding Industry) (A) Notwithstanding the amounts appropriated in this section for readySC  
17 it is the intent of the General Assembly that the State Board for Technical and Comprehensive Education expend the funds necessary  
18 to provide direct training for new and expanding business or industry.

19 (B) In the event projected expenditures are above the appropriation, the appropriation in this section for readySC may be  
20 appropriately adjusted, if and only if, the Executive Budget Office determines that the projected expenditures are directly related to:

21 (1) an existing technology training program where the demand for the program exceeds the program's capacity and the  
22 additional funds are to be utilized to meet the demand; or

23 (2) a new program is necessary to provide direct training for new or expanding business or industry.

24 (C) The adjustment may occur only upon approval by the Executive Budget Office. Upon the Executive Budget Office's approval  
25 of the adjustment, the Director of the Executive Budget Office must certify, in writing, that the adjustment is directly related to either  
26 subsection (B)(1) or (B)(2). The Director must immediately provide a copy of the written certification, including the amount of the  
27 adjustment, to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance  
28 Committee, and the Chairman of the House Ways and Means Committee.

29 (D) Upon the Director's written certification approving an adjustment, the State Board for Technical and Comprehensive  
30 Education must submit a statement to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the  
31 Senate Finance Committee, and the Chairman of the House Ways and Means Committee containing a detailed itemization of the  
32 manner in which funds initially appropriated for technology training were utilized, the specific purpose for the adjustment, and the  
33 ultimate recipient of the adjusted amount.

34 (E) The aggregate amount of all adjustments made pursuant to this section may not exceed ten million dollars.



1 (F) In the event that projected expenditures for readySC exceed the amounts appropriated and the amount of any adjustments  
2 authorized, the State Board for Technical and Comprehensive Education may request a supplemental appropriation from the General  
3 Assembly.

4 **25.2.** (TEC: Training of New & Expanding Industry Carry Forward) In addition to the funds appropriated in this section, any of  
5 the funds appropriated under this section for the prior fiscal year which are not expended during that fiscal year may be carried  
6 forward and expended for direct training of new and expanding industry in the current fiscal year.

7 **25.3.** (TEC: Training of New & Expanding Industry - Payments of Prior Year Expenditures) The State Board for Technical and  
8 Comprehensive Education may reimburse business and industry for prior year training costs billed to the agency after fiscal year  
9 closing with the concurrence of the Comptroller General.

10 **25.4.** (TEC: Critical Statewide Workforce Needs) Of the funds appropriated in this act to the State Board for Technical and  
11 Comprehensive Education for E&G STEM Programs: Critical Needs Workforce Development Initiative, the State Board must  
12 allocate the funds between the colleges based on a methodology designed to best meet the state's workforce needs and demands.  
13 This methodology should be created by the State Board in consultation with the Department of Commerce and the Department of  
14 Employment and Workforce and should identify the areas with the most critical need. For this purpose, critical need shall be defined  
15 as unmet employment demand in areas or fields of Science, Technology, Engineering, Mathematics, and Manufacturing. Funds must  
16 be used by the college for STEM programs.

## 17 SECTION 27 - H870 - STATE LIBRARY

18 **27.1.** (LIB: Aid to Counties Libraries Allotment) The amount appropriated in this section for "Aid to County Libraries" shall be  
19 allotted to each county on a per capita basis according to the official United States Census For 2020, as aid to the County Library. No  
20 county shall be allocated less than \$150,000 under this provision. To receive this aid, local library support shall not be less than the  
21 amount actually expended for library operations from local sources in the second preceding year.

22 **27.2.** (LIB: Information Service Fees) The State Library may charge a fee for costs associated with information delivery and  
23 retain such funds to offset the costs of maintaining, promoting and improving information delivery services.

24 **27.3.** (LIB: Continuing Education Fees) The State Library may charge a fee for costs associated with continuing education  
25 and retain such funds to offset the costs of providing continuing education opportunities.

26 **27.4.** (LIB: Books and Materials Disposal) The State Library may sell or otherwise dispose of books and other library materials  
27 that are deemed by the State Library as no longer of value to the State of South Carolina and the State Library's collection. Funds  
28 received from the sale of books and materials shall be retained and expended to purchase new materials for the collection.  
29 Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose.

30 **27.5.** (LIB: SCLENDS) The State Library may accept money for the South Carolina Library Evergreen Network Delivery  
31 System (SCLENDS), a consortium providing patrons access to more library materials. The consortium shall allow South Carolina  
32 libraries the ability to share resources and provide a forum for sharing expertise in technical areas such as systems administration  
33 and cataloging. Funds received by the State Library for SCLENDS shall be placed in a special account and shall only be utilized to  
34  
35

1 pay for items related to SCLENDS. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year  
2 and be used for the same purpose.

3 **27.6.** (LIB: Donations) The State Library may accept donation funds to be used for administration, operation, and programs  
4 from any donor source. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year.

5 **27.7.** (LIB: Sale of Promotional Items) The State Library shall be allowed to sell promotional items with the South Carolina  
6 State Library brand and logo for the purpose of generating funds for the State Library. Unexpended funds shall be carried forward  
7 from the prior fiscal year into the current fiscal year.

8 **27.8.** (LIB: Consortium Purchasing) The State Library shall be authorized to accept funds to be used for consortium purchasing  
9 between libraries (public, academic, special) that serve South Carolina residents. Funds received by the State Library for consortium  
10 purchasing agreements shall be placed in a designated account and shall only be used to pay for items related to specific consortium  
11 purchasing agreements. These funds may be retained, expended, and carried forward from the prior fiscal year into the current fiscal  
12 year and used for the same purpose.

13  
14 **SECTION 28 - H910 - ARTS COMMISSION**

15  
16 **28.1.** (ARTS: Professional Artists Contract) Where practicable, all professional artists employed by the Arts Commission in the  
17 fields of music, theater, dance, literature, musical arts, craft, media arts, and environmental arts shall be hired on a contractual basis  
18 as independent contractors. Where such a contractual arrangement is not feasible employees in these fields may be unclassified,  
19 however, the approval of their salaries shall be in accord with the provisions of Section 8-11-35 of the 1976 Code.

20 **28.2.** (ARTS: Special Revolving Account) Any income derived from Arts Commission sponsored arts events or by gift,  
21 contributions, or bequest now in possession of the Arts Commission including any federal or other funds balance remaining at the  
22 end of the prior fiscal year, shall be retained by the commission and placed in a special revolving account for the commission to use  
23 solely for the purpose of supporting the programs provided herein. Any such funds shall be subject to the review procedures as set  
24 forth in Act 651 of 1978.

25 **28.3.** (ARTS: Partial Indirect Cost Waiver) The commission is allowed to apply a fifteen percent indirect cost rate for continuing  
26 federal grants for which they must compete. The commission shall apply the full approved negotiated rate to the Basic State Grant  
27 and any new grants received by the commission.

28 **28.4.** (ARTS: Grants) The Arts Commission must expend seventy percent of appropriated state funds on grants to support the  
29 statewide improvement of learning and enrichment opportunities for children and communities through educational and cultural  
30 programs with proven research based strategies.

31 **28.5.** (ARTS: Distribution to Subdivisions) No later than December first of the current fiscal year, the Arts Commission must  
32 report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee the amount of  
33 aid/allocations distributed to subdivisions during the most recently completed fiscal year, detailed by specific subdivisions.

34

1     **SECTION 29 - H950 - STATE MUSEUM COMMISSION**

2

3     **29.1.** (MUSM: Removal From Collections) The commission may remove accessioned objects from its museum collections by  
4 gift to another public or nonprofit institution, by trade with another public or nonprofit institution, by public sale, by transfer to the  
5 commission's education, exhibit, or study collections or to its operating property inventory; or as a last resort, by intentional  
6 destruction on the condition that the objects so removed meet with one or more of the following criteria: (1) they fall outside the  
7 scope of the South Carolina Museum  
8 Commission's collections as defined in the Collection Policy; (2) they are unsuitable for exhibition or research; (3) they are inferior  
9 duplicates of other objects in the collection; or (4) they are forgeries or were acquired on the basis of false information; funds from  
10 the sale of such objects will be placed in a special revolving account for the commission to use solely for the purpose of purchasing  
11 objects for the collections of the State Museum.

12     **29.2.** (MUSM: Museum Store) The Museum Commission shall establish and administer a museum store in the State Museum.  
13 This store may produce, acquire, and sell merchandise relating to historical, scientific, and cultural sources. All profits received from  
14 the sale of such merchandise shall be retained by the Museum Commission in a restricted fund to be carried forward into the following  
15 fiscal year. These funds may be used for store operations, publications, acquisitions, educational programs, exhibit production and  
16 general operating expenses provided that the expenditures for such expenses are approved by the General Assembly in the annual  
17 Appropriation Act.

18     **29.3.** (MUSM: Retention of Revenue) The Museum Commission may retain revenue received from admissions, program fees,  
19 facility rentals, professional services, donations, food service, exhibits and exhibit components, and other miscellaneous operating  
20 income generated by or for the museum and may expend such revenue for general operating expenses provided that such expenditures  
21 are approved by the General Assembly in the annual Appropriation Act. Any unexpended revenue from these sources may be carried  
22 forward into the current fiscal year to be expended for the same purposes.

23     **29.4.** (MUSM: School Tour Fee Prohibition) The commission may not charge admission fees to groups of children from South  
24 Carolina who have made reservations that are touring the museum as part of a school function.

25     **29.5.** (MUSM: Dining Area Rent) Of the space currently vacant in the Columbia Mills Building, space large enough for the  
26 museum to have dining space for school-aged children shall be provided to the State Museum at no cost.

27     **29.6.** (MUSM: Remittance to General Services) The State Museum is directed to remit not less than \$1,800,000 to the  
28 Department of Administration as compensation for expenses associated with the premises it leases in the Columbia Mills Building.  
29 In the event the General Assembly or the Executive Budget Office implements a mid-year across-the-board budget reduction, the  
30 rent that the State Museum remits to the Department of Administration shall be reduced by the same percentage as the assessed  
31 budget reduction.

32

33     **SECTION 30 - H960 - CONFEDERATE RELIC ROOM AND MILITARY MUSEUM COMMISSION**

34

35     **30.1.** (CRR: Southern Maritime Collection) The Confederate Relic Room and Military Museum Commission, on behalf of the  
36 Hunley Commission is authorized to expend funds appropriated for such purpose to pay the outstanding note entered into to finance

1 the purchase of the Southern Maritime Collection and the Hunley Commission will assume custody and management of the  
2 Collection for the State. The commission is authorized to use up to \$500,000 of the funds transferred for implementation of this  
3 proviso. The balance of the funds transferred may be used by the commission for costs associated with other Museum operations.  
4 The General Assembly will provide for funds in future fiscal years to cover the costs of the financing of the Southern Maritime  
5 Collection.

6  
7 **SECTION 32 - H730 - DEPARTMENT OF VOCATIONAL REHABILITATION**  
8

9 **32.1.** (VR: Production Contracts Revenue) All revenues derived from production contracts earned by people with disabilities  
10 receiving job readiness training at the agency's Work Training Centers may be retained by the State Agency of Vocational  
11 Rehabilitation and used in the facilities for Client Wages and any other production costs; and further, any excess funds derived from  
12 these production contracts may be used for other operating expenses and/or permanent improvements of these facilities.

13 **32.2.** (VR: Reallotment Funds) To maximize utilization of federal funding and prevent the loss of such funding to other states  
14 in the Basic Service Program, the State Agency of Vocational Rehabilitation be allowed to budget reallotment and other funds  
15 received in excess of original projections in following State fiscal years.

16 **32.3.** (VR: User/Service Fees) Any revenues generated from user fees or service fees charged to the general public or other  
17 parties ineligible for the department's services may be retained to offset costs associated with the related activities so as to not affect  
18 the level of service for regular agency clients.

19 **32.4.** (VR: Meal Ticket Revenue) All revenues generated from sale of meal tickets may be retained by the agency and expended  
20 for supplies to operate the agency's food service programs or cafeteria.

21 **32.5.** (VR: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Department of Vocational  
22 Rehabilitation is authorized to establish an interest bearing fund with the State Treasurer to deposit funds appropriated for deferred  
23 maintenance and other one-time funds from any source. After receiving any required approvals, the department is authorized to  
24 expend these funds for the purpose of deferred maintenance, capital projects, and ordinary repair and maintenance. These funds may  
25 be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

26  
27 **SECTION 33 - J020 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
28

29 **33.1.** (DHHS: Recoupment/Restricted Fund) The Department of Health and Human Services shall recoup all refunds and  
30 identified program overpayments and all such overpayments shall be recouped in accordance with established collection policy.  
31 Further, the Department of Health and Human Services is authorized to maintain a restricted fund, on deposit with the State Treasurer,  
32 to be used to pay for liabilities and improvements related to enhancing accountability for future audits. The restricted fund will  
33 derive from prior year program refunds. The restricted fund shall not exceed one percent of the total appropriation authorization for  
34 the current year. Amounts in excess of one percent will be remitted to the general fund.

35 **33.2.** (DHHS: Long Term Care Facility Reimbursement Rate) The department, in calculating a reimbursement rate for long term  
36 care facility providers, shall obtain for each contract period an inflation factor, developed by the Revenue and Fiscal Affairs Office.

1 Data obtained from Medicaid cost reporting records applicable to long term care providers will be supplied to the Revenue and Fiscal  
2 Affairs Office. A composite index, developed by the Revenue and Fiscal Affairs Office will be used to reflect the respective costs  
3 of the components of the Medicaid program expenditures in computing the maximum inflation factor to be used in long term care  
4 contractual arrangements involving reimbursement of providers. The Revenue and Fiscal Affairs Office shall update the composite  
5 index so as to have the index available for each contract renewal.

6 The department may apply the inflation factor in calculating the reimbursement rate for the new contract period from zero percent  
7 up to the inflation factor developed by the Revenue and Fiscal Affairs Office.

8 **33.3.** (DHHS: Medical Assistance Audit Program Remittance) The Department of Health and Human Services shall remit to  
9 the State Auditor's Office an amount representing fifty percent (allowable Federal Financial Participation) of the cost of the Medical  
10 Assistance Audit Program as established in the State Auditor's Office of the State Fiscal Accountability Authority, Section 105.  
11 Such amount shall also include appropriated salary adjustments and employer contributions allocable to the Medical Assistance  
12 Audit Program. Such remittance to the State Auditor's Office shall be made monthly and based on invoices as provided by the State  
13 Auditor's Office of the State Fiscal Accountability Authority.

14 **33.4.** (DHHS: Third Party Liability Collection) The Department of Health and Human Services is allowed to fund the net costs  
15 of any Third Party Liability and Drug Rebate collection efforts from the monies collected in that effort.

16 **33.5.** (DHHS: Medicaid State Plan) Where the Medicaid State Plan has been altered to cover services that previously were  
17 provided by one hundred percent state funds, or that have been requested to be added by other state agencies, the department can bill  
18 other agencies for the state share of services provided through Medicaid. In order to comply with Federal regulations regarding  
19 allowable sources of matching funds, state agencies are authorized to make appropriation transfers to the Department of Health and  
20 Human Services to be used as the state share when certified public expenditures are not allowed for those state agency Medicaid  
21 services. The department will keep a record of all services affected and submit periodic reports to the Senate Finance and House  
22 Ways and Means Committees.

23 **33.6.** (DHHS: Medically Indigent Assistance Fund) The department is authorized to expend disproportionate share funds to all  
24 eligible hospitals with the condition that all audit exceptions through the receipt and expenditures of these funds are the liability of  
25 the hospital receiving the funds.

26 **33.7.** (DHHS: Registration Fees) The department is authorized to receive and expend registration fees for educational, training,  
27 and certification programs.

28 **33.8.** (DHHS: Fraud and Abuse Collections) The Department of Health and Human Services may offset the administrative costs  
29 associated with controlling fraud and abuse.

30 **33.9.** (DHHS: Medicaid Eligibility Transfer) The South Carolina Department of Health and Human Services (DHHS) is hereby  
31 authorized to determine the eligibility of applicants for the South Carolina Medicaid Program in accordance with the State Plan  
32 Under Title XIX of The Social Security Act Medical Assistance Program. The governing authority of each county shall provide  
33 office space and facility service for this function as they do for DSS functions under Section 43-3-65.

34 With funds available to the department and by November first, the Director of the Department of Health and Human Services shall  
35 provide the governing authority and the legislative delegation of each county with information on the condition of space furnished  
36 for this purpose and shall specifically identify any known deficiencies with respect to the accessibility requirements of the Americans

1 with Disabilities Act (ADA). By May first, the governing authority of any county with an identified ADA-related deficiency shall  
2 report to its legislative delegation and the Director of the Department of Health and Human Services on its progress in correcting  
3 such deficiency.

4 **33.10.** (DHHS: Franchise Fees Suspension) Franchise fees imposed on nursing home beds and enacted by the General Assembly  
5 during the 2002 session are suspended.

6 **33.11.** (DHHS: Program Integrity Efforts) The Department of Health and Human Services is instructed to expand its program  
7 integrity efforts by utilizing resources both within and external to the agency including, but not limited to, the ability to contract with  
8 other entities for the purpose of maximizing the department's ability to detect and eliminate provider fraud.

9 **33.12.** (DHHS: Post Payment Review) The department is directed to perform post payment reviews as permitted under Medicaid  
10 regulations to ensure compliance with the Hyde Amendment provisions as it relates to the performance of medically necessary  
11 services under the Medicaid program. The results of such reviews shall be available to the General Assembly upon request in a  
12 format that meets the requirements of the Health Insurance Accountability and Portability Act (HIPAA) and Medicaid confidentiality  
13 regulations.

14 **33.13.** (DHHS: Long Term Care Facility Reimbursement Rates) The department shall direct staff to complete and submit its  
15 Medicaid State Plan Amendment for long term care facility reimbursement rates to the Director of the Department of Health and  
16 Human Services by August first of each year. The director shall review the plan and submit to the Federal Government on or before  
17 August fifteenth of each year provided the State Appropriations Act has been enacted by that date. All additional requests for  
18 information from CMS concerning the plan shall be promptly submitted to CMS by the Department of Health and Human Services.

19 **33.14.** (DHHS: Nursing Services to High Risk/High Tech Children) The Department of Health and Human Services shall continue  
20 a separate classification and compensation plan for Registered Nurses (RN) and Licensed Practical Nurses (LPN) who provide  
21 services to Medically Fragile Children, who are Ventilator dependent, Respirator dependent, Intubated, and Parenteral feeding or  
22 any combination of the above. The classification plan shall recognize the skill level that these nurses caring for these Medically  
23 Fragile Children must have over and above normal home-care or school-based nurses.

24 **33.15.** (DHHS: CHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify  
25 eligible children and households to the Children's Health Insurance Program (CHIP) and/or Medicaid and must use available state  
26 agency program data including, but not limited to, that housed in the Revenue and Fiscal Affairs Office, the Department of Social  
27 Services' Supplemental Nutritional Assistance Program (SNAP) and poverty-related information from the Department of Education.  
28 Use of this data and cooperative efforts between state agencies reduces the cost of outreach and eligibility activities. In the current  
29 fiscal year and with funds available to it, the department shall submit to the Centers for Medicare and Medicaid Services such waivers  
30 and/or plan amendments necessary to ensure that the CHIP upper income limit is at least that of the average of the states within CMS  
31 Region IV and shall enroll children into the program accordingly.

32 **33.16.** (DHHS: Carry Forward) The Department of Health and Human Services is authorized to carry forward and expend any  
33 General Fund balance and any cash balances from the prior fiscal year into the current fiscal year for any earmarked or restricted  
34 trust and agency, or special revenue account or subfund. The department shall submit a comprehensive reporting of all cash balances  
35 brought forward from the prior fiscal year. The report shall, at a minimum, for each account or subfund include the following: the  
36 statutory authority that allows the funds to be carried forward, the maximum authorized amount that can be carried forward, the

1 general purpose or need for the carry forward, the specific source(s) of funding or revenue that generated the carry forward, and a  
2 detailed description of any pending obligations against the carry forward. The report must be submitted to the President of the  
3 Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, and Chairman of the House Ways and  
4 Means Committee, within fifteen days after the Comptroller General closes the fiscal year.

5 **33.17.** (DHHS: Medicaid Provider Fraud) The department shall expand and increase its effort to identify, report, and combat  
6 Medicaid provider fraud. The department shall publish on its' agency homepage by April first, of the current fiscal year, the results  
7 of these efforts, the funds recovered, and information pertaining to prosecutions of such cases, including pleas agreements entered  
8 into.

9 **33.18.** (DHHS: GAPS) The requirements of Article 5, Chapter 6, Title 44 shall be suspended for the current state fiscal year.

10 **33.19.** (DHHS: Contract Authority) The Department of Health and Human Services is authorized to contract with  
11 community-based not-for-profit organizations for local projects that further the objectives of department programs. The department  
12 shall develop policies and procedures and may promulgate regulations to assure compliance with state and federal requirements  
13 associated with the funds used for the contracts and to assure fairness and accountability in the award and administration of these  
14 contracts. The department may require a match from contract recipients. The department shall report to the Chairman of the Senate  
15 Finance Committee and the Chairman of the House Ways and Means Committees on the contracts administered.

16 **33.20.** (DHHS: Medicaid Accountability and Quality Improvement Initiative) From the funds appropriated and authorized to the  
17 Department of Health and Human Services, the department is authorized to implement the following accountability and quality  
18 improvement initiatives:

19 (A) ~~Healthy Outcomes Initiative - The Department of Health and Human Services may tie Disproportionate Share Hospital (DSH)~~  
20 ~~payments to participation in the Healthy Outcomes Initiative and may expand the program as DSH funding is available.~~

21 ~~(B) *Community Health Improvement Initiative* - To improve community health, the department may explore various health *quality*~~  
22 ~~outreach, education, patient wellness and incentive programs. The department may pilot health interventions targeting diabetes,~~  
23 ~~smoking cessation, weight management, heart disease, and other health conditions. These programs may be expanded as their~~  
24 ~~potential to improve health and lower costs are identified by the department.~~

25 ~~(B) *Community Health Alignment Initiative* - The department shall contract with the Center for Community Health Alignment~~  
26 ~~(CCHA) at the University of South Carolina in a collaborative effort to expand the community health worker program to hospital~~  
27 ~~settings. The goal of this program shall be to improve health outcomes for individuals that do not have access to affordable health~~  
28 ~~insurance by facilitating resource connections and access to safety net providers. The department shall facilitate the Center's~~  
29 ~~coordination of placement and funding of qualified community health workers in hospital settings to achieve program goals. The~~  
30 ~~Center must provide the department with patient, service, and other data to assist in the operation and ongoing evaluation of this~~  
31 ~~initiative. The department may tie hospital reimbursements, as appropriate, to participation in this Community Health Alignment~~  
32 ~~Initiative.~~

33 ~~(C) *Rural Hospital DSH Payment* - Medicaid-designated rural hospitals in South Carolina may be eligible to receive up to one~~  
34 ~~hundred percent of costs associated with uncompensated care as part of the DSH program. Funds shall be allocated from the existing~~  
35 ~~DSH program. To be eligible, rural hospitals must participate in reporting and quality guidelines published by the department and~~  
36 ~~outlined in the Healthy Outcomes Initiative. In addition to the requirements placed upon them by the department, rural hospitals~~

1 must actively participate with the department and any other stakeholder identified by the department, in efforts to design an alternative  
2 health care delivery system in these regions. Improving Access Initiatives - The department may pursue Medicaid reimbursement  
3 and health care delivery methodologies to sustain and improve access to services particularly in underserved and designated rural  
4 areas. The department shall review existing reimbursement levels and, as funds are available, take measures to implement  
5 competitive rate structures that provide incentives for providers to treat Medicaid, uninsured, and underinsured individuals. These  
6 structures may include the use of disproportionate share, directed payments, and other supplemental payment programs. Utilizing  
7 income, population, provider capacity, and other relevant data, the department may designate certain areas of the state as rural for  
8 Medicaid initiatives. To be eligible for these initiatives, the department may require providers to participate in quality,  
9 accountability, and reporting programs.

10 (D) Quality Through Technology and Innovation in Pediatrics (OTIP) Initiative – The department shall explore ways to enhance  
11 the existing OTIP program. The goal of this program is to improve quality measure outcomes, promote medical home concepts, and  
12 support mental health skill-building and integration through targeted quality improvement and technical assistance to pediatric  
13 practices.

14 (E) Health Services Initiative – The department may use available funds from the Children’s Health Insurance Program (CHIP)  
15 allotment to implement specific health service initiatives to improve the public health of children, including targeted low-income  
16 children and other low-income children as defined in 42 CFR 457.10. These initiatives may include preventive care and other  
17 interventions that improve the overall health and mental well-being of children. These initiatives may not supplant federal funds  
18 currently used to provide services under the state’s CHIP program.

19 ~~(DF) Primary Care Safety Net Initiative - The department shall implement a methodology to reimburse safety net providers~~  
20 ~~participating in a hospital Healthy Outcomes Initiative program to provide primary care, behavioral health services, and pharmacy~~  
21 ~~services for chronically ill individuals that do not have access to affordable insurance. Qualifying safety net providers are approved,~~  
22 ~~licensed, and duly organized Federally Qualified Health Centers (FQHCs and other entities receiving funding under Section 330 of~~  
23 ~~the Public Health Services Act), Rural Health Clinics (RHCs), local alcohol and drug abuse authorities established by Act 301 of~~  
24 ~~1973, Free Clinics, other clinics serving the uninsured, and Welvista. The department shall formulate a methodology and allocate~~  
25 ~~\$3,600,000 for innovative care strategies for qualifying safety net providers. The department shall formulate a separate methodology~~  
26 ~~and to allocate \$5,000,000 of funding to FQHCs, at least \$1,500,000 of funding for to Free Clinics throughout the state, and~~  
27 ~~\$1,500,000 of funding for local alcohol and drug abuse authorities created under Act 301 of 1973, and up to \$4,000,000 for capital~~  
28 ~~improvements to the Act 301 facilities through consultation with the Department of Alcohol and Other Drug Abuse Services, to~~  
29 ~~ensure funds are provided on a needs based approach. The department may continue to develop and implement a process for~~  
30 ~~obtaining encounter-level data that may be used to assess the cost and impact of services provided through this proviso. Any newly~~  
31 ~~established Community Health Center/FQHC shall receive an amount equivalent to the average disbursement made to all~~  
32 ~~centers/FQHCs.~~

33 ~~(E) The department shall allocate funds to be used for obesity education for patients, reimbursement payments for providers, and~~  
34 ~~continuing education for all providers through partnerships with the Department.~~

35 ~~(FG) To be eligible for funds in this proviso, providers must provide the department with patient, service and financial data to assist~~  
36 ~~in the operation and ongoing evaluation of both the initiatives resulting from this proviso, and other price, quality, transparency, and~~



1 DSH accountability efforts currently underway or initiated by the department. The Revenue and Fiscal Affairs Office shall provide  
2 the department with any information required by the department in order to implement this proviso in accordance with state law and  
3 regulations.

4 ~~(G) The department may pilot a behavioral health intervention program for wrap-around care to vulnerable mental health patients  
5 who frequent the emergency room in hotspots and underserved areas within the state. The pilot program must provide reports  
6 detailing progress on the target population and health outcomes achieved. These programs may be expanded as their potential to  
7 improve health and lower costs are identified by the department.~~

8 (H) The department annually shall ~~publish quarterly reports on the agency's website regarding the department's progress in~~  
9 ~~meeting the goals established by this~~ evaluate each initiative within this provision to measure its effectiveness in meeting expected  
10 goals. The department shall continually monitor all third-party contracts employed under this provision to ensure that appropriations  
11 are being efficiently and effectively utilized for their intended purpose. The department also shall annually report on the results of  
12 each evaluation to the House Ways and Means Healthcare Budget Subcommittee and the Senate Finance Health and Human Services  
13 Subcommittee.

14 **33.21.** (DHHS: Medicaid Healthcare Initiatives Outcomes) ~~Prior to February fifteenth of the current fiscal year, the Director of~~  
15 ~~the Department of Health and Human Services shall make a presentation to the House Ways and Means Healthcare Budget~~  
16 ~~Subcommittee on the outcomes of Medicaid healthcare initiatives enacted during the current fiscal year to improve the well-being of~~  
17 ~~persons enrolled in the Medicaid program and receiving services from Medicaid providers.~~

18 **33.22.** (DHHS: Rural Health Initiative) From the funds appropriated to the Department of Health and Human Services for the  
19 Rural Health Initiative in the current fiscal year, the department shall partner with the following state agencies, institutions, and other  
20 key stakeholders to implement these components of a Rural Health Initiative to better meet the needs of medically underserved  
21 communities throughout the state. The department may leverage any and all available federal funds to implement this initiative.  
22 Recurring and non-recurring funding for the Rural Health Initiative may be carried forward by the department and expended for the  
23 same purpose.

24 (A) The Department of Health and Human Services shall incentivize the development of primary care access in rural and  
25 underserved areas, leverage Medicaid spending on Graduate Medical Education (GME) ~~by implementing methodologies that support~~  
26 ~~recommendations contained in the January 2014 report of the South Carolina GME Advisory Group,~~ and continue to leverage the  
27 use of teaching hospitals to ensure rural physician coverage in counties with a demonstrated lack of adequate access and coverage  
28 through the following provisions:

29 (1) Rural and Underserved Area Provider Capacity - the department shall partner with the University of South Carolina School  
30 of Medicine to develop a statewide Rural Health Initiative to identify strategies for significantly improving health care access,  
31 supporting physicians, and reducing health inequities in rural communities. In addition, the department shall also contract with the  
32 MUSC Hospital Authority in the amount of \$1,500,000, and the USC School of Medicine in the amount of \$2,000,000 to further  
33 develop statewide teaching partnerships. The department shall also expend \$5,000,000 ~~in accordance with a graduate medical~~  
34 ~~education plan developed cooperatively by the Presidents or their designees~~ to fund medical education and graduate nursing and  
35 health science programs approved jointly by the Presidents of the following institutions: the Medical University of South Carolina,  
36 the University of South Carolina, and Francis Marion University.

1 (2) Rural Healthcare Coverage and Education - The USC School of Medicine, in consultation with statewide rural health  
2 stakeholders and partners, shall continue to operate a Center of Excellence to support and develop rural medical education and  
3 delivery infrastructure with a statewide focus, through clinical practice, training, and research, as well as collaboration with other  
4 state agencies and institutions. The Center shall submit to the department an annual spending plan centered on efforts to improve  
5 access to care and expand healthcare provider capacity in rural communities. Upon approval of the annual spending plan, the  
6 department shall authorize at least \$3,000,000 to support center staffing as well as the programs and collaborations delivering rural  
7 health research, the ICARED program, workforce development scholarships and recruitment, rural fellowships, health education  
8 development, and/or rural practice support and education. Funding released by the department pursuant to this section must not be  
9 used by the recipient(s) to supplant existing resources already used for the same or comparable purposes. No later than February  
10 first of the current fiscal year, the USC School of Medicine shall report to the Chairman of the House Ways and Means Committee,  
11 the Chairman of the Senate Finance Committee, and the Director of the Department of Health and Human Services on the specific  
12 uses of funds budgeted and/or expended pursuant to this provision.

13 (3) Rural Medicine Workforce Development - The department, ~~in consultation with the Medical Education Advisory~~  
14 ~~Committee (MEAC)~~, shall support the development of additional residency and/or fellowship slots or programs in rural medicine,  
15 family medicine, and any other appropriate primary care specialties that have been identified by the department as not being  
16 adequately served by existing Graduate Medical Education programs. ~~The department shall ensure that each in-state member of the~~  
17 ~~Association of American Medical Colleges is afforded the opportunity to participate in MEAC.~~ New training sites and/or residency  
18 positions are subject to approval as specified by the Accreditation Council for Graduate Medical Education (ACGME). *As funds are*  
19 *made available*, the department may also accept proposals and award grants for programs designed to expose resident physicians to  
20 rural practice and enhance the opportunity to recruit these residents for long-term practice in these rural and/or underserved  
21 communities. ~~Up to \$500,000 of the recurring funds appropriated to the department for the Rural Health Initiative may be used for~~  
22 ~~this purpose. Additionally, the department shall use up to \$200,000 of the recurring funds appropriated for the Department of Aging's~~  
23 ~~Geriatric Physicians Loan Forgiveness program.~~

24 (4) Statewide Health Innovations - At least \$2,500,000 must be expended by the department to contract with the USC School  
25 of Medicine and at least \$1,000,000 to Clemson University to develop and continue innovative healthcare delivery and training  
26 opportunities through collaborative community engagement via ICARED, Clemson Rural Health Programming, and other innovative  
27 programs that provide clinical services, mental and behavioral health services, children's health, OB/GYN services, and/or chronic  
28 disease coverage gaps. In consultation with statewide rural health stakeholders and partners, the department must ensure  
29 collaborative efforts with the greatest potential for impact are prioritized.

30 (5) ~~Maternal Mortality Reduction - Prior to the expiration of the COVID-19 public health emergency, the department shall~~  
31 ~~ensure that 12-month postpartum coverage is preserved by making the election offered pursuant to Section 1902(e)(16) of the Social~~  
32 ~~Security Act. The Department of Health and Human Services shall collaborate with the South Carolina Maternal Mortality and~~  
33 ~~Morbidity Review Committee to develop a method of evaluating the effectiveness of this provision.~~

34 (6) Rural Health Network Revitalization Project - For the purpose of establishing self-sustaining rural health networks that  
35 will improve care delivery in rural communities, funds appropriated for Rural Health Network Revitalization shall be expended, in  
36 consultation with the Director of Department of Health and Human Services, by the South Carolina Center for Rural and Primary

1 Healthcare within the University of South Carolina School of Medicine to provide material support, facilitation, technical assistance,  
2 and other resources to rural communities seeking to create or renew their rural health networks. The Center shall submit to the  
3 department an annual spending plan. Upon approval of the annual spending plan, the Center shall:

- 4 (a) be authorized to provide funding to such communities for a time to establish and support the work;  
5 (b) work with partners across the State to implement evidence-based models of community development and healthcare  
6 delivery;  
7 (c) evaluate the implementation and impact of the network development work undertaken; and  
8 (d) facilitate the development, implementation, and evaluation of alternative payment models with payors within the State.

9 No later than February first of the current fiscal year, the South Carolina Center for Rural and Primary Healthcare within the  
10 University of South Carolina School of Medicine shall report to the Chairman of the House Ways and Means Committee, the  
11 Chairman of the Senate Finance Committee, and the Director of the Department of Health and Human Services on the specific uses  
12 of funds budgeted and/or expended pursuant to this provision.

13 (B) The department shall continue to investigate the potential use of DSH *disproportionate share, directed payment*, and/or any  
14 other source of funds in order to improve access to medical services in one or more rural *or underserved* communities identified by  
15 the department in which such access has been determined to be unstable or at-risk. *As funds are available to the department, it may*  
16 *establish a grant program for providers to implement sustainable delivery models or capital improvements to enhance access to*  
17 *health care services. When the program is in force, the department shall publish grant criteria and guidelines and, at its discretion,*  
18 *may cap or limit the amount of available funds at any time. The department shall require written proposals and may include*  
19 *stipulations it deems necessary and prudent to ensure funds are used to improve the sustainability of access to services in rural or*  
20 *other underserved areas. The department shall also ensure that a facility has been properly sized to meet the needs of its service*  
21 *area. By October 1st of each year, the department shall report to the Chairman of the House Ways and Means Committee and the*  
22 *Chairman of the Senate Finance Committee on the status of outstanding grants.*

23 ~~(1) In the current fiscal year, the department is authorized to establish a DSH pool, or support pool from other available funds,~~  
24 ~~for this purpose and/or if deemed necessary to implement transformation plans for which conforming applications were filed with~~  
25 ~~the department pursuant to this or a previous hospital transformation or rural health initiative proviso, but for which additional~~  
26 ~~negotiations or development were required. The department, at its discretion, may cap or limit the amount of available funds at any~~  
27 ~~time. An emergency department or facility that is established within 35 miles of its sponsoring hospital pursuant to this or a previous~~  
28 ~~hospital transformation or rural health initiative proviso and which receives dedicated funding pursuant to this proviso shall be~~  
29 ~~exempt from any Department of Health and Environmental Control Certificate of Need requirements or regulations. Any such~~  
30 ~~facility shall participate in the South Carolina Telemedicine Network.~~

31 ~~(2) The department may receive proposals from and provide financial support for capital expenditures associated with the~~  
32 ~~replacement/renovation of two or more rural hospitals, or addition of critical health services. Such proposals must be submitted by a~~  
33 ~~hospital system approved to advise a rural transformation project, and the project must be subject to ongoing advisement by the~~  
34 ~~submitting facility, or subject to acquisition by the advising facility. Proposals must demonstrate that the rural hospital has been~~  
35 ~~properly sized to meet the needs of its service area and support a sustainable model of care in a rural setting. Priority shall be given~~  
36 ~~to active health service districts and proposals that replace significantly aged physical plants; that preserve access to inpatient,~~

1 ~~outpatient, and emergency services; or that improve access to behavioral health services. The department shall require such written~~  
2 ~~agreements which may require project milestone, last dollar funding, and other stipulations deemed necessary and prudent by the~~  
3 ~~department to ensure the funds are used to improve health outcomes and ensure rural health access.~~

4 (C) The Revenue and Fiscal Affairs Office and the Area Health Education Consortium's Office of Healthcare Workforce Analysis  
5 and Planning shall provide the department with any information required by the department in order to implement this proviso in  
6 accordance with state law and regulations. Not later than January 1, of the current fiscal year, the department shall submit to the  
7 President of the Senate and Speaker of the House of Representatives an evaluation of the state's safety-net providers that includes,  
8 at a minimum, Federally Qualified Health Centers, Rural Health Clinics, and to the extent applicable to funding received by the state,  
9 free clinics.

10 **33.23.** (DHHS: IDEA Part C Compliance) With the funds available to the department, the Department of Health and Human  
11 Services shall report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and  
12 Means Committee no later than December 31, ~~2022~~ 2023 on the status of the department's efforts to bring the Individuals With  
13 Disabilities Education Act (IDEA) Part C program into compliance with federal requirements. This report must specifically address  
14 areas in which the IDEA Part C program has received low performance scores and include any relevant correspondence from the  
15 U.S. Department of Education. The report must explain the department's plan for bringing the program into compliance, including  
16 specific steps and the associated timeline.

17 **33.24.** (DHHS: Personal Emergency Response System) With funds appropriated and authorized to the Department of Health and  
18 Human Services for Fiscal Year ~~2022-23~~ 2023-24, the department shall develop one or more Requests for Proposals, to provide for Personal  
19 Emergency Response Systems (PERS) to be issued to Medicaid recipients pursuant to the department's Medicaid Home and  
20 Community-based waiver. The PERS devices must include in addition to emergency response services, unlimited twenty-four hour,  
21 seven-day a week live phone contact with experienced registered nurses for triage services. A PERS nurse triage call center must be  
22 accredited and must be separate from the PERS emergency response call center. The PERS device must have a wireless radio transmitter  
23 and a console that is cellular and does not require a traditional land line. A PERS device that includes nurse triage services also must  
24 comply with the requirements of Federal Communications Commission rules, 47 C.F.R. Part 68; and be approved by the Underwriters  
25 Laboratory or Equipment Testing Laboratories as a health care signaling product. The Department of Health and Human Services shall  
26 apply for any waiver necessary under the department's Medicaid Home and Community-based waiver to implement these provisions.

27 **33.25.** (DHHS: Family Planning Funds) The State has enacted Section 43-5-1185 of the 1976 Code that prohibits state funds,  
28 directly or indirectly, from being utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative  
29 functions related to abortions. Having prevented Planned Parenthood from performing abortions with state funds, once the federal  
30 injunction is lifted, the Department of Health and Human Services may not direct any federal funds to Planned Parenthood. An  
31 otherwise qualified organization may not be disqualified from receipt of these funds because of its affiliation with an organization  
32 that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified  
33 organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that  
34 receives these funds. An organization that provides abortion services in compliance with Part 1.B., Proviso 33.12 of this act is  
35 excepted from the above restriction on state family planning funds and may receive state family planning funds.

1       **33.26.** (DHHS: Meals in Emergency Operations) The cost of meals may be provided to state employees who are not permitted to  
2 leave their stations and are required to work during actual emergencies, emergency situation exercises, and when the Governor  
3 declares a state of emergency.

4       **33.27.** (DHHS: Optional State Supplement Adjustments) Cost-of-living adjustments in benefit payments made by the federal  
5 government will result in adjustments in the Optional State Supplementation (OSS) Program as determined necessary by the  
6 Department of Health and Human Services to ensure that payment amounts are not reduced. The department shall adjust the OSS  
7 net income limitation, the OSS facility rate, and the personal needs allowance to ensure that payment amounts are not reduced. OSS  
8 benefit payment amounts shall be adjusted to reflect the changes in recipients' countable income.

9       **33.28.** (DHHS: Mental Health Counselors) ~~The Department of Health and Human Services shall assume the responsibility of~~  
10 ~~providing the state matching funds necessary to draw down federal Medicaid funds for school-based mental health counselors. The~~  
11 ~~Department of Mental Health shall transfer general funds to the Department of Health and Human Services in an amount equal to~~  
12 ~~the Medicaid match used by the Department of Mental Health to draw down similar federal Medicaid funds during the most recently~~  
13 ~~completed fiscal year.~~

14       **33.29.** (DHHS: Reimagining Our Destiny) ~~The funds appropriated in Act 94 of 2021 by proviso 118.18(B)(74) to the Department~~  
15 ~~of Health and Human Services for the South Carolina HIV Council "The Wright Wellness Center" shall be redirected to Voorhees~~  
16 ~~College to be used for the HBCU's Reimagining Our Destiny health study. The council shall provide a report on all expenditures of~~  
17 ~~the funds to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee by June 30, 2023.~~

18       **33.30.** (DHHS: Broadband and Telehealth Digital Literacy) With funds available to the Department of Health and Human  
19 Services, the department shall partner with a member of the South Carolina Telehealth Alliance that has relevant expertise for no  
20 less than \$500,000 to establish a pilot program that leverages telehealth capabilities to improve the health status and condition of  
21 other social determinants for rural or other underserved segments of the Medicaid beneficiary population to be identified by the  
22 department. Implemented through grant or contract at the department's discretion, the pilot program shall:

23       (1) offer digital devices and digital inclusion training for specific categories of Medicaid beneficiaries in one or more  
24 communities to be identified by the department;

25       (2) make Medicaid beneficiaries aware of the eligibility criteria for the Federal Communications Commission's Lifeline program  
26 and of the benefits available to them through this program, and if appropriate, support outreach and enrollment; and

27       (3) result in the development of a report, which shall be provided to the Chairman of the House Ways and Means Committee and  
28 the Chairman of the Senate Finance Committee, that uses survey and/or other comparable data to explain why many eligible Medicaid  
29 members have not previously enrolled for Lifeline, along with findings or recommendations as to how these obstacles may be  
30 overcome in the future.

31       **33.31.** (DHHS: NOLA Program) ~~Of the funds appropriated to the department for the current fiscal year, \$250,000 shall be utilized~~  
32 ~~for No One Left Alone (NOLA) which is a community-based program designed to address the health equity challenges faced by~~  
33 ~~individuals experiencing poverty in select South Carolina counties related to access to cancer care and support. The program shall~~  
34 ~~include several sub-components including, but not limited to:~~

35       ~~(1) access to precision medicine or comprehensive genomic profiling testing;~~

36       ~~(2) hereditary cancer or GC testing;~~

1 ~~(3) cancer screening services;~~

2 ~~(4) cancer treatment;~~

3 ~~(5) clinical trials; and~~

4 ~~(6) cancer care resources.~~

5 The program shall also identify issues that restrict a patient's access to care including, but not limited to:

6 ~~(1) insurance status;~~

7 ~~(2) mean family income;~~

8 ~~(3) distance to travel to care and transportation options;~~

9 ~~(4) food insecurity;~~

10 ~~(5) language barriers; and~~

11 ~~(6) literacy levels and cultural barriers in adoption of care.~~

12 Additionally, the program shall mobilize appropriate resources to support cancer patients, such as financial assistance for  
13 out-of-pocket costs for food, transportation to care, and household needs provided by CancerCare. In collaboration with North Central  
14 Family Medicine and Plexus Health, direct linkages between clinics and Carolina Blood and CancerCare Associates (CBCCA) may  
15 be utilized when the clinics identify cancer patients, cancer caregivers, and the bereaved. CBCCA shall be charged with:

16 ~~(1) studying local resources the clinics use to assist their clients that might also prove helpful for cancer patients;~~

17 ~~(2) collecting information through the NOLA intake form administered at CBCCA to identify barriers to care;~~

18 ~~(3) utilizing the above data to carry out support services to CBCCA cancer patients via CBCCA and/or CancerCare;~~

19 ~~(4) identifying the correlation of social determinants of health (SDOH) to gaps in uptake in cancer screening services, biomarker  
20 testing, genetic testing, cancer care, and clinical trials; and~~

21 ~~(5) providing a report of these findings to the Chairman of the House Ways and Means Committee and the Chairman of the  
22 Senate Finance Committee no later than the June 30, 2023.~~

23 33.32. (DHHS: Brain Health Initiative) South Carolina has been identified as one of five states with the most significant gap  
24 between an available neurology workforce and the health needs of people with Alzheimer's and other dementias. From funds  
25 appropriated, the Department of Health and Human Services is authorized to contract with the University of South Carolina to  
26 develop and implement a rural brain health network for the purpose of improving brain health, enhancing the quality of care, and  
27 increasing statewide access to dementia care. This includes advancing the clinical care of dementia, promoting translational  
28 research, improving cardiovascular and brain health, expanding and improving the Alzheimer's Disease Registry provided for in  
29 Section 44-36-10, establishing training and fellowship programs for health care providers, and obtaining a better understanding of  
30 population risk factors. The University shall partner and collaborate with the Medical University of South Carolina (MUSC) and  
31 Clemson University to leverage existing programs to meet the unmet dementia care needs for citizens in rural areas throughout  
32 South Carolina including, but not limited to, providing informed clinical care, early detection, early diagnosis disclosure, caregiver  
33 support, healthy aging, and education of primary care providers. The University also shall utilize and disseminate the brain health  
34 resources through DHEC's "Take Brain Health to Heart" campaign as a tool for community education. The department annually  
35 shall evaluate this initiative, including all partnerships and agreements, to assess its effectiveness in achieving expected outcomes.

36

1     **SECTION 34 - J040 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
2

3     **34.1.** (DHEC: County Health Departments Funding) Out of the appropriation provided in this section for “Access to Care,” the  
4 sum of \$25,000 shall be distributed to the county health departments by the commissioner, with the approval of the Board of  
5 Department of Health and Environmental Control, for the following purposes:

6         (1) To insure the provision of a reasonably adequate public health program in each county.

7         (2) To provide funds to combat special health problems that may exist in certain counties.

8         (3) To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion  
9 of better public health service throughout the State.

10         (4) To encourage and promote local participation in financial support of the county health departments.

11         (5) To meet emergency situations which may arise in local areas.

12         (6) To fit funds available to amounts budgeted when small differences occur.

13     The provisions of this proviso shall not supersede or suspend the provisions of Section 13-7-30 of the 1976 Code.

14     **34.2.** (DHEC: County Health Units) General funds made available to the Department of Health and Environmental Control for  
15 the allocation to the counties of the State for operation of county health units be allotted on a basis approved by the Board of the  
16 Department of Health and Environmental Control. The amount of general funds appropriated herein for Access to Care shall be  
17 allocated on a basis such that no county budget shall receive less than the amount received in the prior fiscal year, except when  
18 instructed by the Executive Budget Office or the General Assembly to reduce funds within the department by a certain percentage,  
19 the department may unilaterally reduce the county health units up to the stipulated percentage.

20     **34.3.** (DHEC: Camp Burnt Gin) Private donations or contributions for the operation of Camp Burnt Gin shall be deposited in a  
21 restricted account. These funds may be carried forward and shall be made available as needed to fund the operation of the camp.  
22 Withdrawals from this restricted account must be in accordance with approved procedures.

23     **34.4.** (DHEC: Children’s Rehabilitative Services) The Children’s Rehabilitative Services shall be required to utilize any  
24 available financial resources including insurance benefits and/or governmental assistance programs, to which the child may otherwise  
25 be entitled in providing and/or arranging for medical care and related services to physically handicapped children eligible for such  
26 services, as a prerequisite to the child receiving such services.

27     **34.5.** (DHEC: Cancer/Hemophilia) Notwithstanding any other provisions of this act, the funds appropriated herein for  
28 prevention, detection and surveillance of cancer as well as providing for cancer treatment services, \$545,449 and the hemophilia  
29 assistance program, \$1,186,928 shall not be transferred to other programs within the agency and when instructed by the Executive  
30 Budget Office or the General Assembly to reduce funds within the department by a certain percentage, the department may not act  
31 unilaterally to reduce the funds for any cancer treatment program and hemophilia assistance program provided for herein greater than  
32 such stipulated percentage.

33     **34.6.** (DHEC: Local Health Departments) Counties of the state will be relieved of contribution requirements for salary, fringe  
34 benefits and travel reimbursement to local health departments. The amount of \$5,430,697 is appropriated for county health  
35 department salaries, fringe benefits and travel. These funds and other state funds appropriated for county health units may, based  
36 upon need, be utilized in either salary or travel categories. Each county shall provide all other operating expenses of the local health

1 department in an amount at least equal to that appropriated for operations for each county in Fiscal Year 1981. In the event any  
2 county makes uniform reductions in appropriations to all agencies or departments for maintenance and operations, exclusive of  
3 salaries and fringe benefits, a like reduction shall be made in funds appropriated for the operating expenses of the local health  
4 department.

5 **34.7.** (DHEC: Insurance Refunds) The Department of Health and Environmental Control is authorized to budget and expend  
6 monies resulting from insurance refunds for prior year operations for case services in family health.

7 **34.8.** (DHEC: Emergency Medical Services) Funds appropriated herein for Emergency Medical Services, shall be allocated for  
8 the purpose of improving and upgrading the EMS system throughout the state. The monies allocated to the Counties are for the  
9 purpose of improving or upgrading the local EMS system through the licensed ambulance services, the monies allocated to the EMS  
10 Regional Councils are for the administration of training programs and technical assistance to local EMS organizations and county  
11 systems. All additional funds are to be allocated as follows: to the counties at the ratio of eighty-one percent of the additional funds  
12 appropriated herein, to the EMS Regions at a ratio of twelve percent of the additional funds appropriated herein and to the state EMS  
13 Office at the ratio of seven percent of the additional funds appropriated herein. The Department of Health and Environmental Control  
14 shall develop criteria and guidelines and administer the system to make allocations to each region and county within the state, based  
15 on demonstrated need and local match. Funds appropriated to Emergency Medical Services shall not be transferred to other programs  
16 within the department's budget. Unexpended funds appropriated to the program may be carried forward to succeeding fiscal years,  
17 and may be expended for administrative and operational support and for temporary and contract employees to assist with duties  
18 related to improving and upgrading the EMS system throughout the state, including training of EMS personnel and administration  
19 of grants to local EMS providers. After January 1<sup>st</sup> of the current fiscal year, fifty percent of unclaimed funds utilized for aid to  
20 counties from the prior fiscal year shall be transferred to the South Carolina EMS Association to promote and encourage education  
21 of emergency medical technicians and directors of emergency medical services; to collect, analyze, and distribute information about  
22 emergency medical services; to promote the improvement of patient care; to cooperate with other organizations; and to effect more  
23 efficient administration of emergency medical services in the State of South Carolina. In addition, when instructed by the Executive  
24 Budget Office or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds  
25 appropriated for EMS Regional Councils or Aid to Counties greater than such stipulated percentage.

26 **34.9.** (DHEC: Rape Violence Prevention Contract) Of the amounts appropriated in Rape Violence Prevention, \$1,103,956 shall  
27 be used to support programmatic efforts of the state's rape crisis centers with distribution of these funds based on the Standards and  
28 Outcomes for Rape Crisis Centers and each center's accomplishment of a preapproved annual action plan. For the current fiscal  
29 year, the department shall not reduce these contracts below the current funding level.

30 **34.10.** (DHEC: Sickle Cell Blood Sample Analysis) \$16,000 is appropriated in Independent Living for the Sickle Cell Program  
31 for Blood Sample Analysis and shall be used by the department to analyze blood samples submitted by the four existing regional  
32 programs - Region I, Barksdale Sickle Cell Anemia Foundation in Spartanburg; Region II, Clark Sickle Cell Anemia Foundation in  
33 Columbia; Region III, Committee on Better Racial Assurance Hemoglobinopathy Program in Charleston; and the Orangeburg Area  
34 Sickle Cell Anemia Foundation.

35 **34.11.** (DHEC: Sickle Cell Programs) \$761,233 is appropriated for Sickle Cell program services and shall be apportioned as  
36 follows:



1 (1) sixty-seven percent is to be divided equitably between the existing Community Based Sickle Cell Programs located in  
2 Spartanburg, Columbia, Orangeburg, and Charleston; and

3 (2) thirty-three percent is for the Community Based Sickle Cell Program at DHEC.

4 The funds shall be used for providing prevention programs, educational programs, testing, counseling, and newborn screening.  
5 The existing Community Based Sickle Cell Programs will provide counseling for families of newborns who test positive for sickle  
6 cell trait or other similar blood traits upon referral from DHEC. The balance of the total appropriation must be used for Sickle Cell  
7 Services operated by the Independent Living program of DHEC. The funds appropriated to the community based sickle cell centers  
8 shall be reduced to reflect any percent reduction assigned to the Department of Health and Environmental Control by the Executive  
9 Budget Office; provided, however, that the department may not act unilaterally to reduce the funds for the Sickle Cell program  
10 greater than such stipulated percentage. The department shall not be required to undertake any treatment, medical management or  
11 health care follow-up for any person with sickle cell disease identified through any neonatal testing program, beyond the level of  
12 services supported by funds now or subsequently appropriated for such services. No funds appropriated for ongoing or newly  
13 established sickle cell services may be diverted to other budget categories within the DHEC budget. For the current fiscal year, the  
14 department shall not reduce these funds below the current funding level.

15 **34.12.** (DHEC: Genetic Services) The sum of \$104,086 appearing under the Independent Living program of this act shall be  
16 appropriated to and administered by the Department of Health and Environmental Control for the purpose of providing appropriate  
17 genetic services to medically needy and underserved persons. Such funds shall be used by the department to administer the program  
18 and to contract with appropriate providers of genetic services. Such services will include genetic screening, laboratory testing,  
19 counseling, and other services as may be deemed beneficial by the department, and these funds shall be divided equally among the  
20 three Regional Genetic Centers of South Carolina, composed of units from the Medical University of South Carolina, the University  
21 of South Carolina School of Medicine, and the Greenwood Genetic Center.

22 **34.13.** (DHEC: Revenue Carry Forward Authorization) The Department of Health and Environmental Control is hereby  
23 authorized to collect, expend, and carry forward revenues in the following programs: Sale of Goods (confiscated goods, arm patches,  
24 etc.), sale of meals at Camp Burnt Gin, sale of publications, brochures, Spoil Easement Areas revenue, performance bond forfeiture  
25 revenue for restoring damaged critical areas, beach renourishment appropriations, photo copies and certificate forms, including but  
26 not limited to, pet rabies vaccination certificate books, sale of listings and labels, sale of State Code and Supplements, sale of films  
27 and slides, sale of maps, sale of items to be recycled, including, but not limited to, used motor oil and batteries, sale and/or licensing  
28 of software products developed and owned by the Department, and collection of registration fees for non-DHEC employees. Any  
29 unexpended balance carried forward must be used for the same purpose.

30 **34.14.** (DHEC: Medicaid Nursing Home Bed Days) Pursuant to Section 44-7-84(A) of the 1976 Code, the maximum number of  
31 Medicaid patient days for which the Department of Health and Environmental Control is authorized to issue Medicaid nursing home  
32 permits is 4,452,015.

33 **34.15.** (DHEC: Health Licensing Fee) Funds resulting from an increase in the Health Licensing Fee Schedule shall be retained  
34 by the department to fund increased responsibilities of the health licensing programs. Failure to submit a license renewal application  
35 or fee to the department by the license expiration date shall result in a late fee of \$75 or twenty-five percent of the licensing fee  
36 amount, whichever is greater, in addition to the licensing fee. Continual failure to submit completed and accurate renewal

1 applications and/or fees by the time period specified by the department shall result in enforcement actions. The department may  
2 waive any or all of the assessed late fees in extenuating circumstances, as long as it is with public knowledge.

3 **34.16.** (DHEC: Infectious Waste Contingency Fund) The Department of Health and Environmental Control is authorized to use  
4 not more than \$75,000 from the Infectious Waste Contingency Fund per year for personnel and operating expenses to implement the  
5 Infectious Waste Act.

6 **34.17.** (DHEC: Nursing Home Medicaid Bed Day Permit) When a Medicaid patient is transferred from a nursing home to a  
7 receiving nursing home due to violations of state or federal law or Medicaid certification requirements, the Medicaid patient day  
8 permit shall be transferred with the patient to the receiving nursing home, provided that the receiving nursing home is an enrolled  
9 Medicaid provider that already holds Medicaid patient day permits, in which case the receiving facility shall apply to permanently  
10 retain the Medicaid patient day permit within sixty days of receipt of the patient.

11 **34.18.** (DHEC: Spoil Easement Areas Revenue) The department is authorized to collect, retain and expend funds received from  
12 the sale of and/or third party use of spoil easement areas, for the purpose of meeting the State of South Carolina's responsibility for  
13 providing adequate spoil easement areas for the Atlantic Intracoastal Waterway in South Carolina.

14 **34.19.** (DHEC: Per Visit Rate) The SC DHEC is authorized to compensate nonpermanent, part-time employees on a fixed rate  
15 per visit basis. Compensation on a fixed rate per visit may be paid to employees for whom the department receives per visit  
16 reimbursement from other sources. These individuals will provide direct patient care in a home environment. The per visit rate may  
17 vary based on the discipline providing the care and the geographical location of services rendered. Management may pay exempt or  
18 nonexempt employees as defined by the Fair Labor Standards Act only when they are needed to work. Individuals employed in this  
19 category may exceed twelve months, but are not eligible for State benefits except for the option of contributing to the State Retirement  
20 System.

21 **34.20.** (DHEC: Allocation of Indirect Cost and Recoveries) The department shall continue to deposit in the general fund all  
22 indirect cost recoveries derived from state general funds participating in the calculation of the approved indirect cost rate. Further  
23 administration cost funded with other funds used in the indirect cost calculation may, based on their percentage, be retained by the  
24 agency to support the remaining administrative costs of the agency.

25 **34.21.** (DHEC: Permitted Site Fund) The South Carolina Department of Health and Environmental Control may expend funds as  
26 necessary from the permitted site fund established pursuant to Section 44-56-160(B)(1), for legal services related to environmental  
27 response, regulatory, and enforcement matters, including administrative proceedings and actions in state and all federal courts.

28 **34.22.** (DHEC: Shift Increased Funds) The director is authorized to shift increased appropriated funds in this act to offset  
29 shortfalls in other critical program areas.

30 **34.23.** (DHEC: Health Licensing Monetary Penalties) In the course of regulating health care facilities/services, the Bureau of  
31 Health Facilities Licensing (BHFL) assesses civil monetary penalties against nonconforming providers. BHFL shall retain up to the  
32 first \$50,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce  
33 the provisions of regulations applicable to that division. These funds shall be separately accounted for in the department's fiscal  
34 records.

35 **34.24.** (DHEC: Health Facilities Licensing Monetary Penalties) In the course of regulating health care facilities and services, the  
36 Bureau of Health Facilities Licensing (BHFL) assesses civil monetary penalties against nonconforming providers. BHFL shall retain

1 up to the first \$100,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and  
2 enforce the provisions of regulations applicable to that division. These funds shall be separately accounted for in the department's  
3 fiscal records. Regulations for nursing home staffing for the current fiscal year must (1) provide a minimum of one and sixty-three  
4 hundredths (1.63) hours of direct care per resident per day from the non-licensed nursing staff; and (2) maintain at least one licensed  
5 nurse per shift for each staff work area. All other staffing standards and non-staffing standards established in Standards for Licensing  
6 Nursing Homes: R61-17, Code of State Regulations, must be enforced.

7 **34.25.** (DHEC: Radiological Health Monetary Penalties) In the course of regulating health care facilities/services, the Bureau of  
8 Radiological Health (BRH) assesses civil monetary penalties against nonconforming providers. BRH shall retain up to the first  
9 \$30,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the  
10 provisions of regulations applicable to that Bureau. These funds shall be separately accounted for in the department's fiscal records.

11 **34.26.** (DHEC: Prohibit Use of Funds) The Department of Health and Environmental Control must not use any state appropriated  
12 funds to terminate a pregnancy or induce a miscarriage by chemical means.

13 **34.27.** (DHEC: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work  
14 during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

15 **34.28.** (DHEC: Compensatory Payment) In the event the President of the United States has declared a state of emergency or the  
16 Governor has declared a state of emergency in a county in the State, Fair Labor Standards Act exempt employees of the department  
17 may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency Director, and providing  
18 funds are available.

19 **34.29.** (DHEC: Beach Renourishment and Monitoring and Coastal Access Improvement) ~~If state funds are made available or~~  
20 ~~carried forward from any general revenue, capital, surplus or bond funding appropriated to the department for beach renourishment~~  
21 ~~and maintenance, the department shall be able to expend not more than \$100,000 of these funds annually to support annual beach~~  
22 ~~profile monitoring. Additional funds made available or carried forward for beach renourishment projects that are certified by the~~  
23 ~~department as excess may be spent for beach renourishment and departmental activities that advance the policy goals contained in~~  
24 ~~the State Beachfront Management Plan, R.30-21.~~

25 **34.30.** (DHEC: South Carolina State Trauma Care Fund) Of the funds appropriated to the South Carolina State Trauma Care  
26 Fund, \$2,268,885 shall be utilized for increasing the reimbursement rates for trauma hospitals, for trauma specialists' professional  
27 fees, for increasing the capability of EMS trauma care providers from counties with a high rate of traumatic injury deaths to care for  
28 injury patients, and for support of the trauma system, based on a methodology as determined by the department with guidance and  
29 input from the Trauma Council as established in Section 44-61-530 of the South Carolina Code of Laws. The methodology to be  
30 developed will include a breakdown of disbursement of funds by percentage, with a proposed seventy-six and one half percent  
31 disbursed to hospitals and trauma physician fees, sixteen percent of the twenty-one percent must be disbursed to EMS providers for  
32 training EMTs, Advanced EMTs and paramedics by the four regional councils of this state and the remaining five percent must be  
33 disbursed to EMS providers in counties with high trauma mortality rates, and two and one half percent allocated to the department  
34 for administration of the fund and support of the trauma system. The Department of Health and Environmental Control shall  
35 promulgate regulations as required in Section 44-61-540 of the 1976 Code for the administration and oversight of the Trauma Care  
36 Fund.

1       **34.31.** (DHEC: Pandemic Influenza) The Department of Health and Environmental Control shall assess South Carolina's ability  
2 to cope with a major influenza outbreak or pandemic influenza and maintain an emergency plan and stockpile of medicines and  
3 supplies to improve the state's readiness condition. The department shall report on preparedness measures to the Speaker of the  
4 House of Representatives, the President of the Senate, and the Governor by November first, each year. The department, in  
5 conjunction with the Department of Health and Human Services, is authorized to establish a fund for the purpose of developing an  
6 emergency supply, stockpile, and distribution system of appropriate antiviral, antibiotic, and vaccine medicines and medical supplies.  
7 In the event the United States Department of Health and Human Services makes available medicines or vaccines for purchase by  
8 states via federal contract or federally subsidized contract or other mechanism, the department, with Executive Budget Office  
9 approval, may access appropriated or earmarked funds as necessary to purchase an emergency supply of these medicines for the  
10 State of South Carolina.

11       **34.32.** (DHEC: Pharmacist Services) For the current fiscal year, provisions requiring that all department facilities distributing or  
12 dispensing prescription drugs be permitted by the Board of Pharmacy and that each pharmacy have a pharmacist-in-charge are  
13 suspended. Each Department of Health and Environmental Control Public Health Region shall be required to have a permit to  
14 distribute or dispense prescription drugs. A department pharmacist may serve as the pharmacist-in-charge without being physically  
15 present in the pharmacy. The department is authorized to designate one pharmacist-in-charge to serve more than one department  
16 facility. Only pharmacists, nurses, or physicians are allowed to dispense and provide prescription drugs/products/vaccines for  
17 conditions or diseases that the department treats, monitors, or investigates. In the event of a public health emergency or upon  
18 activation of the strategic national stockpile, other medications may be dispensed as necessary.

19       **34.33.** (DHEC: Rural Hospital Grants) Rural Hospital Grants funds shall be allocated to public hospitals in very rural or rural  
20 areas whose largest town is less than 25,000 and whose licensed bed capacity does not exceed two hundred beds. Hospitals qualifying  
21 for the grants shall utilize such funds for any of the following purposes: (a) the development of preventive health programs, medical  
22 homes, and primary care diversion from emergency departments; (b) expanded health services, including physician recruitment and  
23 retention; (c) to improve hospital facilities; (d) activities involving electronic medical records or claims processing systems; (e) to  
24 enhance disease prevention activities in diabetes, heart disease, etc; and (f) activities to ensure compliance with State or Federal  
25 regulations.

26       **34.34.** (DHEC: Camp Burnt Gin) Notwithstanding any other provision of law, the funds appropriated to the department pursuant  
27 to Part IA, or funds from any other source, for Camp Burnt Gin must not be reduced in the event the department is required to take  
28 a budget reduction.

29       **34.35.** (DHEC: Metabolic Screening) The department may suspend any activity related to blood sample storage as outlined in  
30 Section 44-37-30 (D) and (E) of the 1976 Code, if there are insufficient state funds to support the storage requirements. In that event,  
31 the samples may be destroyed in a scientifically appropriate manner after testing. The department shall notify providers of the  
32 suspension within thirty days of its effective date.

33       **34.36.** (DHEC: Fetal Pain Awareness) (A) The department must utilize at least one hundred dollars to prepare printed materials  
34 concerning information that unborn children at twenty weeks gestation and beyond are fully capable of feeling pain and the right of  
35 a woman seeking an abortion to ask for and receive anesthesia to alleviate or eliminate pain to the fetus during an abortion procedure.

1 The materials must be provided to each abortion provider in the State and must be placed in a conspicuous place in each examination  
2 room at the doctor's office. The materials must contain only the following information:

3 "Fetal Pain Awareness

4 An unborn child who is twenty weeks old or more is fully capable of experiencing pain. Anesthesia provided to a woman for an  
5 abortion typically offers little pain prevention for the unborn child. If you choose to end your pregnancy, you have a right to have  
6 anesthesia or analgesic administered to alleviate the pain to your unborn child during the abortion."

7 (B) The materials must be easily comprehensible and must be printed in a typeface large and bold enough to be clearly legible.

8 **34.37.** (DHEC: SCHIDS) From funds appropriated for Chronic Disease Prevention, the department shall establish a South  
9 Carolina Health Integrated Data Services (SCHIDS) program to disseminate data about prevalence, treatment and cost of disease  
10 from the South Carolina Health and Human Services Data Warehouse and in particular the Medicaid System. The purpose of the  
11 program is to educate communities statewide about improving health and wellness through lifestyle changes.

12 The Revenue and Fiscal Affairs Office shall provide data needed by the SCHIDS program to fulfill its mission, and all state  
13 agencies and public universities involved in educating South Carolinians through public programs for the purpose of improving  
14 health and wellness shall communicate with the program in order to improve collaboration and coordination and the possible use of  
15 SCHIDS to assist in the evaluation of program outcomes.

16 Medicaid staff shall coordinate with the SCHIDS program staff to target Prevention Partnership Grant awards to those communities  
17 demonstrating a prevalence of chronic disease and/or lack of access to care.

18 **34.38.** (DHEC: Abstinence Education Contract) For the current fiscal year, funds made available to the State of South Carolina  
19 under the provisions of Title V, Section 510, may only be awarded to other entities through a competitive bidding process.

20 **34.39.** (DHEC: Immunizations) The department is authorized to utilize the funds appropriated for immunizations to hire  
21 temporary personnel to address periods of high demand for immunizations at local health departments.

22 **34.40.** (DHEC: Residential Treatment Facilities Swing Beds) ~~For Fiscal Year 2017-18~~ *In the current fiscal year*, in coordination  
23 with the South Carolina Health Plan and to improve access for acute psychiatric beds as patient populations demand, Residential  
24 Treatment Facilities (RTF) may swing up to eighteen beds per qualifying facility to accommodate patients with a diagnosis of an  
25 acute psychiatric disorder. In order to qualify to utilize swing beds a facility must meet the following criteria: the facility must  
26 currently have both licensed acute psychiatric and residential treatment facility beds, the RTF beds must meet the same licensure  
27 requirements as the existing licensed acute psychiatric beds, and any facility utilizing swing beds must keep the acute and RTF  
28 patient populations separate and distinct. The utilization of swing beds must also comply with all federal Centers for Medicare and  
29 Medicaid Services rules and regulations.

30 **34.41.** (DHEC: Tuberculosis Outbreak) (A) Upon discovery of a tuberculosis outbreak, the Department of Health and  
31 Environmental Control may expend any funds available to the agency, for the purpose of surveillance, investigation, containment,  
32 and treatment activities related thereto.

33 (B) Upon identification of a tuberculosis outbreak, the department will conduct a comprehensive contact investigation and  
34 implement control measures consistent with guidance from the Centers for Disease Control and Prevention. As part of the  
35 investigation and control of the outbreak, the department will alert the appropriate healthcare providers and community members  
36 using the most effective means available.

1 (C) Upon being informed of or having reason to suspect a case of tuberculosis that is capable of transmitting tubercle bacilli at a  
2 school or child care center involving a student, teacher, employee, volunteer, or an individual working at the school or child care  
3 center for an employer providing services to the school or child care center, the department immediately shall notify:

4 (1) if the case is at a school, the principal, and the Superintendent of the school district if the school is a public school; and

5 (2) if the case is at a child care center, the director of the child care center; and

6 (D) When informing the principal of a school or the director of a child care center about a known or suspected case of tuberculosis  
7 that is capable of transmitting tubercle bacilli as provided for in subsection (C), the department shall provide:

8 (1) an update addressing the:

9 (a) status of the investigation, including the steps the department is taking to identify the source and extent of the exposure  
10 and the risks of additional exposure; and

11 (b) steps the school or child care center must take to assist the department in controlling the spread of the tuberculosis  
12 infection; and

13 (2) information and other resources to distribute to parents and guardians that discuss how to assist the department in  
14 identifying and managing the tuberculosis infection.

15 **34.42.** (DHEC: Abstinence-Until-Marriage Emerging Programs) (A) From the funds appropriated to DHEC in this act as a  
16 Special Item and titled "Abstinence-Until Marriage Emerging Programs" the department shall award a twelve month grant for  
17 abstinence-until-marriage emerging programs. This funding shall be awarded by the department only to nonprofit 501(c)(3) agencies  
18 meeting all the A-H Title V, Section 510 definitions of Abstinence Education, as defined in the 2017 Social Security Act.

19 (B) Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

20 (C) Applicants must provide a budget and budget narrative to the department that explains how the funds will be used.

21 (D) Prior to application, proposed programs/curricula must be certified by the National Abstinence Education Association  
22 (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirements for abstinence-until-marriage  
23 education programs.

24 (E) The department shall determine and develop the necessary application for awards.

25 (F) The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South  
26 Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the  
27 South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

28 Organizations or individuals awarded grants must provide quarterly reports on expenditures and participation to the Department  
29 of Health and Environmental Control and the Department of Social Services within fifteen days of the end of each quarter.

30 (G) Grantees failing to submit reports within thirty days of the end of each quarter will be terminated.

31 **34.43.** (DHEC: Abstinence Until Marriage Evidence-Based Programs Funding) From the monies appropriated for the  
32 Continuation of Teen Pregnancy Prevention, contracts must be awarded to separate private, nonprofit 501(c)(3) entities to provide  
33 Abstinence Until Marriage teen pregnancy prevention programs and services within the State that meet all of the A-H Title V, Section  
34 510 definitions of Abstinence Education, as defined in the 2017 Social Security Act. Contracts must be awarded utilizing a  
35 competitive approach in accordance with the South Carolina Procurement Code. Proposed programs/curricula must be certified by  
36 the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510

1 A-H requirement for abstinence-until-marriage education programs. Applicants must provide a budget for the proposed project for  
2 which the application is being made. Monies will be paid over a twelve month basis for services rendered. Unexpended funds shall  
3 be carried forward for the purpose of fulfilling the department's contractual agreement. The programs implemented by the entity  
4 awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act  
5 when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education  
6 Act must reimburse the State for all funds disbursed.

7 **34.44.** (DHEC: Birth Center Inspections) With the funds appropriated and authorized to the Department of Health and  
8 Environmental Control for this fiscal year, the department shall ensure that all licensed birth centers must register an on-call  
9 agreement and any transfer policies with the Department of Health and Environmental Control. The on-call agreement shall contain  
10 provisions which provide that the on-call physician, or another physician designated by the on-call physician, is readily available to  
11 provide medical assistance either in person or by telecommunications or other electronic means, which means the physician must be  
12 within a thirty minute drive of the birth center or hospital, must be licensed in the State of South Carolina, and have hospital admitting  
13 or consulting privileges, and shall provide consultation and advice to the birth center at all times it is serving the public. Furthermore,  
14 a birth center shall document in its practice guidelines and policies the ability to transfer care to an acute care hospital with obstetrical  
15 and newborn services and must demonstrate this by: (A) coordinated transfer care plans, protocols, procedures, arrangements, or  
16 through collaboration with one or more acute care hospitals with appropriate obstetrical and newborn services; and (B) admitting or  
17 consulting privileges at one or more hospitals with appropriate obstetrical and newborn services by a birth center's consulting  
18 physician. The department shall require a \$25.00 registration fee upon receipt and review of the agreements containing these  
19 provisions. Acute care hospitals licensed by the department must negotiate in good faith and fair dealing effort with any birth center  
20 licensed by the department within a 50 mile radius to establish a written transfer agreement pursuant to this proviso. Birth centers  
21 registering on-call and transfer policies in accordance with this proviso shall be deemed by the department to be in compliance with  
22 Section 44-89-60(3) of the South Carolina Code and any implementing regulations for this fiscal year.

23 **34.45.** (DHEC: Abortion Clinic Certification) Prior to January 31, 2017, a facility other than a hospital that is licensed and  
24 certified by the department to perform abortions must file a report with the department that provides the number of physicians that  
25 performed an abortion at the facility between July 1, 2016 and December 31, 2016, who did not have admitting privileges at a local  
26 certified hospital and staff privileges to replace on-staff physicians at the certified hospital and the percentage of these physician in  
27 relation to the overall number of physicians who performed abortions at the facility. The report must include a summation of any  
28 abortion that resulted in an outcome which required a level of aftercare that exceeds what is customarily provided by physicians in  
29 such cases in accordance with accepted medical practice and indicate whether or not the abortion was performed by a physician with  
30 admitting privileges at a local certified hospital and staff privileges to replace on-staff physicians at the certified hospital. Any  
31 summation of any abortion must not divulge any information that is privileged or required to be maintained as confidential by any  
32 provision of law. An applicable facility must remit a twenty-five dollar filing fee to the department for the report required by this  
33 provision.

34 **34.46.** (DHEC: Data Center Migration) Of the funds appropriated to the Department of Health and Environmental Control for  
35 Data Center Migration, the department must utilize the Department of Administration, Division of Technology Operations for shared  
36 services, including but not limited to, mainframe services, application hosting, servers, managed servers, storage, network services

1 and disaster recovery services. Unexpended funds appropriated for the data center migration may be carried forward from the prior  
2 fiscal year and used for the same purpose.

3 **34.47.** (DHEC: AIDS Service Provision Program) For the current fiscal year, funds appropriated and authorized to the Department  
4 of Health and Environmental Control for clinical services and medical case management shall be used to direct the department to  
5 establish through contract a pilot program for the expansion of direct services to clients who are HIV positive. As part of the pilot  
6 program, the department shall facilitate 340b pricing for the AIDS Healthcare Foundation by utilizing Ryan White Part B federal  
7 funding to support this pilot in order to maximize the state's resources and service provision beyond its current levels. The department  
8 shall require that the AIDS Healthcare Foundation provide any reports or information required by the 340b pricing program, and  
9 shall provide proof of the contractual relationship between the department and the AIDS Healthcare Foundation to the Office of  
10 Pharmacy Affairs at HRSA.

11 **34.48.** (DHEC: EMS Monetary Penalties) In the course of regulating Emergency Medical Services (EMS) agencies and personnel,  
12 the Bureau of EMS assesses civil monetary penalties against nonconforming providers. The Bureau of EMS shall retain up to the  
13 first \$40,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce  
14 the provisions of regulations applicable to that bureau. These funds shall be separately accounted for in the department's fiscal  
15 records. The agency shall provide a report on how these funds are expended to the Governor, the Chairman of the Senate Finance  
16 Committee and the Chairman of the House Ways and Means Committee.

17 **34.49.** (DHEC: Best Chance Network/Colon Cancer Prevention) Of the funds appropriated to the department for Best Chance  
18 Network and Colon Cancer Prevention, the department shall utilize \$1,000,000 for the Best Chance Network and \$1,000,000 as  
19 matching funds for the Colon Cancer Prevention Network.

20 **34.50.** (DHEC: Hazardous Waste Fund County Account) Funds in each county's Hazardous Waste Fund County Account must  
21 be released by the State Treasurer, upon the written request of a majority of the county's legislative delegation representing the  
22 economically depressed area of the county, and shall be used for infrastructure within the economically depressed area of that county.  
23 For purposes of this provision the definition of "infrastructure" includes, but is not limited to, improvements for water, sewer, gas,  
24 steam, electric energy, communication, and other ancillary services that may be made to a building or land which are considered  
25 necessary, suitable, or useful to an eligible project that has a documented impact on economic development.

26 **34.51.** (DHEC: HIV/AIDS Treatment and Prevention) From the funds appropriated to the Department of Health and  
27 Environmental Control in the current fiscal year for HIV and AIDS prevention and treatment, the department shall develop a  
28 partnership with the Joseph H. Neal Health Collaborative and expend \$500,000 to provide comprehensive medical, dental,  
29 psychological, and educational services to all patients, regardless of their financial situation, insurance status, or ability to pay. In  
30 addition, the Joseph H. Neal Health Collaborative shall deploy its plan for the treatment and prevention of Hepatitis C. The  
31 department shall ensure the funds are expended solely for testing, treatment, and follow-up services of HIV/AIDS and Hepatitis C,  
32 and providing primary care and dental care. Funds may be used to enhance the services provided through a combination of Ryan  
33 White Part B Grant funds and other federal funds or the state's AIDS Drug Assistance Program rebate funds.

34 **34.52.** (DHEC: Storm Water and Ocean Outfalls) In the current fiscal year, funds appropriated to the department for Ocean  
35 Outfalls shall be distributed equally to the City of Myrtle Beach and the City of North Myrtle Beach for the purpose of storm water  
36 drainage and ocean outfall construction and repair as state matching funds for Horry County Ocean Water Quality Outfall Initiatives.



1 The department shall be authorized to retain and carry forward these funds into the current fiscal year to be used for the same purpose.  
2 Any interest generated by the account must be retained and deposited into this account, to be used as state matching funds for either  
3 local or federal funding, and utilized for Ocean Water Quality Outfall Initiatives in Horry County.

4 **34.53.** (DHEC: Reimbursement of Expenditures) The Department of Health and Environmental Control is authorized to collect,  
5 expend, retain, and carry forward for general operating purposes all funds received in the current fiscal year as reimbursement of  
6 expenditures incurred in the current or prior fiscal year.

7 **34.54.** (DHEC: Organizations Receiving State Appropriations) Notwithstanding any other provisions of this act, the funds  
8 appropriated to the Department of Health and Environmental Control for the allocation/contribution of specific amounts of state aid  
9 to organizations, programs, special items, or activities shall be distributed as appropriated except when instructed by the Executive  
10 Budget Office or the General Assembly to reduce funds within the department by a certain percentage, the department may reduce  
11 these items up to the stipulated percentage.

12 **34.55.** (DHEC: Drainage Facilities) ~~In the current fiscal year, the Department of Health and Environmental Control (DHEC) may  
13 not enforce the prohibition against maintenance, repair, or reestablishment activities performed by an approved organization on storm  
14 water conveyance systems including, but not limited to, previously established storm water conveyance systems constructed in  
15 accordance with state and federal law that are located within critical areas, as defined in Section 48-39-10(J) of the 1976 Code.  
16 Maintenance, repair, and reestablishment activities performed pursuant to this provision must be compliant with all state, federal,  
17 and local laws, regulations, and guidelines. For previously approved storm water conveyance systems, reestablishment activities  
18 performed pursuant to this provision may not exceed the footprint of the previously approved storm water conveyance system.  
19 Approved organizations performing maintenance, repair, or reestablishment activities pursuant to this provision must notify DHEC  
20 of the location of each storm water conveyance system, repaired, maintained, or reestablished and identify the type of maintenance,  
21 repair, or reestablishment activity conducted. Expenditures incurred pursuant to this proviso are to originate from funds provided by  
22 the approved organization performing the maintenance, repair, or reestablishment activities unless otherwise agreed upon by the  
23 approved organization and DHEC. For the purposes of this proviso, an approved organization includes local jurisdictions, public  
24 service, and special purpose districts, agencies, and political subdivisions of this State.~~

25 **34.56.** (DHEC: Solar Projects) ~~From the funds appropriated to the Department of Health and Environmental Control, and within  
26 one hundred and twenty days after the effective date of this act, the department shall provide recommendations for the regulation of  
27 photovoltaic modules and energy storage system batteries in the management of end-of-life photovoltaic modules and energy storage  
28 system batteries on solar projects and the decommissioning of solar projects in excess of thirteen acres. Management of end-of-life  
29 photovoltaic modules and energy storage system batteries shall include both partial refurbishing of a solar project and complete  
30 decommissioning. In the development of these rules, the department shall collaborate with stakeholders and shall consider all of the  
31 following matters:~~

32 ~~(1) Whether photovoltaic modules, energy storage system batteries, their materials, or other equipment used in utility-scale solar  
33 projects exhibit any of the characteristics of hazardous waste, as identified in 40 C.F.R. Part 261, or under rules adopted pursuant to  
34 the S.C. Hazardous Waste Management Act, Section 44-56-10 of the 1976 Code, or if any such equipment is properly characterized  
35 as solid waste under State and Federal law.~~

1 ~~(2) Preferred methods to responsibly manage end-of-life photovoltaic modules, energy storage system batteries, or the constituent~~  
2 ~~materials thereof, or other equipment used in utility-scale solar projects, including the extent to which such equipment may be:~~

- 3 ~~(a) reused, if not damaged or in need of repair, for a similar purpose;~~  
4 ~~(b) refurbished, if not substantially damaged, and reused for a similar purpose;~~  
5 ~~(c) recycled with recovery of materials for similar or other purposes;~~  
6 ~~(d) safely disposed of in construction and demolition or municipal solid waste landfills for material that does not exhibit any~~  
7 ~~of the characteristics of hazardous waste under state or federal law; or~~  
8 ~~(e) safely disposed of in accordance with state and federal requirements governing hazardous waste for materials that exhibit~~  
9 ~~any of the characteristics of hazardous waste under state or federal law.~~

10 ~~(3) The volume of photovoltaic modules and energy storage system batteries currently in use in the State, and projections, based~~  
11 ~~upon the data on life cycle identified currently on impacts that may be expected to the State's landfill capacity if landfill disposal is~~  
12 ~~permitted for such equipment at end-of-life.~~

13 ~~(4) Whether or not adequate financial assurance requirements are necessary to ensure proper decommissioning of solar projects~~  
14 ~~in excess of thirteen acres upon cessation of operations.~~

15 ~~(5) Infrastructure that may be needed to develop a practical, effective, and cost-effective means to collect and transport end-of-life~~  
16 ~~photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar projects for reuse,~~  
17 ~~refurbishment, recycling, or disposal.~~

18 ~~(6) Whether or not manufacturer or installer stewardship programs for the recycling of end-of-life photovoltaic modules and~~  
19 ~~energy storage system batteries should be established for applications other than utility-scale solar project installations, and if so,~~  
20 ~~fees that should be established for these manufacturers and installers to support the implementation of such requirements.~~

21 ~~The department shall submit interim reports to the Chairman of the Senate Judiciary Committee and the Chairman of the House~~  
22 ~~Labor, Commerce and Industry Committee on all activities pursuant to this provision on a quarterly basis beginning July 1, 2022,~~  
23 ~~and shall submit a final report with findings, including stakeholder input, to the to the Chairman of the Senate Judiciary Committee~~  
24 ~~and the Chairman of the House Labor, Commerce and Industry Committee no later than June 30, 2023.~~

25 **34.57.** (DHEC: Permit Extension) ~~The expiration and any associated vested right of a critical area permit or navigable water~~  
26 ~~permit issued by Department of Health and Environmental Control for the construction of a dock is extended until June 30, 2023,~~  
27 ~~provided the permit is valid on July 1, 2021 or at any time during the previous eighteen months. This provision may not be construed~~  
28 ~~or implemented to:~~

- 29 ~~(1) extend a permit or approval issued by the United States or its agencies or instrumentalities;~~  
30 ~~(2) extend a permit or approval for which the term or duration of the permit or approval is specified or determined pursuant to~~  
31 ~~federal law;~~  
32 ~~(3) shorten the duration that a permit would have had in the absence of this provision;~~  
33 ~~(4) prohibit the granting of additional extensions provided by law;~~  
34 ~~(5) affect an administrative consent order issued by the department which is in effect on, or issued at any time from the effective~~  
35 ~~date of this provision to June 30, 2023;~~  
36 ~~(6) affect the ability of a governmental entity to revoke or modify a permit pursuant to law;~~

1       ~~(7) modify a requirement of law that is necessary to retain federal delegation by the State of South Carolina of the authority to~~  
2 ~~implement a federal law or program; or~~

3       ~~(8) affect department's Office of Ocean and Coastal Resource Management permits issued pursuant to R.30-12(N) Access to~~  
4 ~~Coastal Lands~~

5       ~~Within thirty days after the effective date of this act, the department shall place a notice in the State Register noting the extension~~  
6 ~~of expiration dates provided for in this provision.~~

7       **34.58.** (DHEC: Acute Hospital at Home Waiver) In the current fiscal year, a hospital approved by the Centers for Medicare and  
8 Medicaid Services to participate in an Acute Hospital Care at Home waiver program may not be deemed to be in violation of its  
9 hospital license solely on the basis of its participation in the program. Additionally, the department shall not subject such a hospital  
10 to any form of adverse enforcement action relating to its participation in the program.

11       ~~**34.59.** (DHEC: EMS Association) For Fiscal Year 2022-23, with the funds appropriated to the Department of Health and~~  
12 ~~Environmental Control for EMS Association Recruitment and Retention, the department shall consult with the South Carolina EMS~~  
13 ~~Association to study and recommend strategies to recruit and fill the unprecedented EMS position vacancies across all systems in~~  
14 ~~the State. The department shall provide a report detailing the findings of this effort and any corresponding recommendations for~~  
15 ~~funding to the Chairman of the Senate Finance Committee, the Chairman of the House Ways & Means Committee, and the director~~  
16 ~~of DHEC.~~

17       **34.60.** (DHEC: Pollutants Remediation Fund) (A) Of the funds appropriated for PFAS Remediation, there is established within  
18 the Department of Health and Environmental Control Environmental Affairs Division the PFOS, PFOA, and Emerging Pollutants  
19 Remediation Fund which shall be held and administered by the department for the purpose of remediating drinking water  
20 perfluorooctanesulfonic acid (PFOS) pollution, perfluorooctanoic acid (PFOA) pollution, cyanobacteria (blue-green algae), and  
21 pollution from other emerging contaminants of concern to the department, currently identified or later identified at or above the EPA  
22 Health Advisory Limit or EPA Maximum Containment Level. Earnings on balances in the fund shall be credited to the fund.  
23 Amounts remaining in the fund at the end of the fiscal year accrue only to the credit of the fund, and the fund shall be available in  
24 perpetuity for the purpose of remediating PFOS, PFOA, and other emerging contaminants.

25       (B) Sixty percent of the funds shall be made available to private well owners and municipal, county, joint, or otherwise public  
26 drinking water systems serving thirty thousand customers, or fewer, in the form of forgivable loans or grants. Forty percent of the  
27 funds shall be made available to municipal, county, joint, or otherwise public drinking water systems serving more than thirty  
28 thousand customers, in the form of forgivable loans or grants.

29       (C) Forgivable loans or grants may be disbursed from the fund for the purposes of:

30       (1) facilitating drinking water improvements that prevent exposure to PFOA and PFOS through drinking water if the combined  
31 concentrations of PFOA and PFOS are at or above the EPA Health Advisory Limit of 70 parts per trillion or an updated health  
32 advisory or Maximum Contaminant Level issued by EPA;

33       (2) facilitating drinking water improvements that prevent exposure to PFOA and PFOS through drinking water if a regulated  
34 water utility demonstrates evidence of a known source and the presence of PFOA or PFOS, and a department-approved risk  
35 assessment indicating the potential to adversely affect public health in the future, regardless of if the current combined concentrations  
36 are at or above the EPA Health Advisory Limit of 70 parts per trillion;

- 1 (3) facilitating drinking water improvements that prevent exposure to Cyanobacteria to include, but not be limited to,  
2 Microcystis, Lyngbya, Dolichospermum, and Planktothrix at or above EPA drinking water health advisories;
- 3 (4) facilitating drinking water improvements that prevent exposure to other emerging contaminants of concern to the  
4 department through drinking water if these concentrations of these contaminants exceed an EPA Health Advisory Limit or an EPA  
5 Maximum Contaminant Level; or
- 6 (5) facilitating drinking water improvements that prevent exposure to other emerging contaminants of concern to the  
7 department through drinking water if a regulated water utility demonstrates evidence of a known source and the presence of the  
8 contaminants, and a department-approved risk assessment indicating the potential to adversely affect public health in the future,  
9 regardless of if the current concentrations are at or above the EPA Health Advisory Limit or EPA Maximum Contaminant Level.
- 10 (D) For purposes of this provision, “facilitate drinking water improvements” means providing for the construction or  
11 improvements to drinking water supply, storage, treatment, and distribution facilities and associated costs, as determined in  
12 consultation between the department, water provider, and the well owner as the most reasonable, that are necessary to:
- 13 (1) change water sources including, but not limited to, connecting a private well to public water system or regionalization  
14 efforts that facilitate the merger of one or more drinking water systems to a source with no PFOS and PFOA or with lower combined  
15 concentrations of PFOS and PFOA; or
- 16 (2) treat drinking water to reduce combined concentrations of PFOA, PFOS, and other emerging contaminants of concern  
17 below the EPA Health Advisory Limit or an EPA Maximum Containment Level.
- 18 (E) Additional funds may be deposited into the fund, which may include:
- 19 (1) funds appropriated by the General Assembly;
- 20 (2) private grants, gifts, and bequests;
- 21 (3) contributions to the fund in satisfaction of any public or private obligation for environmental mitigation or remediation,  
22 whether such obligation arises out of law, equity, contract, regulation, administrative proceeding, or judicial proceeding;
- 23 (4) net proceeds of bonds issued by the department; and
- 24 (5) interest or other income earned on the monies in the fund.
- 25 (F) The department may use up to \$2,000,000 from the fund for implementation of its PFAS strategy and for staffing or other  
26 costs associated with the administration of the fund.
- 27 **34.61.** (DHEC: Immunity Passport) The Department of Health and Environmental Control shall be restricted from using any  
28 resources to issue an immunity passport related to COVID-19. This restriction also shall encompass any integration with or becoming  
29 an issuer of SMART Health Cards.
- 30 **34.62.** (DHEC: Poultry Manure Application) DHEC may not expend any funds in the current fiscal year to enforce any portion  
31 of a regulation that limits a facility that utilizes poultry manure and other animal by-products and does not allow up to at least  
32 seventy-two hours to incorporate the by-product after land application.
- 33 **34.63.** (DHEC: Community Violence Intervention and Prevention) (A) In the current fiscal year and from the funds appropriated  
34 to the department, the department shall expend up to \$200,000 to establish the Community Violence Intervention and Prevention  
35 Program.
- 36 (B) The program shall:

1 (1) establish, solicit, advertise, and administer the Community Violence Intervention and Prevention Grant Program to support,  
2 expand, and replicate evidence-informed violence intervention and prevention initiatives;

3 (2) conduct program evaluations in partnership with internal program staff, external stakeholders, and contractors with  
4 evaluation expertise to determine the effectiveness of funded programs;

5 (3) develop data collection policies for funded programs and procedures for distributing that data to relevant state and academic  
6 researchers to aid research and analysis of community violence, health, economic development, and other metrics over time;

7 (4) provide technical assistance to funded violence intervention programs to implement national best practices and state data  
8 collection requirements; and

9 (5) collaborate and coordinate with other state agencies, including the South Carolina Attorney General's Crime Victim  
10 Services Division, to identify and apply for federal grants and other funding.

11 (C) The Community Violence Intervention and Prevention program shall award funds on a competitive basis to nonprofit  
12 organizations and community-based partnerships that serve communities that are disproportionately impacted by violence to support,  
13 expand, and replicate effective, evidence-informed violence reduction initiatives. The grants must be used to:

14 (1) implement, expand, or enhance coordination between evidence-informed violence reduction initiatives including, but not  
15 limited to, hospital-based violence intervention, street outreach, and group violence intervention strategies that have demonstrated  
16 effectiveness at reducing homicides, gun violence, and group violence without contributing to mass incarceration;

17 (2) support the development and delivery of intervention-based strategies by entities that provide targeted services to  
18 individuals at risk of being victimized or engaging in violence to interrupt cycles of violence, reinjury, and retaliation; and

19 (3) support initiatives that primarily target a reduction of violence among individuals who have been identified as having the  
20 highest risk of perpetrating or being victimized by violence in the near future based on the best available medical and public health  
21 research.

22 (D) In awarding grants, the program shall prioritize applicants operating in areas disproportionately affected by firearm  
23 violence and whose proposals demonstrate the greatest likelihood of reducing homicides, gun violence, and group violence without  
24 contributing to mass incarceration. The division shall not require grant recipients to participate in the policing, enforcement, or  
25 prosecution of any crime as a condition of receiving a grant.

26 34.64. (DHEC: Grant Authority) The department is authorized to make grants to nonprofit organizations and governmental  
27 entities to further the objective of its public health and environmental programs. The department shall develop policies and  
28 procedures and may promulgate regulations to assure compliance with state and federal requirements associated with the funds  
29 used for the grants and to assure fairness and accountability in the award and administration of these grants. The department shall  
30 be guided by the definitions of "grant" and "procurement" in the South Carolina Procurement Code and the principles of the  
31 Federal Grant and Cooperation Agreement Act, Section 33 U.S.C. 6301-6308, in determining whether an expenditure of funds will  
32 be in the form of a grant or a procurement.

33 34.65. (DHEC Dam Safety Emergency Fund) Of the funds appropriated for dam safety beginning with the General  
34 Appropriations Act for Fiscal Year 2023-24, there is established within the Department of Health and Environmental Control the  
35 Dam Safety Emergency Fund. The fund shall be utilized for emergency actions to protect life or property under Section 49-11-  
36 190(D). The Department shall deposit up to \$250,000 of appropriated funds into the fund at the beginning of each fiscal year. Fund

1 *balances shall be carried forward from each prior fiscal year into the current fiscal year and used for the same purpose. Expenses*  
2 *recovered from dam owners under Section 49-11-190(D) shall be deposited into the fund.*

3 **34.66.** (DHEC: Deferred Maintenance, Capital Project, Ordinary Repair and Maintenance) The Department of Health and  
4 Environmental Control is authorized to establish an interest-bearing fund with the State Treasurer to deposit funds for deferred  
5 maintenance and other one-time funds from any source. The department is also authorized to retain and deposit into the fund  
6 proceeds from the sale of excess real property owned by, under the control of, or assigned to the department. After receiving any  
7 required approvals, the department is authorized to expend these funds for the purpose of deferred maintenance, capital project, and  
8 ordinary repair and maintenance. These funds may be carried forward from the prior fiscal year into the current fiscal year to be  
9 used for the same purpose.

10 **34.67.** (DHEC: Lake Conestee Dam) For Fiscal Year 2023-24, any additional funds received for the Dam Safety Emergency  
11 Fund in excess of the \$250,000 appropriation shall be directed by grant to the Lake Conestee Dam Restoration Fund, Inc. for the  
12 Lake Conestee Dam mitigation project. The purpose of the project is to restore the Lake Conestee Dam's functionality and safety  
13 while preserving natural resources in the impoundment and the Reedy River.

14 **34.68.** (DHEC: Medicaid Permit Days) The Department of Health and Environmental Control shall notify the Department of  
15 Health and Human Services of all Medicaid permit days requests for Fiscal Year 2023-24 and, in conjunction with the Department  
16 of Health and Human Services, evaluate and assign all permit days requests for licensed facilities requesting additional Medicaid  
17 permit days or an initial permit days allocation. For Fiscal Year 2023-24, the department shall not reduce the number of Medicaid  
18 nursing home permit days for failure to comply with the provisions outlined in Section 44-7-84(B) if they provide less than ninety  
19 percent of the stated Medicaid Days Permit.

20 **34.69.** (DHEC: Expedited Death Certificate) For Fiscal Year 2023-24, the Department of Health and Environmental Control  
21 may not charge an additional fee when a request is made to expedite the receipt of a death certificate.

## 22 SECTION 35 - J120 - DEPARTMENT OF MENTAL HEALTH

23  
24  
25 **35.1.** (DMH: Patient Fee Account) The Department of Mental Health is hereby authorized to retain and expend its Patient Fee  
26 Account funds. In addition to funds collected for the maintenance and medical care for patients, Medicare funds collected by the  
27 department from patients' Medicare benefits and funds collected by the department from its veteran facilities shall be considered as  
28 patient fees. The department is authorized to expend these funds for departmental operations, for capital improvements and debt  
29 service under the provisions of Act 1276 of 1970, and for the cost of patients' Medicare Part B premiums. The department shall  
30 remit \$290,963 to the General Fund, \$400,000 to the Continuum of Care, \$50,000 to the Alliance for the Mentally Ill, and \$250,000  
31 to S.C. Share Self Help Association Regarding Emotions.

32 **35.2.** (DMH: Institution Generated Funds) The Department of Mental Health is authorized to retain and expend institution  
33 generated funds which are budgeted.

34 **35.3.** (DMH: Crisis Intervention Training) Of the funds appropriated to the department, \$275,000 shall be utilized for the  
35 National Alliance on Mental Illness (NAMI) SC for Crisis Intervention Training (CIT).

1     **35.4.** (DMH: Uncompensated Patient Medical Care) There is created an Uncompensated Patient Care Fund to be used by the  
2 department for medical costs incurred for patients. These funds may be carried forward from the prior fiscal year into the current  
3 fiscal year to be used for the same purpose.

4     **35.5.** (DMH: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work  
5 during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

6     **35.6.** (DMH: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Department of Mental Health is  
7 authorized to establish an interest bearing fund with the State Treasurer to deposit funds for deferred maintenance and other one-time  
8 funds from any source. The department is also authorized to retain and deposit into the fund proceeds from the sale of excess real  
9 property owned by, under the control of, or assigned to the department. After receiving any required approvals, the department is  
10 authorized to expend these funds for the purpose of deferred maintenance, capital projects, and ordinary repair and maintenance.  
11 These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

12     **35.7.** (DMH: Lease Payments to SFAA for SVP Program, *Excess Lease Funds*) In the current fiscal year, funds appropriated  
13 and authorized to the Department of Mental Health for Lease Payments to the State Fiscal Accountability Authority for the Sexually  
14 Violent Predator Program are exempt from any across-the-board base reductions. In accordance with the Lease and Use Agreement  
15 between the Department of Mental Health and the State Fiscal Accountability Authority, the department is authorized to receive  
16 excess lease funds in the amount of \$1,914,471.41 and utilize such funds for the department's deferred maintenance, capital projects,  
17 ordinary repairs, and maintenance.

18     **35.8.** (DMH: Commitments to Treatment Facilities) The authorization for continued implementation of Article 7, Chapter 17,  
19 Title 44 of the 1976 Code, Chapter 24, Title 44 of the 1976 Code, and Chapter 52, Title 44 of the 1976 Code, relating to commitments,  
20 admissions and discharges to mental health facilities, or treatment facility for the purpose of alcohol and drug abuse treatment, shall  
21 be expended for the compensation of court appointed private examiners, guardians ad litem, and attorneys for proposed patients, and  
22 related costs arising from the filing, service and copying of legal papers and the transcription of hearings or testimony. Court  
23 appointed private examiners, guardians ad litem and attorneys shall be paid at such rates or schedules as are jointly determined to be  
24 reasonable by the South Carolina Association of Probate Judges, the Office of Court Administration, and the Department of Mental  
25 Health with the approval of the Attorney General. The Department of Mental Health shall notify the Senate Finance Committee and  
26 the House Ways and Means Committee of any fee adjustment or change in schedule before implementation and may enter into an  
27 agreement with the Commission on Indigent Defense solely for the purpose of processing vouchers for the payment of above fees  
28 and costs.

29     **35.9.** (DMH: Judicial Commitment) Except as otherwise provided in Proviso 117.5, no money authorized to be expended for  
30 the purposes set forth in Proviso 35.8 shall be used to compensate any state employees appointed by the court as examiners, guardians  
31 ad litem, or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.

32     **35.10.** (DMH: Orangeburg Crisis Stabilization Unit Facility) The Department of Mental Health, through its Orangeburg Area  
33 Mental Health Center, is authorized to utilize up to two million dollars of its available one-time funds to secure an appropriate site  
34 in Orangeburg County and prepare it for licensure as a Crisis Stabilization Unit Facility. The department shall provide a report on  
35 the status of its efforts to the Chairman of the Senate Finance Committee, the Chairman of the Senate Medical Affairs Committee,

1 the Chairman of the House Ways and Means Committee, and the Chairman of the Medical, Military, Public, and Municipal Affairs  
2 Committee by January 10, 2024.  
3

4 **SECTION 36 - J160 - DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS**  
5

6 **36.1.** (DDSN: Work Activity Programs) All revenues derived from production contracts earned by individuals served by the  
7 department in Work Activity Programs be retained by the South Carolina Department of Disabilities and Special Needs and carried  
8 forward as necessary into the following fiscal year to be used for other operating expenses and/or permanent improvements of these  
9 Work Activity Programs.

10 **36.2.** (DDSN: Sale of Excess Real Property) The department is authorized to retain revenues associated with the sale of excess  
11 real property owned by, under the control of, or assigned to the department and may expend these funds as grants to purchase or  
12 build community residences and day program facilities for the individuals DDSN serves. The department shall follow all the policies  
13 and procedures of the Department of Administration or State Fiscal Accountability Authority and the Joint Bond Review Committee.

14 **36.3.** (DDSN: Prenatal Diagnosis) Revenues not to exceed \$126,000 from client fees, credited to the debt service fund and not  
15 required to meet the department's debt service requirement, may be expended only in the current fiscal year to promote expanded  
16 prenatal diagnosis of intellectual and/or other related disabilities by the Greenwood Genetic Center.

17 **36.4.** (DDSN: Medicaid-Funded Contract Settlements) The department is authorized to carry forward and retain settlements  
18 under Medicaid-funded contracts.

19 **36.5.** (DDSN: Departmental Generated Revenue) The department is authorized to continue to expend departmental generated  
20 revenues that are authorized in the budget.

21 **36.6.** (DDSN: Transfer of Capital/Property) The department shall only transfer capital to include property and buildings to local  
22 DSN providers with written consent of the providers by memorandum of understanding and upon State Fiscal Accountability  
23 Authority approval, otherwise, the department shall be responsible for maintenance and improvements.

24 **36.7.** (DDSN: Unlicensed Medication Providers) The provision of selected prescribed medications may be performed by  
25 designated unlicensed persons in community-based programs sponsored, licensed or certified by the South Carolina Department of  
26 Disabilities and Special Needs, provided the unlicensed persons have documented successful completion of medication training and  
27 competency evaluation. Licensed nurses, licensed pharmacists and licensed medical doctors may train and supervise designated  
28 unlicensed persons to provide medications and, after reviewing competency evaluations, may approve designated unlicensed persons  
29 for the provision of medications. The provision of medications by designated unlicensed persons is limited to oral, sublingual,  
30 buccal, topical, inhalation and transdermal medications; ear drops, eye drops, nasal sprays, injections of regularly scheduled insulin  
31 and injections of prescribed anaphylactic treatments. The provision of medications by designated unlicensed persons does not include  
32 rectal and vaginal medications, sliding scale insulin or other injectable medications. A written or electronic record regarding each  
33 medication provided, including time and amount administered, is required as part of the provision of medication. Provision of  
34 medication does not include judgment, evaluation, or assessment by the designated unlicensed persons. The designated unlicensed  
35 persons and the nurses, pharmacists, and medical doctors that train, approve, and supervise these staff shall be protected against tort  
36 liability provided their actions are within the scope of their job duties and the established medical protocol.



1 The Department of Disabilities and Special Needs shall establish curriculum and standards for training and oversight.

2 This provision shall not apply to a facility licensed as an intermediate care facility for individuals with intellectual and/or related  
3 disability.

4 **36.8.** (DDSN: Child Daycare Centers) Of the funds appropriated to the department, the department shall provide reimbursement  
5 for services provided to department eligible children at daycare centers previously under contract prior to December 31, 2008. The  
6 reimbursement shall not be less than eighty percent of the amount reimbursed in the previous fiscal year. By September fifteenth,  
7 the department must transfer \$100,000 to the Anderson County Disabilities Board for the provision of these services.

8 **36.9.** (DDSN: Debt Service Account) The department shall utilize the uncommitted dollars in their debt service account, account  
9 E164660, for operations and services that are not funded in the appropriations bill. By August first, the department must report to  
10 the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on the  
11 remaining balance in this account and on the amounts and purposes for which the account was used in the prior fiscal year.

12 **36.10.** (DDSN: Traumatic Brain Injury) Funds appropriated to the agency for Traumatic Brain Injury/Spinal Cord Injury  
13 Post-Acute Rehabilitation shall be used for that purpose only. In the event the department receives a general fund reduction in the  
14 current fiscal year, any reductions to the post-acute rehabilitation funding shall not exceed reductions in proportion to the agency as  
15 a whole.

16 **36.11.** (DDSN: Medicaid Direct Billing) The department shall facilitate Medicaid direct billing for all providers, including local  
17 disabilities and special needs boards, who choose to initiate the direct billing process regardless of the receipt of capital grant funds  
18 from the department for the specific facility involved. All entities receiving capital grant funds must use the funds as originally  
19 specified in the award. If the purpose or use of a facility constructed or purchased with departmental grant funds is altered without  
20 the department's approval, the entity must repay the department the amount of the funds awarded. The use of direct billing shall not  
21 be construed as a change in the purpose or use of a facility.

22 **36.12.** (DDSN: Carry Forward Authorization) For the current fiscal year, the department is authorized to carry forward any  
23 balance of General Funds appropriated for the reduction of the department's waiting lists in the prior fiscal year and must utilize  
24 these funds for the same purpose in the current fiscal year. Within thirty days after the close of the fiscal year, the department shall  
25 report the balance carried forward to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and  
26 Means Committee.

27 **36.13.** (DDSN: Service Providers Expenditure Requirement) ~~For the current fiscal year, in order to accommodate service provider~~  
28 ~~infrastructure needs resulting from the reductions in the department's waiting lists, service providers including local disabilities and~~  
29 ~~special needs boards are authorized to carry forward from the prior fiscal year unexpended funds based on a ninety percent~~  
30 ~~expenditure requirement for capitated services. Service providers shall not withhold services in order to generate funds to be carried~~  
31 ~~forward. The expenditure requirement shall not affect the department's three month reserve limitation policy. If the department's~~  
32 ~~Medicaid allowable costs, in the aggregate, do not meet the level of certified public expenditures (CPEs) reported to the~~  
33 ~~Department of Health and Human Services, the department is allowed to recoup funds necessary to remain in compliance with federal~~  
34 ~~Medicaid CPE rules.~~

35

1     **SECTION 37 - J200 - DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES**  
2

3     **37.1.** (DAODAS: Training & Conference Revenue) The department may charge fees for training events and conferences. The  
4 revenues from such events shall be retained by the department to increase education and professional development initiatives.

5     **37.2.** (DAODAS: Gambling Addiction Services) In that gambling is a serious problem in South Carolina, the department through  
6 its local county commissions may provide, from funds appropriated to the department, information, education, and referral services  
7 to persons experiencing gambling addictions.

8     **37.3.** (DAODAS: Medicaid Match Transfer) At the beginning of the fiscal year, the Department of Alcohol and Other Drug  
9 Abuse Services will transfer \$1,915,902 to the Department of Health and Human Services to meet federal Medicaid Match  
10 participation requirements for the delivery of alcohol and other drug abuse services to the Medicaid beneficiary population.

11     **37.4.** (DAODAS: Carry Forward Unexpended Funds) The Department of Alcohol and Other Drug Abuse Services is authorized  
12 to carry forward from the prior fiscal year into the current fiscal year unexpended funds in excess of ten percent of the agency's  
13 general fund appropriations to continue to fund prevention, treatment and recovery services for opioid addiction services and  
14 addiction programs as prioritized by the department.

15     **37.5.** (DAODAS: South Carolina Center of Excellence in Addiction) Through the South Carolina Center of Excellence in  
16 Addiction, Clemson University, the University of South Carolina, the Medical University of South Carolina, DAODAS, and DHEC  
17 will collaborate on research, training, program implementation, and service delivery for preventing and addressing opioid use  
18 disorder and other substance use disorders. The Center will offer statewide support for evidence-based practices and strategies to  
19 address the opioid crisis.  
20

21     **SECTION 38 - L040 - DEPARTMENT OF SOCIAL SERVICES**  
22

23     **38.1.** (DSS: Fee Retention) The Department of Social Services shall recoup all refunds and identified program overpayments  
24 and all such overpayments shall be recouped in accordance with established collection policy. All funds shall be retained by the  
25 department and may be used to fund Self-Sufficiency and Family Preservation and Support initiatives, to make improvements to the  
26 security for FTI and PII data, and for child support operations.

27     **38.2.** (DSS: Recovered State Funds) The department shall withhold a portion of the State Funds recovered, under the Title IV-D  
28 Program, for credit to the general fund in order to allow full participation in the federal "set off" program offered through the Internal  
29 Revenue Service, the withholding of unemployment insurance benefits through the Department of Employment and Workforce and  
30 reimbursement for expenditures related to blood testing. Such funds may not be expended for any other purpose. The Department  
31 of Social Services shall be allowed to utilize the State share of Federally required fees, collected from non-TANF clients, in the  
32 administration of the Child Support Enforcement Program. Such funds may not be expended for any other purpose. However, this  
33 shall not include Child Support Enforcement Program incentives paid to the program from federal funds to encourage and reward  
34 cost effective performance. Such incentives are to be reinvested in the program to increase collections of support at the state and  
35 county levels in a manner consistent with federal laws and regulations governing such incentive payments. The department shall not

1 use clerk of court incentive funds to replace agency operating funds. Such funds shall be remitted to the appropriate state  
 2 governmental entity to further child support collection efforts.

3 **38.3.** (DSS: Burial Expenses) The expenditure of funds allocated for burials of foster children and adults in the custody of the  
 4 Department of Social Services shall not exceed one thousand five hundred dollars per burial.

5 **38.4.** (DSS: Battered Spouse Funds) Appropriations included in Subprogram II.J. entitled Battered Spouse shall be allocated  
 6 through contractual agreement to providers of this service. These appropriations may also be used for public awareness and  
 7 contracted services for victims of this social problem including the abused and children accompanying the abused. Such funds  
 8 may not be expended for any other purpose nor be reduced by any amount greater than that stipulated by the Executive Budget  
 9 Office or the General Assembly for the agency as a whole.

10 **38.5.** (DSS: Court Examiner Service Exemption) In order to prevent the loss of federal funds to the State, employees of the  
 11 Department of Social Services whose salaries are paid in full or in part from federal funds will be exempt from serving as court  
 12 examiners.

13 **38.6.** (DSS: TANF Advance Funds) The Department of Social Services is authorized to advance sufficient funds during each  
 14 fiscal year from the Temporary Assistance for Needy Families Assistance Payments general fund appropriations to the Temporary  
 15 Assistance for Needy Families Assistance Payments federal account only for the purpose of allowing a sufficient cash flow in the  
 16 federal account. The advance must be refunded no later than April of the same fiscal year. Upon the advance of funds as provided  
 17 herein, the Comptroller General is authorized to process the July voucher for the funding of benefit checks.

18 **38.7.** (DSS: Fee Schedule) The Department of Social Services shall be allowed to charge fees and accept donations, grants, and  
 19 bequests for social services provided under their direct responsibility on the basis of a fee schedule. The fees collected shall be  
 20 utilized by the Department of Social Services to further develop and administer these program efforts. The below fee schedule is  
 21 established for the current fiscal year.

22 Day Care

23 Family Child Care Homes (up to six children)	\$15
24 Group Child Care Homes (7-12 children)	\$30
25 Registered Church Child Care (13+)	\$50
26 Licensed Child Care Centers (13-49)	\$50
27 Licensed Child Care Centers (50-99)	\$75
28 Licensed Child Care Centers (100-199)	\$100
29 Licensed Child Care Centers (200+)	\$125
30 Central Registry Checks	
31 Nonprofit Entities	\$8
32 For-profit Agencies	\$25
33 State Agencies	\$8
34 Schools	\$8
35 Day Care	\$8
36 Other – Volunteer Organizations	\$8

1	Other Children's Services	
2	Services Related to Adoption of Children from	
3	Other Countries	\$225
4	Court-ordered Home Studies in non-DSS Custody Cases	\$850
5	Licensing Residential Group Homes Fee for an	
6	Initial License	\$250
7	For Renewal	\$75
8	Licensing Child Caring Institutions Fee for an	
9	Initial License	\$500
10	For Renewal	\$100
11	Licensing Child Placing Agencies Fee for an	
12	Initial License	\$500
13	For Renewal	\$60
14	For Each Private Foster Home Under the Supervision	
15	of a Child Placing Agency	\$15
16	Responsible Father Registry	
17	Registry Search	\$50

18 **38.8.** (DSS: Food Stamp Fraud) The state portion of funds recouped from the collection of recipient claims in the TANF and  
 19 Food Stamp programs shall be retained by the department. A portion of these funds shall be distributed to local county offices for  
 20 emergency and program operations.

21 **38.9.** (DSS: TANF - Immunizations Certificates) The department shall require all TANF applicants and/or recipients to provide  
 22 proof of age appropriate immunizations for children. If such immunizations have not been administered, the department shall assist  
 23 in referring applicants to appropriate county health departments to obtain the immunizations.

24 **38.10.** (DSS: County Directors' Pay) With respect to the amounts allocated to the Department of Social Services for Employee  
 25 Pay Increase in this act, the Department of Social Services is authorized to allot funds for pay increases to individual county directors  
 26 and regional directors in classified positions without uniformity. Pay increases for DSS county directors and regional directors shall  
 27 be administered in accordance with the guidelines established by the Department of Administration for Executive Compensation  
 28 System and other nonacademic unclassified employees. Any employees subject to the provisions of this paragraph shall not be  
 29 eligible for any other compensation increases provided in this act.

30 **38.11.** (DSS: Use of Funds Authorization) Department investigative units shall be authorized to receive and expend funds  
 31 awarded to these units as a result of a donation, contribution, prize, grant, and/or court order. These funds shall be retained by the  
 32 department on behalf of the investigative units and deposited in a separate, special account and shall be carried forward from year to  
 33 year and withdrawn and expended as needed to fulfill the purposes and conditions of the donation, contribution, prize, grant, and/or  
 34 court order, if specified, and if not specified, as may be directed by the Director of the Department of Social Services. These accounts  
 35 shall not be used to supplant operating funds in the current or future budgets. The agency shall report to the Senate Finance

1 Committee and Ways and Means Committee by January thirtieth of the current fiscal year on the amount of funds received and how  
2 expended.

3 **38.12.** (DSS: Use of Funds Authorization) Unless specifically directed by the General Assembly, when DSS is directed to provide  
4 funds to a not-for-profit or 501(c)(3) organization, that organization must use the funds to serve persons who are eligible for services  
5 in one or more DSS programs.

6 **38.13.** (DSS: Grant Authority) The Department of Social Services is authorized to make grants to community-based not-for-profit  
7 organizations for local projects that further the objectives of DSS programs. The department shall develop policies and procedures  
8 and may promulgate regulations to assure compliance with state and federal requirements associated with the funds used for the  
9 grants and to assure fairness and accountability in the award and administration of these grants. The department shall require a match  
10 from all grant recipients.

11 **38.14.** (DSS: Family Foster Care Payments) The Department of Social Services shall furnish as Family Foster Care payments for  
12 individual foster children under their sponsorship and under kinship care:

13 ages 0 - 5 ~~\$619~~ \$644 per month

14 ages 6 - 12 ~~\$723~~ \$752 per month

15 ages 13 + ~~\$764~~ \$794 per month

16 These specified amounts are for the basic needs of the foster children to include kinship care assistance. Basic needs within this  
17 proviso are identified as food (at home and away), clothing, housing, transportation, education, and other costs as defined in the U.S.  
18 Department of Agriculture study of "Annual Cost of Raising a Child to Age Eighteen". Further, each agency shall identify and  
19 justify, as another line item, all material and/or services, in excess of those basic needs listed above, which were a direct result of a  
20 professional agency evaluation of clientele need. Legitimate medical care in excess of Medicaid reimbursement or such care not  
21 recognized by Medicaid may be considered as special needs if approved by the sponsoring/responsible agency and shall be  
22 reimbursed by the sponsoring agency in the same manner of reimbursing other special needs of foster children.

23 **38.15.** (DSS: Penalty Assessment) The Department of Social Services may impose monetary penalties against a person, facility,  
24 or other entity for violation of statutes or regulations pertaining to programs, other than foster home licensing, that the department  
25 regulates. Penalties collected must be remitted to the State Treasurer for deposit into the State General Fund. The department shall  
26 promulgate regulations for each program in which penalties may be imposed. The regulations must include guidance on the decision  
27 to assess a penalty, the effect of failure to pay a penalty in a timely manner, and a schedule of penalty ranges that takes into account  
28 severity and frequency of violations. These regulations must provide for notice of the penalty and the right to a contested case  
29 hearing before a designee of or panel appointed by the director of the department. Judicial review of the final agency decision  
30 concerning a penalty must be in accordance with statutes or regulations that apply to judicial review of final revocation and denial  
31 decisions in that particular program. The department, in accordance with regulations promulgated pursuant to this provision, shall  
32 have discretion in determining the appropriateness of assessing a monetary penalty against a person or facility and the amount of the  
33 penalty. The authority to assess monetary penalties shall be in addition to other statutory provisions authorizing the department to  
34 seek injunctive relief or to deny, revoke, suspend, or otherwise restrict or limit a license or other types of operating or practice  
35 registrations, approvals, or certificates.

1     **38.16.** (DSS: Child Support Enforcement Automated System Carry Forward) The department shall be authorized to retain and  
2 carry forward any unexpended funds appropriated for the Child Support Enforcement automated system and related penalties.

3     **38.17.** (DSS: Child Care Voucher) State funds allocated to the Department of Social Services and used for child care vouchers  
4 must be used to enroll eligible recipients within provider settings exceeding the state's minimum child care licensing standards. The  
5 department may waive this requirement on a case by case basis.

6     **38.18.** (DSS: Meals in Emergency Operations) The cost of meals may be provided to state employees who are not permitted to  
7 leave their stations and are required to work during actual emergencies, emergency situation exercises, and when the Governor  
8 declares a state of emergency.

9     **38.19.** (DSS: Day Care Facilities Supervision Ratios) For the current fiscal year, staff-child ratios contained in Regulations  
10 114-504(B), 114-504(C), 114-524(B), and 114-524(C) shall remain at the June 24, 2008 levels.

11     **38.20.** (DSS: Foster Care Goals) To comply with the requirements of 42 U.S.C. Section 671(a)(14) and 45 C.F.R. Section  
12 1356.21(n), it shall be the goal of the state that the maximum number of Title IV-E funded children who will remain in foster care  
13 for more than twenty-four months will not exceed a total of 2,617 during the fiscal year. The Department of Social Services shall  
14 develop appropriate plans for timely permanency and use appropriate data benchmarks and targets that will achieve this goal.

15     **38.21.** (DSS: Comprehensive Teen Pregnancy Prevention Funding) (A) From the monies appropriated for the Continuation of  
16 Teen Pregnancy Prevention, the department must award the dollars allocated to a nonprofit 501(c)(3) entity to provide abstinence  
17 first, age appropriate comprehensive approach to health and sexuality education with a goal of preventing adolescent pregnancy  
18 throughout South Carolina.

19     (B) Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

20     (C) The monies appropriated must be paid over a twelve month basis for services rendered. Unexpended funds shall be carried  
21 forward for the purpose of fulfilling the department's contractual agreement.

22     (D) The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South  
23 Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the  
24 South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

25     **38.22.** (DSS: SNAP Coupons) The Department of Social Services shall continue the "Healthy Bucks" program established to  
26 provide coupons that allow Supplemental Nutrition Assistance Program (SNAP) recipients to obtain additional fresh fruits and  
27 vegetables when purchasing fresh produce at authorized farmers markets and vendors with SNAP benefits through their EBT cards.  
28 Healthy Buck coupons shall allow the beneficiary to increase the amount of produce purchased, up to twenty dollars per month. ~~The~~  
29 ~~agency shall utilize all funds received from the U.S. Department of Agriculture as a bonus for reducing the error rate in processing~~  
30 ~~SNAP applications during federal fiscal year 2012 to fund the program. The agency shall be authorized to retain and carry forward~~  
31 ~~any unexpended funds appropriated for the Healthy Bucks Program.~~ ~~The agency shall work to identify and utilize funds as matching~~  
32 ~~dollars for the continued success of the "Healthy Bucks" program and shall report semi-annually to the General Assembly on the~~  
33 ~~status of the program. The report shall include, at a minimum, the number of recipients, counties served, and cumulative expenditure~~  
34 ~~data for the program.~~

35     **38.23.** (DSS: Internal Child Fatality Review Committees) ) For Fiscal Year ~~2022-23~~ 2023-24, the ~~Director of the~~ Department of  
36 Social Services shall ~~create and fund~~ continue the work of the Internal Child Fatality Review Committees (internal committees)

1 pursuant to the authority granted in Sections 43-1-60(3), 43-1-80, and 63-7-910(E) of the 1976 Code to allow for the rapid and  
2 expeditious review of reported child fatalities that are reported to the Department of Social Services on suspicion of abandonment,  
3 child abuse, neglect or harm as defined in Section 63-7-20. This review process will enable the department to respond to the safety  
4 needs of any surviving siblings and will lead to improvement in the department's efforts to prevent child fatalities caused by  
5 abandonment, child abuse, neglect, or harm. Each internal committee shall be composed of a board-certified child abuse pediatrician,  
6 an agent from the State Law Enforcement Division, a local law enforcement officer, a representative from the local coroner's office,  
7 and representatives from the Department of Social Services. The internal committee may invite other service provider organizations  
8 as deemed necessary. The department is authorized to provide reasonable compensation for board-certified child abuse pediatricians  
9 serving on an internal committee. Internal committees shall have access to information and records maintained by a provider of  
10 medical care regarding a child whose death is being reviewed by the internal committee, including information on prenatal care; all  
11 information and records maintained by any state, county, or local government agency, including, but not limited to, birth certificates,  
12 law enforcement investigation data, county coroner or medical examiner investigation data, parole and probation information and  
13 records, and information and records of health agencies that provided services to the child or family. The meetings, information  
14 obtained by, reports prepared by, and statements made before the internal committees are confidential and protected from disclosure  
15 pursuant to the Freedom of Information Act, criminal and civil proceedings, and subpoenas as set forth in Sections 63-7-940 and  
16 63-7-1990.

17 **38.24.** (DSS: Tuition Reimbursement/Student Loan Repayment) The Department of Social Services is allowed to spend state,  
18 federal, and other sources of revenue to provide tuition reimbursement and/or student loan repayment to aid in retaining caseworkers  
19 and critical needs department jobs based on objective guidelines established by the State Director of the Department of Social  
20 Services.

21 The department may also provide paid educational leave for any employees in an FTE position to attend class while enrolled in  
22 programs that are related to the agency's mission. All such leave is at the agency head's discretion.

23 The department may enter into an agreement with staff employed in critical need departments to repay them for their outstanding  
24 student loans and/or reimburse tuition expenses. The employee must be employed in a critical needs area, which would be identified  
25 at the agency head's discretion, be in a covered FTE, and not have any disciplinary actions. Participants in this program must agree  
26 to remain at the department for a period of five years. The department may pay these employees up to \$7,500 each year over a  
27 five-year period in accordance with a program developed by the department. Payments will be made directly to the employee at the  
28 end of each year of employment. Payments cannot exceed the balance of the student loan or the cost of tuition.

29 **38.25.** (DSS: Federally Certified Child Support Enforcement System Project) In order to expedite the completion and certification  
30 of the Automated Child Support Enforcement System required by the Social Security Act (42 U.S.C. Section 654a), the Department  
31 of Social Services is authorized to adopt, to the fullest extent possible, the system and operating procedures of the Delaware Transfer  
32 System. To the extent the Transfer System operating processes deviate from, or are incompatible with, current South Carolina  
33 practice, the department is authorized to determine the most effective and efficient practice to comply with federal requirements.  
34 The department shall work with Clerks of Court to identify and prepare for the changes involved in the implementation of the Transfer  
35 System which may impact their current operating practices with regards to performance of required child support functions. Pursuant

1 to the Social Security Act and S.C. Code Section 63-17-610, Clerks of Court shall utilize the federally certifiable child support system  
2 and the state disbursement unit developed by the department to perform required child support functions.

3 **38.26.** (DSS: Wilderness Therapeutic Camps) The Department of Social Services shall make and promulgate such rules and  
4 regulations relating to licensing standards and other matters as may be necessary to carry out the purposes of Title 63, Chapter 11,  
5 Article 1 of the 1976 Code as applied to Wilderness Therapeutic Camps. For this purpose, a “Wilderness Therapeutic Camp” is a  
6 therapeutic camp organization or facility with an outdoor or wilderness focus that is engaged in receiving children for care and  
7 maintenance, either part or full time, but shall not include any summer camp, day camp, or after school program, and shall also not  
8 include any other outdoor education or youth development program or facility where participants usually attend for less than 15 days,  
9 and does not include any licensed residential group care organization, child caring institution or group home or facility that meets  
10 the facility requirements of S.C. Code of Regulations Section 114-590.

11 **38.27.** (DSS: Group Home Transition) For the current fiscal year, the Department of Social Services shall provide financial and  
12 administrative support and flexibility to Group Homes in order to best enable any necessary transition of services or the development  
13 of new service models for children and young adults. Group Homes with young adults between the ages of 18 to 23 years residing  
14 in approved and supervised independent living programs shall not be required to provide 24 hours per day face to face supervision  
15 for the resident. Regulatory and contractual requirements must not be different for supervision and staff ratios when a young adult  
16 aged 18 to 23 is a resident in an approved and supervised independent living program.

17 **38.28.** (DSS: SNAP Eligibility) The Department of Social Services shall not seek, apply for, accept, or renew any waiver of the  
18 requirements established pursuant to 7 U.S.C. Section 2015(o), relating to the mandatory work requirements of the Supplemental  
19 Nutrition Assistance Program.

20 **38.29.** (DSS: Pro Bono Program) From the funds appropriated to the Department of Social Services the director shall be  
21 authorized to utilize the funds appropriated to the department to establish a pro bono program for private attorneys to represent the  
22 department in hearings. Attorneys that volunteer for the program must meet the same qualifications as the attorney’s hired by the  
23 department. The department shall provide training for the pro bono attorneys.

24 **38.30.** *(DSS: Economic Services System Application Modernization) The department shall be authorized to retain and carry*  
25 *forward any unexpended funds appropriated for the Economic Services System Application Modernization (ESSAM) Project.*

## 26 27 SECTION 39 - L240 - COMMISSION FOR THE BLIND

28  
29 **39.1.** (BLIND: Matching Federal Funds) For the current fiscal year the amount appropriated in this section under Program II for  
30 Rehabilitative Services is conditioned upon matching by federal funds to the maximum amount available under the Federal  
31 Vocational Rehabilitation Program.

32 **39.2.** *(BLIND: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Commission for the Blind is*  
33 *authorized to establish an interest-bearing fund with the State Treasurer to deposit funds appropriated for deferred maintenance*  
34 *and other one-time funds from any source. After receiving any required approvals, the commission is authorized to expend these*  
35 *funds for the purpose of deferred maintenance, capital projects, and ordinary repair and maintenance. These funds may be carried*  
36 *forward from the prior fiscal year into the current fiscal year to be used for the same purpose.*



1 39.3. (BLIND: Remodeling) The Commission for the Blind shall utilize the \$30,000 appropriated in Part 1B, Section 118 - X910  
2 - Statewide Revenue in the 2019-20 General Appropriations Act, by proviso 118.16(30), for agency facility remodeling and  
3 renovation needs.

4 39.4. (BLIND: Reallotment Funds) To maximize utilization of federal funding in the Basic Service Program, the Commission  
5 for the Blind shall be allowed to reallocate funds received in excess of original projections.

## 7 SECTION 40 - L060 - DEPARTMENT ON AGING

8  
9 **40.1.** (AGING: State Matching Funds Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of the  
10 required state matching funds appropriated in Part IA, Section 40, Aging Assistance, shall be carried forward into the current fiscal  
11 year to be used as required state match for federal funds awarded to subdivisions on or before September thirtieth of the current fiscal  
12 year.

13 **40.2.** (AGING: State Match Funding Formula) Of the state funds appropriated under “Aging Assistance,” the first allocation by  
14 the Department on Aging shall be for the provision of required State matching funds according to the Department on Aging formula  
15 for distributing Older Americans Act funds. The balance of this item shall be distributed to the planning and service areas of the  
16 State. In the event state appropriations are reduced, reductions to the planning and service areas shall be based on amounts distributed  
17 in accordance with the previous requirements.

18 **40.3.** (AGING: Registration Fees) The Department on Aging is authorized to receive and expend registration fees for  
19 educational, training and certification programs.

20 **40.4.** (AGING: Council Meeting Requirements) ~~The duties and responsibilities, including the statutory requirement to hold~~  
21 ~~meetings of the Coordinating Council established pursuant to Section 43-21-120 and of the Long Term Care Council established~~  
22 ~~pursuant to Section 43-21-130, both under the Department on Aging, are suspended for the current fiscal year.~~

23 **40.5.** (AGING: Home and Community-Based Services) State funds appropriated for Home and Community-Based Services  
24 shall be used to fund those services that most directly meet the goal of allowing seniors to live safely and independently at home.  
25 Allowable services as defined in the Department on Aging’s State Plan include: group dining, home delivered meals, transportation  
26 to group dining sites, transportation for essential trips, personal care, homemaker, Home Chore, Home Modification, Legal  
27 Assistance, and Assessments. Area Agencies on Aging (AAAs) may expend no more than ten percent for administrative services  
28 and one-quarter of one percent shall be retained by the Department on Aging to provide monitoring and oversight of the program.  
29 However, up to three percent of the annual state appropriation for Home and Community-Based Services may be retained at the  
30 Department on Aging to be allocated by the department to the affected regions in cases of an emergency and/or natural disaster  
31 recognized by the Governor. If these funds are not utilized in the fiscal year allocated, they are to be treated as carry forward funds  
32 and reallocated to the AAAs. The Intrastate Funding Formula shall be used as a guideline for the allocation of state funds  
33 appropriated for Home and Community-Based Services. The Department on Aging shall develop and implement a structured  
34 methodology to allocate the state Home and Community-Based Services funding. The methodology shall include flexibility to  
35 reallocate funds amongst the AAAs, and be composed of, at a minimum, the following factors: a minimum base amount, the fiscal  
36 year’s federally allocated funds, federal and state carry forwards funds, and an appropriate weighted proportion that will achieve the

1 mission of the Department on Aging to provide as many services as possible to the citizens of South Carolina. Each AAA shall  
2 submit a budget for approval by the Department on Aging indicating the services to be provided. Any unexpended Home and  
3 Community-Base Services funds in this program shall be carried forward by the Department on Aging and used for the same  
4 purposes. Funds may not be transferred from the Home and Community-Based special line item for any other purpose.

5 **40.6.** (AGING: Geriatric Loan Forgiveness Program) In lieu of quarterly payments to a recipient of the Geriatric Physician Loan  
6 Program, the Department on Aging is authorized to make a single lump sum payment to the lending institution of up to \$35,000 or  
7 the loan balance, whichever is less.

8 Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated in Part IA, Section 40, Geriatric Physician  
9 Loan Program, shall be carried forward and used for the same purpose as originally appropriated.

10 **40.7.** (AGING: Caregivers Carry Forward) Unexpended funds from appropriations to the Department on Aging for caregivers  
11 shall be carried forward from the prior fiscal year and used for the same purpose.

12 **40.8.** (AGING: Vulnerable Adult Guardian ad Litem Carry Forward) Any unexpended funds from appropriation to the  
13 Department on Aging for the Vulnerable Adult Guardian ad Litem Program shall be carried forward from the prior fiscal year and  
14 used for the same purpose.

15 **40.9.** (AGING: Alzheimer’s Respite Program) Funds appropriated to the Department on Aging for Alzheimer’s Respite Program  
16 must be used to provide respite care and diagnostic services and must be maximized, to the extent feasible, to attain federal matching  
17 dollars. On or before September thirtieth of each year, the department must submit to the Governor, Senate Finance Committee, and  
18 House Ways and Means Committee an annual financial statement and outcomes measures attained for the fiscal year just ended. In  
19 addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the  
20 department may not reduce the program funds greater than such stipulated percentage.

21  
22 **SECTION 41 - L080 - DEPARTMENT OF CHILDREN’S ADVOCACY**

23  
24 **41.1.** (DCA: Foster Care-Private Foster Care Reviews) The Department of Children’s Advocacy, Foster Care Program is  
25 authorized to restructure its programs, including but not limited to, suspending reviews of children privately placed in private foster  
26 care and/or changing the location of reviews of children in public foster care, to maintain continuous operations within existing  
27 resources as dictated by recent budget reductions. These decisions must be based upon the availability of existing funds. This  
28 provision supersedes any previous statutory or regulatory mandate.

29 **41.2.** (DCA: Guardian Ad Litem Program) For the current fiscal year, the Department of Revenue is directed to reduce the rate  
30 of interest paid on eligible refunds by two percentage points. The revenue resulting from this reduction must be used exclusively for  
31 operations of the Guardian ad Litem program and be deposited in the State Treasury in a separate and distinct fund known as the  
32 “South Carolina Guardian ad Litem Trust Fund.” Unexpended revenues in this fund carry forward to succeeding fiscal years, and  
33 earnings in this fund must be credited to it. The Guardian ad Litem program may carry forward the other funds authorized herein  
34 for its operations from the prior fiscal year into the current fiscal year.

35 **41.3.** (DCA: Continuum of Care Carry Forward) The Department of Children’s Advocacy, Continuum of Care Program may  
36 carry forward funds appropriated herein to continue services.

1     **SECTION 42 - L320 - HOUSING FINANCE AND DEVELOPMENT AUTHORITY**

2  
3     **42.1.** (HFDA: Federal Rental Assistance Administrative Fee Carry Forward) All federal rental assistance administrative fees  
4 shall be carried forward to the current fiscal year for use by the authority in the administration of the federal programs under contract  
5 with the authority.

6     **42.2.** (HFDA: Program Expenses Carry Forward) For the prior fiscal year monies withdrawn from the authority's various  
7 bond-financed trust indentures and resolutions, which monies are deposited with the State Treasurer to pay program expenses, may  
8 be carried forward by the authority into the current fiscal year.

9     **42.3.** (HFDA: Advisory Committee Mileage Reimbursement) Members of the nine member South Carolina Housing Trust Fund  
10 Advisory Committee are eligible for mileage reimbursement at the rate allowed for state employees as established in Proviso  
11 117.20(J) (Travel-Subsistence Expenses & Mileage) in this act.

12     **42.4.** (HFDA: Allocation of Indirect Cost Recoveries) The authority shall deposit in the state general fund indirect cost  
13 recoveries for the authority's portion of the Statewide Central Services Cost Allocation Plan (SWCAP). The authority shall retain  
14 recoveries in excess of the SWCAP amount to be deposited in the state general fund.

15     **42.5.** (HFDA: Housing Trust Fund Disaster Initiative) Funds allocated, granted, or awarded under the Housing Trust Fund's  
16 Disaster Initiative shall not be included when calculating the percentage of trust fund expenditures per county.

17     **42.6.** (HFDA: SC Housing Statewide Assessment) For Fiscal Year 2022-23, of the funds appropriated to the Housing Finance  
18 and Development Authority, \$100,000 shall be used for a comprehensive statewide housing needs assessment prepared by the Darla  
19 Moore School of Business. The assessment must include the following:

20         (1) a statement by the authority on housing policies and recommendations for South Carolina; and

21         (2) an evaluation and summary of housing conditions and trends in South Carolina broken down by geographic regions including,  
22 but not limited to, the Upstate, the Midlands, and the Lowcountry, including housing stock of all types and housing costs analyses,  
23 general population and household composition demographic analyses, and housing and demographic forecasts.

24     The assessment also must include an evaluation of housing assistance needs that is based in part on the evaluation described in  
25 item (2). Further, the assessment must include a discussion of major housing issues, including housing production, housing and  
26 neighborhood conservation, housing for persons with special needs, fair housing and accessibility, and housing affordability. In  
27 preparing the assessment, the authority and the Darla Moore School of Business may obtain input from housing authorities,  
28 community-based organizations, the private housing industry, and other persons interested in housing assistance and development.  
29 A copy of the assessment must also be provided to the Chairman of the Senate Finance Committee and the Chairman of the House  
30 Ways and Means Committee by June 30, 2023.

31

1     **SECTION 43 - P120 - FORESTRY COMMISSION**  
2

3     **43.1.** (FC: Grant Funds Carry Forward) The Forestry Commission is authorized to use unexpended federal grant funds in the  
4 current year to pay for expenditures incurred in the prior year.

5     **43.2.** (FC: Retention of Emergency Expenditure Refunds) The Forestry Commission is authorized to retain all funds received  
6 as reimbursement of expenditures from other state or federal agencies when personnel and equipment are mobilized due to  
7 an emergency.

8     **43.3.** (FC: Commissioned Officers' Physicals) The Forestry Commission is authorized to pay the cost of physical examinations  
9 for agency personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

10    **43.4.** (FC: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the  
11 Forestry Commission may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency  
12 director, and providing funds are available.

13    **43.5.** (FC: Sale of Promotional Items) The Forestry Commission may sell promotional items that advocate for the forestry and  
14 forest culture, including items featuring the South Carolina Forestry Commission Forest Life brand logo, for the purposes of  
15 generating funds for the agency operations. Unexpended funds may be carried forward from the prior fiscal year into the current  
16 fiscal year and used for the same purposes.

17    **43.6.** (FC: Firefighting Equipment and Response Carry Forward) The Forestry Commission is authorized to carry forward any  
18 unspent funds appropriated for firefighting equipment into the current fiscal year to be expended for the same purpose.  
19

20    **SECTION 44 - P160 - DEPARTMENT OF AGRICULTURE**  
21

22    **44.1.** (AGRI: Market Bulletin) The Market Bulletin shall be mailed only to those persons who request it in writing and a record  
23 of each request shall be maintained by the department. Provided further, that the Department of Agriculture is authorized to charge  
24 a yearly subscription fee to each person requesting the bulletin and may charge for classified advertisements printed in the bulletin.  
25 The funds collected pursuant to this provision shall be retained by the department to defray the costs of publication and related  
26 incidental expenses.

27    **44.2.** (AGRI: Fruit/Vegetable Inspectors Subsistence) A daily subsistence allowance of up to \$30.00 may be allowed for  
28 temporarily employed fruits and vegetables inspectors from funds generated by fruits and vegetables inspection fees and budgeted  
29 under other funds in Program III. Marketing Services, D. Inspection Services, in lieu of reimbursements for meals and lodging  
30 expense.

31    **44.3.** (AGRI: Warehouse Receipts Guaranty Fund) The Department of Agriculture may retain and expend fifty thousand dollars  
32 from the Warehouse Receipts Guaranty Fund established by Section 39-22-150 of the 1976 Code as is necessary for the department  
33 to administer the funding of the program.

34    **44.4.** (AGRI: Weights & Measures Registration) All servicepersons required to be registered with the Department of Agriculture  
35 pursuant to the provisions of Section 39-9-65 of the 1976 Code shall pay to the department a registration fee of \$25.00. Revenues

1 generated by this provision shall be for use by the Department of Agriculture to offset expenses incurred in administering this  
2 registration program.

3 **44.5.** (AGRI: Sale of Property Revenue) The department may retain revenues associated with the sale of the property titled to  
4 or utilized by the department, except for the State Farmers Market property, and must expend these funds on capital improvements  
5 approved by the Joint Bond Review Committee and the State Fiscal Accountability Authority. The department must continue to  
6 occupy any property until replacement capital improvements are completed.

7 **44.6.** (AGRI: Export Certification) The Department of Agriculture is allowed to charge up to \$250 for each export certification  
8 of agricultural products and to retain revenues to offset expenses incurred in performing certifications.

9 **44.7.** (AGRI: Feed Label Registration) The Department of Agriculture is authorized to require the annual registration of feed  
10 labels by manufacturers and to charge a fee of \$15.00 for such registrations. Revenues generated by these fees shall be retained and  
11 used by the department to offset expenses incurred in operating the Feed Inspection Program.

12 **44.8.** (AGRI: Commodity Boards) In the current fiscal year, the provisions of the Consolidated Procurement Code related to a  
13 commodity board's expenditure of assessments collected from producers, as those terms are defined in Section 46-17-40 of the 1976  
14 Code, are suspended.

15 **44.9.** (AGRI: Agribusiness Infrastructure Carry Forward) The Department of Agriculture is authorized to carry forward any  
16 revenues, accrued interest, and unexpended Agribusiness Infrastructure funds from the prior fiscal year into the current fiscal year to  
17 be expended for the same purpose. *Any Agribusiness Infrastructure funds carried forward are not considered part of and should not*  
18 *be deducted from the base for purposes of calculating the agency's general fund appropriations ten percent carry forward amount,*  
19 *as provided for in this act.*

20 **44.10.** (AGRI: South Carolina Tax Exemption Program) The Department of Agriculture is authorized to charge up to \$24 for a  
21 three-year registration card for agricultural producers to claim a sales tax exemption on certain qualified purchases. The Department  
22 of Agriculture is also authorized to charge \$5 for any replacement cards. The funds collected pursuant to this provision shall be  
23 retained by the department to defray any costs associated with the South Carolina Agricultural Tax Exemption Program.

24 **44.11.** (AGRI: County of Sumter) ~~Funds remaining of the \$45,100 appropriated in Act 94 of 2021, Section 118.18(B)(77) to the~~  
25 ~~Department of Agriculture for the Town of Mayesville Grant Matching Funds shall be redirected to the County of Sumter to be used~~  
26 ~~for the same purpose.~~

27 **44.12.** (AGRI: State Farmers Market Escrow Accounts) *The department may retain remaining revenues associated with the State*  
28 *Farmers Market Escrow and the State Farmers Market Sale Proceeds and may expend these funds for the planning, development,*  
29 *construction, improvement, and maintenance of the State Farmers Market including, but not limited to, capital improvements*  
30 *approved by the Joint Bond Review Committee and the State Fiscal Accountability Authority.*

31  
32 **SECTION 45 - P200 - CLEMSON UNIVERSITY - PSA**  
33

34 **45.1.** (CU-PSA: Phytosanitary Certificates) Revenues collected from the issuance of phytosanitary certificates shall be retained  
35 by the Division of Regulatory and Public Service for the purpose of carrying out phytosanitary inspections.

- 1       **45.2.** (CU-PSA: Witness Fee) The Public Service Activities of Clemson University are hereby authorized to charge a witness  
2 fee of \$100.00 per hour up to \$400.00 per day for each PSA employee testifying as a fact witness regarding matters related  
3 to his or her professional expertise, or the exercise of his or her employment duties, in civil matters which do not involve the State  
4 as a party in interest. This fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement  
5 for judicial appearances and deposited into a designated revenue account.
- 6       **45.3.** (CU-PSA: Nursery/Nursery Dealer Registration Fee) The Division of Regulatory and Public Service Programs is  
7 authorized to retain up to \$92,000 of revenue collected from the issuance of Nursery/Nursery Dealer Fees for the purpose of carrying  
8 out nursery/nursery dealer inspections. Revenue collected from this fee above \$92,000 shall be deposited into the general fund.
- 9       **45.4.** (CU-PSA: Retention of Fees) All revenues collected from the regulatory programs of agrichemical, plant industry and  
10 crop protection including: fertilizer, lime, and soil amendments registration fees; pesticide licensing fees; seed certification fees; and  
11 fertilizer tax/inspection fees must be retained by Clemson University PSA regulatory programs.
- 12       **45.5.** (CU-PSA: Pesticide Registration) All revenues collected from pesticide registration fees and revenue collected from  
13 structural pest control businesses for business licensing must be retained by Clemson University PSA Regulatory and Public Service  
14 Programs to support general regulatory, enforcement, and education programs and to carry out provisions of the South Carolina  
15 Pesticide Control Act and regulations related to it.
- 16       **45.6.** (CU-PSA: Lime Inspection Fee) The Public Service Activities of Clemson University are hereby authorized to charge an  
17 inspection fee of \$0.50 per ton on Agricultural Liming Materials sold or distributed in this state. Clemson University-PSA may  
18 retain, expend, and carry forward these funds to maintain its programs.
- 19       **45.7.** (CU-PSA: Livestock-Poultry Health Programs) For the current fiscal year Clemson University Public Service Activities  
20 shall maintain operation of the state Meat Inspection Program. All revenues and recoveries from USDA Food Safety Inspection  
21 Services and from USDA Animal and Plant Health Inspection Services for Clemson University PSA's Livestock-Poultry Health  
22 Programs and its departments shall be retained by Clemson University-PSA's Livestock-Poultry Health Program for purposes of  
23 carrying out the operation of its programs.
- 24       **45.8.** (CU-PSA: Boll Weevil Eradication) For the current fiscal year, Clemson University Public Services Activities shall  
25 maintain operation of the Boll Weevil Eradication Program. In the calculation of any across-the-board budget reduction mandated  
26 by the Executive Budget Office or the General Assembly, the amount appropriated for the Boll Weevil Eradication Program shall be  
27 excluded from Clemson PSA's base budget. In the event of such a reduction Clemson PSA may reduce the amount of funds  
28 appropriated for this program by an amount not to exceed the percentage associated with the mandated reduction.
- 29       **45.9.** (CU-PSA: Landplaster Inspection Fee) For the purpose of regulating its use as applied to land for crop production,  
30 landplaster (gypsum), shall be defined as a product consisting chiefly of calcium sulfate with two combined water ( $\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$ )  
31 and is incapable of neutralizing soil acidity. It shall contain not less than seventy percent  $\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$ . All registrants of landplaster  
32 who sell or distribute in this state that previously were required to pay an inspection fee of \$1.50 per ton shall now pay to Clemson  
33 University Regulatory Services an inspection fee of fifty cents for each ton sold. Clemson University-PSA may retain, expend, and  
34 carry forward these funds from the prior fiscal year into the current fiscal year to maintain its programs.
- 35       **45.10.** (CU-PSA: Regulatory Services Programs) For the current fiscal year, Clemson University Public Service Activities shall  
36 lead state and federal eradication efforts of the Asian Longhorned Beetle (*Anoplophora glabripennis*). All revenues and recoveries

1 from USDA Animal and Plant Health Inspection Service (USDA-APHIS) for Clemson University PSA's Regulatory Services  
2 Programs and its departments shall be retained by Clemson University-PSA's Regulatory Services Program for purposes of carrying  
3 out the operation of its programs.  
4

5 **SECTION 47 - P240 - DEPARTMENT OF NATURAL RESOURCES**  
6

7 **47.1.** (DNR: Publications Revenue) For the current fiscal year all revenue generated from the sale of the "South Carolina  
8 Wildlife" magazine, its by-products and other publications, shall be retained by the department and used to support the production  
9 of same in order for the magazine to be self-sustaining. In addition, the department is authorized to sell advertising in the magazine  
10 and to increase the magazine's subscription rate, if necessary, to be self-sustaining. No general funds may be used for the operation  
11 and support of the "South Carolina Wildlife" magazine.

12 **47.2.** (DNR: Casual Sales Tax Collection) The Department of Natural Resources shall continue to collect the casual sales tax as  
13 contained in the contractual agreement between the Department of Revenue and the Department of Natural Resources and the State  
14 Treasurer is authorized to reimburse the department on a quarterly basis for the actual cost of collecting the casual sales tax and such  
15 reimbursement shall be paid from revenues generated by the casual sales tax.

16 **47.3.** (DNR: Proportionate Funding) Each of South Carolina's forty-six soil and water conservation districts shall receive a  
17 proportionate share of funding set aside for Aid to Conservation Districts at ~~\$15,000~~ \$25,000 per district for general assistance to the  
18 district's program. Available funding above ~~\$15,000~~ \$25,000 for each district will be apportioned by the Department of Natural  
19 Resources based upon local needs and priorities as determined by the board. During the fiscal year, the districts' funding may only  
20 be reduced in an amount not to exceed the percentage of each agency budget reduction. No district shall receive any funds under  
21 this provision unless the county or counties wherein the district is located shall have appropriated no less than three hundred dollars  
22 to the district from county funds for the same purposes.

23 **47.4.** (DNR: Carry Forward - Contract for Goods & Services) If any funds accumulated by the Department of Natural Resources  
24 Geology Program, under contract for the provision of goods and services not covered by the department's appropriated funds, are  
25 not expended during the preceding fiscal years, such funds may be carried forward and expended for the costs associated with the  
26 provision of such goods and services.

27 **47.5.** (DNR: Revenue Carry Forward) The department may collect, expend, and carry forward revenues derived from the sale  
28 of goods and services in order to support aerial photography, map services, climatology data, and geological services. The department  
29 shall annually report to the Senate Finance Committee and the House Ways and Means Committee the amount of revenue generated  
30 from the sale of these goods and services.

31 **47.6.** (DNR: Clothing Allowance) The Department of Natural Resources is hereby authorized to provide Natural Resource  
32 Enforcement Officers on special assignment with an annual clothing allowance (on a prorata basis) not to exceed \$600 per officer  
33 for required clothing used in the line of duty.

34 **47.7.** (DNR: Commissioned Officers' Physicals) The department is authorized to pay for the cost of physical examinations for  
35 department personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

1     **47.8.** (DNR: Web Services and Technology Development) The department may carry forward any unexpended general fund  
2 balance remaining on the Other Operating Expenses line, identified in the “Web Services and Technology Development” program  
3 of the department appropriations from Part IA in this act. Balances carried forward from the prior fiscal year are only authorized to  
4 be expended to support technology operating expenses within the department.

5     **47.9.** (DNR: Predator Control Program) Of the funds authorized and appropriated in this act, the Department of Natural  
6 Resources is directed to develop and implement a coyote tagging and reward program within this state. ~~They~~ The department must  
7 tag and release four coyotes in each of the four game zones and apply a reward of ~~a complimentary lifetime hunting license~~ three  
8 thousand dollars per tagged coyote to the hunter/trapper, or ~~his~~ their designee. No hunter/trapper, or their designee, may collect the  
9 reward on more than two coyotes per fiscal year. Employees of the Department of Natural Resources, members of the General  
10 Assembly, and their immediate families are not eligible to receive a reward.

11     **47.10.** (DNR: Triploid Grass Carp) For the current fiscal year, no water recreation funds or any other funding source may be used  
12 to fund the stocking of triploid grass carp on Lake Marion and Lake Moultrie.

13     **47.11.** (DNR: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the  
14 Department of Natural Resources may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of  
15 the agency director, and providing funds are available.

16     **47.12.** (DNR: Exempted Fishing Permits) The Department of Natural Resources shall explore the feasibility of employing  
17 exempted fishing permits (EFPs) within the South Atlantic region as a mechanism to allow limited state-level management of the  
18 federally managed snapper-grouper complex. The department shall work cooperatively with natural resources management agencies  
19 from the states of North Carolina, Georgia and Florida, the South Atlantic Fishery Management Council (SAFMC) and NOAA  
20 Fisheries to determine interest in and the possibility of jointly pursuing individual state EFPs as well as an overarching EFP that  
21 might allow for a new management approach for the South Atlantic snapper-grouper complex.

22     **47.13.** (DNR: Funds Transfer to Forestry Commission) For the current fiscal year, the Department of Natural Resources shall  
23 transfer \$100,000 of the funds appropriated for operating expenses of Wildlife and Freshwater Fisheries (Wildlife Management  
24 Areas) to the Forestry Commission.

25     **47.14.** (DNR: Waterfowl Impoundments Projects) The Department of Natural Resources, when procuring goods and services for  
26 the planning, development, construction, improvement, and/or maintenance of waterfowl impoundments on land owned by the  
27 department or owned by the state and managed by the department, may enter into agreements with a qualified, not-for-profit entity  
28 that has received North American Wetlands Conservation Act (NAWCA) funds for a project and specializes in waterfowl  
29 impoundment development, and that entity is considered a sole source provider under the provisions of Section 11-35-1560 of the  
30 1976 Code. The department shall be required to have a representative of the agency present to view the opening of bids with this  
31 provision.

32     **47.15.** (DNR: Building Maintenance Carry Forward) At the end of each fiscal year, the department may transfer any unexpended  
33 general fund balance remaining on the “Other Operating Expenses” line identified in the “Administration” program to a separate and  
34 distinct account to be carried forward by the department. Balances carried forward in this account must only be expended for rent,  
35 maintenance, and capital improvement needs in the headquarters building. The department must report to the Chairmen of the Senate



1 Finance Committee and House Ways and Means Committee any amount transferred and expenditures made from the fund by October  
2 first.

3 **47.16.** (DNR: Matching Grant Programs) Of the funds appropriated and/or authorized to the South Carolina Conservation Bank,  
4 \$1,000,000 shall be provided to the Department of Natural Resources as the state match for the North American Wetlands  
5 Conservation Act (NAWCA) matching grant program and \$3,000,000 as the state match for the Pittman-Robertson Wildlife  
6 Restoration Act matching grant program. The department annually shall report to the Senate Finance Committee, the House Ways  
7 and Means Committee, and the South Carolina Conservation Bank regarding utilization of the funds and the impact of the funds on  
8 conservation efforts in the State of South Carolina.

9 **47.17.** (DNR: Blue Crab Fishery) ~~From the funds appropriated to the Department of Natural Resources, the department shall~~  
10 ~~produce a report, no later than January 10, 2023, on sustainability of the blue crab fishery and prepare recommendations for seasons,~~  
11 ~~closed zones, and catch limits.~~

12 **47.18.** *(DNR: Special Carryforward Delayed Vehicle/Equipment Delivery) The department may carry forward appropriations*  
13 *and authority encumbered by purchase orders issued to procure vehicles, trailers, boats, outboard motors, and other specialized*  
14 *equipment. Each purchase order must meet or exceed \$16,000, and only delivery of items delayed due to manufacturing and material*  
15 *supply chain or transportation disruptions qualify for carryforward. The department will provide a report to the Executive Budget*  
16 *Office listing open purchasing documents with encumbered amounts supporting the special carry forward by August 1.*

#### 17 18 SECTION 48 - P260 - SEA GRANT CONSORTIUM

19  
20 **48.1.** (SGC: Publications Revenue) Funds generated by the sale of pamphlets, books, and other promotional materials, the  
21 production of which has been paid for by non-state funding, may be deposited in a special account by the consortium and utilized as  
22 other funds for the purchase of additional pamphlets, books, and other promotional materials for distribution to the public.

23 **48.2.** *(SGC: Collection of Fees for Consortium Programs and Events) The South Carolina Sea Grant Consortium shall generate*  
24 *funds to support programs and outreach events including the state's Clean Marina Program through the collection of registration*  
25 *fees that do not exceed the direct cost of the associated program.*

#### 26 27 SECTION 49 - P280 - DEPARTMENT OF PARKS, RECREATION AND TOURISM

28  
29 **49.1.** (PRT: Tourism and Promotion) The funds appropriated in this act for Regional Promotions shall be distributed equally to  
30 the eleven Regional Tourism groups, except that the Grandstrand Tourism Region's funds shall be divided, with ~~\$50,000~~ *\$71,237*  
31 distributed to the Myrtle Beach Chamber of Commerce, ~~\$115,000~~ *\$163,784* distributed to the Georgetown Chamber of Commerce,  
32 ~~\$30,000~~ *\$42,717* distributed to the City of Georgetown, and ~~\$30,000~~ *\$42,717* distributed to the Williamsburg Chamber of Commerce  
33 for tourism related activities. In addition, \$100,000 shall be distributed to the Lake Wylie Chamber of Commerce. The Myrtle Beach  
34 Chamber of Commerce and the Georgetown Chamber of Commerce shall submit a report to the Senate Finance Committee and the  
35 House Ways and Means Committee by December first each year describing how these funds were expended in the prior fiscal year.

1       **49.2.** (PRT: Destination Specific Tourism Marketing) The minimum grant awarded by the Destination Specific Tourism  
2 Program shall be \$250,000. Each state dollar must be matched with two dollars of private funds. An organization receiving a state  
3 grant must certify that, as of the date of the application: (i) the private funds are new dollars specifically designated for the purpose  
4 of matching state funds; (ii) the private funds have not been previously allocated or designated for tourism-related destination  
5 marketing; (iii) the organization has on hand or has an approved line of credit of not less than the amount of private funds needed to  
6 provide the required match. Organizations applying for a grant must include in the grant application, information on how the  
7 organization proposes to measure the success of the marketing and public relations program, including the estimated return on  
8 investment to the state. Promotional programs proposed by an applicant must be based on research-based outcomes. Grants must  
9 be made only to organizations that have a proven record of success in creating and sustaining new and repeat visitation to its area  
10 and must have sufficient resources to create, plan, implement, and measure the marketing and promotional efforts undertaken as a  
11 part of the program. The department must award a grant only to one qualified destination marketing organization within their tourism  
12 region where the organization's private funds are raised. An organization receiving a grant must use the public and private funds  
13 only for the purpose of destination specific marketing and public relations designed to target international and/or domestic travelers  
14 outside the state to destinations within the state. All grants that qualify under the program must be funded if funds are available.  
15 Funding of all qualified grants will be on a first come first served basis with such basis retained throughout the term of this proviso.  
16 No organization shall receive in the first quarter more than fifty percent of the state dollars allocated to the program. If by the end  
17 of the third quarter matching funds are still available with no other organizations meeting the criteria for funding, the funds will be  
18 distributed to the organization or organizations that have and can meet all of the requirements of this proviso. Grant recipients shall  
19 provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means  
20 Committee and the director of the Department of Parks, Recreation and Tourism on the expenditure of the grants funds and on the  
21 proposed outcome measures.

22       **49.3.** (PRT: Advertising Funds Carry Forward) The Department of Parks, Recreation and Tourism may carry forward any  
23 unexpended funds appropriated on the Advertising line within Program II. A. Tourism Sales and Marketing from the prior fiscal year  
24 into the current fiscal year to be used for the same purposes which include the Tourism Partnership Fund, Destination Specific  
25 Marketing Grants, and the agency advertising fund.

26       **49.4.** (PRT: Film Marketing) From the funds authorized to the Department of Parks, Recreation and Tourism in Section 49, Part  
27 IA of this act for the South Carolina Film Commission, the department may use the film marketing funds for the following purposes:  
28 (1) to allow for assistance with recruitment and infrastructure development of the film industry; (2) to develop a film crew base; (3)  
29 to develop ally support in the film industry; (4) marketing and special events; and (5) to allow for assistance with the auditing and  
30 legal service expenses associated with the Motion Picture Incentive Act.

31       **49.5.** (PRT: Motion Picture Administration Application Fee) The Department of Parks, Recreation and Tourism may charge an  
32 application fee for the Motion Picture Incentive programs and may retain and expend these funds for the purposes of meeting  
33 administrative, data collection, credit analysis, cost-benefit analysis, reporting and auditing, and other statutory obligations. A fee  
34 schedule must be established and approved by the Director of the Department of Parks, Recreation and Tourism.

35       **49.6.** (PRT: Gift Shops) At the discretion of the Department of Parks, Recreation and Tourism, the State House Gift Shop may  
36 close on weekends.

1     **49.7.** (PRT: PARD Interest) The department is hereby prohibited from utilizing the interest generated in the PARD program for  
2 anything other than the uses authorized by the law creating PARD. Should the PARD account not reach the required amount of  
3 \$920,000 to activate the minimum \$20,000 per county distribution, the department shall carry forward the funding until such time as  
4 the funds are sufficient to distribute as originally intended.

5     **49.8.** (PRT: Wage and Supplier Rebate Funds) From the funds set aside pursuant to the Motion Picture Incentive Act, any funds  
6 committed to film projects shall be carried forward from the prior fiscal year and used for the same purpose. Any uncommitted funds  
7 shall be carried forward from the prior fiscal year and must be used solely for wage and supplier rebate funds pursuant to the Motion  
8 Picture Incentive Act and may not be used for any other purpose.

9     **49.9.** (PRT: Funds Exempt from Budget Cut) In the calculation of any across the board cut mandated by the Executive Budget  
10 Office or the General Assembly, any amounts appropriated for pass through, special items, or other items specified in any general  
11 proviso, which are exempt from reduction, shall be excluded from the Department of Parks, Recreation and Tourism's base budget.

12     **49.10.** (PRT: PARD) The Department of Parks, Recreation, and Tourism shall be authorized to expend restricted funds for the  
13 Parks and Recreation Development Fund (PARD) in accordance with the Section 51-23-20 of the 1976 Code, Regulations, and  
14 generally accepted accounting standards. The department is allowed to reimburse PARD grantees from current year funds for prior  
15 year expenditures as allowed in Section 51-23-30 of the 1976 Code.

16     For the current fiscal year, funds placed in a County Area account as allowed in Section 51-23-30 of the 1976 Code may remain  
17 unexpended in the account indefinitely, any regulation or provision to the contrary notwithstanding. However, once an application  
18 is approved by a county delegation, the project must be completed and funds expended within three years of the approved application.

19     **49.11.** (PRT: Admission Fees and Charges) The department may impose reasonable fees and charges for admission to and/or use  
20 of park and recreational facilities and the revenues from such fees and charges must be used for park and recreational uses.

21     **49.12.** (PRT: Vending Services) The State Park Service, an office within the Department of Parks, Recreation, and Tourism shall  
22 be granted an exemption requiring the State Park Service to use the Commission for the Blind for vending services. All revenues  
23 earned by vending and retail operations at the State Parks shall be retained by the department to support the operational costs of the  
24 South Carolina State Parks. These funds may be carried forward from the prior fiscal year and must be used for the same purpose.  
25 This exemption does not apply to vending services at the State Welcome Centers.

26     **49.13.** (PRT: State Funded Grant Programs) Any unexpended general funds appropriated for the PARD Grants, Undiscovered  
27 SC, and Sports Marketing Grants Programs shall be carried forward from the prior fiscal year into the current fiscal year and used  
28 for the same purpose.

29     **49.14.** (PRT: SC Film Office Rebate Funds) From the funds authorized pursuant to the Motion Picture Incentive Act, any rebates  
30 awarded by the SC Film Office may be paid without distinction of the source of funds.

31     **49.15.** (PRT: Compensatory Payment) In the event the Governor declares a State of Emergency, employees of the Department of  
32 Parks, Recreation and Tourism may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the  
33 agency director, and providing funds are available.

34     **49.16.** (PRT: Destination Specific Tourism) ~~The agency director shall be allowed to reduce the grant match requirement for the~~  
35 ~~recurring funds appropriated to the Destination Specific Tourism Marketing grant program for Fiscal Year 2022-23. The adjustment~~  
36 ~~to the match requirement shall be based on the financial statements and cash balance on hand at the end of the prior fiscal year~~

1 ~~submitted with the application, along with the forecast data provided by each destination. There shall not be a match requirement~~  
2 ~~on non-recurring funds appropriated to this program. In the current fiscal year, non-recurring funds appropriated to the Destination~~  
3 ~~Specific Tourism Marketing grant program shall not be subject to a match requirement.~~

4 **49.17.** (PRT: State Park Employee Housing) The Comptroller General shall, upon request of an employee of the South Carolina  
5 Department of Parks, Recreation & Tourism's State Park Service, and with the authorization of the department, make deductions  
6 from the employee's compensation for rental payments of an employee's residential housing that is located within a South Carolina  
7 State Park. The Comptroller General shall pay over to the Department of Parks, Recreation and Tourism all amounts collected by  
8 payroll deduction for this purpose for the exclusive use by the department for state park operations.

9 **49.18.** (PRT: Columbia Convention Center) Funds remaining of the \$9,000,000 appropriated in Act 94 of 2021, Section 118.18  
10 (B)(77) to the Department of Parks, Recreation and Tourism for the Columbia Convention Center Renovation shall be transferred to  
11 Aid to Subdivisions - State Treasurer to be allocated by the City of Columbia as follows: \$3,000,000 for the Belvedere Neighborhood  
12 Flood Mitigation, \$4,000,000 for Bluff Road and Atlas Road Area Improvements, and \$2,000,000 for Beltline Boulevard Community  
13 Enhancements.

14 **49.19.** (PRT: State Parks Carry Forward) The department may carry forward any prior year unexpended general operating funds  
15 allocated to the State Park Service. The funds carried forward must be used for the same purpose.

16 **49.20.** (PRT: South Carolina Welcome Centers) Funds appropriated in this Act designated for South Carolina welcome centers  
17 and funds remaining from Proviso 118.18(B)(41)(f) and (g) of Act 94 of 2021 designated for South Carolina welcome centers may  
18 be expended for any welcome center project as needed by the Department of Parks, Recreation and Tourism.

## 20 SECTION 50 - P320 - DEPARTMENT OF COMMERCE

21  
22 **50.1.** (CMRC: Development - Publications Revenue) The proceeds from the sale of publications may be retained in the agency's  
23 printing, binding, and advertising account to offset increased costs.

24 **50.2.** (CMRC: Economic Dev. Coordinating Council - Set Aside Fund) From the amount set aside in Section 12-28-2910, the  
25 council is authorized to use up to ten percent of such amount for actual operating expenses in support of administrative program costs  
26 and business recruitment and retention and up to \$60,000 to support the Geographic Information Systems (GIS) program, as approved  
27 by council. Any balance on June thirtieth of the prior fiscal year may be carried forward and expended for the same purposes in the  
28 current fiscal year.

29 **50.3.** (CMRC: Coordinating Council Funds) In order to provide maximum flexibility to encourage the creation of new jobs and  
30 capital investment, the Coordinating Council for Economic Development has the authority to transfer economic development funds  
31 at its disposal to the Closing Fund, provided the transfer is approved by a majority vote of the Coordinating Council members in a  
32 public meeting. Any unexpended balance on June thirtieth, of the prior fiscal year may be carried forward and expended in the  
33 current fiscal year by the Department of Commerce for the same purpose.

34 **50.4.** (CMRC: Export Trade Show Funds) Funds collected from South Carolina companies for offsetting costs associated with  
35 participation in future trade shows may be carried forward from the prior fiscal year to the current fiscal year and used for that  
36 purpose.

1       **50.5.** (CMRC: Special Events Advisory Committee) The Department of Commerce is required to establish a Special Events  
2 Advisory Committee to provide oversight to the department as it relates to the department's Special Events Fund. The Advisory  
3 Committee shall be made up of contributors to the Fund appointed by the Secretary of Commerce and shall consist of no fewer than  
4 eight members, including a chairman. The Advisory Committee shall establish guidelines for the use of these funds. The Department  
5 of Commerce shall prepare a detailed report and have an independent audit of all expenditures of the fund during the previous  
6 calendar year. None of these funds shall be used for operating expenses. The report shall be submitted to the Governor, the Speaker  
7 of the House, the President of the Senate, the Chairman of the House Ways and Means Committee, and Chairman of the Senate  
8 Finance Committee.

9       **50.6.** (CMRC: Development-Rental Revenue) Revenue received from the sublease on non-state-owned office space may be  
10 retained and expended to offset the cost of the department's leased office space.

11       **50.7.** (CMRC: Development-Ad Sales Revenue) The department may charge a fee for ad sales in department authorized  
12 publications and may use these fees to offset the cost of printing and production of the publications. Any revenue generated above  
13 the actual cost shall be remitted to the General Fund.

14       **50.8.** (CMRC: Foreign Offices) The Secretary of Commerce shall be authorized to appoint the staff of the department's foreign  
15 offices on a contractual basis on such terms as the Secretary deems appropriate, subject to review by the Department of  
16 Administration.

17       **50.9.** (CMRC: Funding For I-73) Of the funds authorized for the Coordinating Council Economic Development, \$500,000 shall  
18 be made available for the routing, planning, and construction of I-73.

19       **50.10.** (CMRC: Closing Fund) In order to encourage and facilitate economic development, funds appropriated for the Closing  
20 Fund for competitive recruitment purposes shall be used as approved by the Coordinating Council for Economic Development. Any  
21 unexpended at the end of the prior fiscal year may be carried forward and expended in the current fiscal year by the Department of  
22 Commerce for the same purposes.

23       **50.11.** (CMRC: Coordinating Council - Application Fee Deposits) Application fees received by the department must be deposited  
24 within five business days from the Coordinating Council application approval date.

25       **50.12.** (CMRC: Recycling Advisory Council Reporting) The Recycling Market Development Advisory Council must submit an  
26 annual report outlining recycling activities to the Governor and members of the General Assembly by March fifteenth each year.

27       **50.13.** (CMRC: Regional Economic Development Organizations) The Department of Commerce shall utilize \$5,000,000  
28 appropriated in the current fiscal year for Regional Economic Development Organizations to provide funds to the following economic  
29 development organizations and must be disbursed as follows:

- |    |  |                |
|----|--|----------------|
| 30 | (1) Upstate Alliance                         | \$750,000;     |
| 31 | (2) Central SC Economic Development Alliance | \$750,000;     |
| 32 | (3) North Eastern Strategic Alliance (NESA)  | \$745,000;     |
| 33 | (4) Charleston Regional Development Alliance | \$660,000;     |
| 34 | (5) I-77 Alliance                            | \$660,000;     |
| 35 | (6) Economic Development Partnership         | \$450,000;     |
| 36 | (7) Southern Carolina Alliance               | \$600,000; and |

1 (8) The LINK Economic Alliance \$385,000.

2 Each dollar of state funds must be matched with one dollar of private funds. The organization receiving state funds must certify  
3 that the private funds are new dollars specifically designated for the purpose of matching state funds and have not been previously  
4 allocated or designated for economic development. No funds appropriated in this proviso may be used for routine operating costs of  
5 the organization as defined by the Department of Commerce.

6 Upon receipt of the request for the funds and certification of the matching funds, the Department of Commerce shall disburse the  
7 funds to the requesting organization.

8 Funds recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the  
9 House Ways and Means Committee and the Secretary of Commerce on the expenditure of the funds and on the outcome measures.  
10 Fund recipients shall also provide electronic copies of the annual report to the General Assembly by November first. The Department  
11 of Commerce shall post these reports on their website.

12 Any unexpended, unallocated, or undistributed funds appropriated in prior fiscal years for Regional Economic Development  
13 Organizations shall first be made available to Regional Economic Development Organizations and any remainder shall be transferred  
14 to the Rural Infrastructure Fund at the Department of Commerce. If more than one alliance applies for the same funds, the funds  
15 will be distributed pro-rata.

16 **50.14.** (CMRC: SC Mfg Extension Partnership) No funds appropriated to the department that are designated for the SC  
17 Manufacturing Extension Partnership may be utilized to compensate employees or individuals who engage in lobbying services on  
18 behalf of the department or the partnership. In addition, the department shall prepare an annual report on the SC Manufacturing  
19 Extension Partnership's expenditures for the prior fiscal year and shall submit the report to the Chairman of the Senate Finance  
20 Committee and the Chairman of the House Ways and Means Committee by November first.

21 **50.15.** (CMRC: Business Incubator/Innovation Program) Any funds appropriated to the department for the Business  
22 Incubator/Innovation Program shall be used for eligible projects that address one or more of the goals in the South Carolina  
23 Innovation Plan and any investments must be accompanied by a dollar-for-dollar match from non-state appropriated funds. Up to  
24 \$300,000 may be used by the department for administrative costs associated with this program.

25 **50.16.** (CMRC: Council on Competitiveness) The Department of Commerce shall utilize the funds appropriated in the current  
26 fiscal year for the South Carolina Council on Competitiveness to provide funds for existing business economic development  
27 activities. Each dollar of state funds disbursed must be matched equally with non-state appropriated funds and prior to the  
28 disbursement of funds, the Council on Competitiveness must certify that these funds are new dollars specifically designated for the  
29 purpose of matching state funds and have not been previously allocated or designated for economic development. The Council on  
30 Competitiveness shall provide a report on the expenditure of the funds and on the outcome measures by January first, to the Chairman  
31 of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Secretary of Commerce.

32 **50.17.** (CMRC: Grant Funds Carry Forward) The Department of Commerce may carry forward any unexpended balance on June  
33 thirtieth of the prior fiscal year of grant funds appropriated and/or authorized for Innovation, Research/Applied Research Centers,  
34 SCOPE, and LocateSC and expend such funds in the current fiscal year for the same purpose.

35 **50.18.** (CMRC: Road Closures Related to Navy Base Intermodal Facility) ~~The Division of Public Railways is authorized to close~~  
36 ~~any street or road on or in the vicinity of the former Charleston Navy Base to the extent necessary to implement the Navy Base~~

1 ~~Intermodal Facility. Such closure shall not deny access to any property owners abutting the closed section of the street or road, or~~  
2 ~~in the event access is denied, alternate access shall be provided.~~

3 **50.19.** (CMRC: Funding for Rail Infrastructure) Of the funds authorized for the Coordinating Council for Economic Development  
4 under Section 12-10-85 (B) of the 1976 Code, the Secretary of Commerce may utilize these funds toward state-owned rail  
5 infrastructure projects.

6 **50.20.** (CMRC: Distribution Facility) ~~The Navy Base Intermodal Facility owned by Palmetto Railways, a division of the~~  
7 ~~Department of Commerce, shall be considered a distribution facility for the purpose of sales tax exemptions associated with the~~  
8 ~~purchase of equipment and construction materials.~~

9 **50.21.** (CMRC: Development - Funding for Rural Infrastructure) There is established within the Department of Commerce the  
10 Rural School District and Economic Development Closing Fund.

11 (A) The Secretary of Commerce shall use the fund to facilitate economic development and infrastructure improvements in  
12 counties that contain a school district that has been defined by the Department of Education as having a poverty rate greater than or  
13 equal to 86%.

14 (B) The Secretary of Commerce shall use the fund to facilitate economic development and infrastructure improvements in  
15 counties that meet each of the following criteria: (1) one of the top twelve counties in South Carolina with the highest population  
16 decline (by percentage) since 2010; (2) one of the top twelve counties with the highest average unemployment rate for 2018; and (3)  
17 according to the US Census 2017 - a county with a poverty rate in excess of twenty percent. Funds are to be used on, but not limited  
18 to, economic development projects, water and sewer infrastructure, and school building infrastructure. Once a project is committed,  
19 the funds may be utilized to finish that specified project, even if the county does not remain an eligible county in subsequent years.  
20 This plan must be reviewed by the Joint Bond Review Committee before these funds may be expended. Of the funds transferred to  
21 the fund, up to \$15,000,000 may be used in any county that is contiguous to an eligible county as long as that contiguous county has  
22 one county-wide consolidated public school district. Any unexpended funds at the end of the fiscal year shall be carried forward and  
23 expended in the current fiscal year by the Department of Commerce for the same purposes.

24 **50.22.** (CMRC: Coordinating Council Membership) For the current fiscal year, the Chairman of the Senate Finance Committee,  
25 or his designee, and the Chairman of the House Ways and Means Committee, or his designee, shall be included in the membership  
26 of the SC Coordinating Council for Economic Development and shall have the same rights and guidelines as pertains to the existing  
27 members of the council.

28 **50.23.** (CMRC: Strategic Economic Development Fund) In the current fiscal year, there is established, within the Department of  
29 Commerce, the Strategic Economic Development Fund for the purpose of funding projects that are essential to the State's ongoing  
30 and future economic development success. The Secretary of Commerce shall identify and recommend potential projects for review  
31 and comment by the Joint Bond Review Committee before any funds may be awarded or expended. Any unexpended funds at the  
32 end of the fiscal year shall be carried forward and expended in the current fiscal year by the Department of Commerce for the same  
33 purposes.

34 **50.24.** (CMRC: Emergency Services Pilot) There is established a pilot program within the Department of Commerce named the  
35 Public/Private Partnerships - Emergency Services Fund for the purpose of funding projects that increase a local government's  
36 emergency services capacity and capability. Every project must involve investment and participation by both private companies and

1 local governments in order to be eligible for funding. The Department of Commerce will provide an annual update by January 15 of  
2 each year to the Chairmen of the Senate Finance Committee and House Ways and Means Committee until all funds are expended.  
3 Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year for the same  
4 purposes.

5  
6 **SECTION 52 - P360 - PATRIOTS POINT DEVELOPMENT AUTHORITY**

7  
8 **52.1.** (PPDA: USS Laffey Overnight Stays) From the funds authorized or appropriated to Patriots Point Development Authority  
9 as “other operating expenses” members of the USS Laffey Association who are temporarily present at Patriots Point to perform  
10 voluntary maintenance on the USS Laffey may remain onboard the vessel overnight if the Executive Director approves and has  
11 deemed it safe to do so.

12  
13 **SECTION 53 - P400 - S.C. CONSERVATION BANK**

14  
15 **53.1.** (CB: Trust Program Carry Forward) The Conservation Bank may carry forward any unexpended funds allocated to the  
16 Conservation Bank Trust Program from the prior fiscal year into the current fiscal year to be used for the same purpose.

17 **53.2.** *(CB: General Fund Carry Forward) Of the funds appropriated in the prior fiscal year to the Conservation Bank for*  
18 *administration, unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.*

19  
20 **SECTION 54 - P450 - RURAL INFRASTRUCTURE AUTHORITY**

21  
22 **54.1.** (RIA: Rural Infrastructure Fund Carry Forward) The Rural Infrastructure Authority may carry forward from the prior  
23 fiscal year into the current fiscal year, funds appropriated to the Rural Infrastructure Fund. The authority shall retain any unexpended  
24 funds at the close of the fiscal year and these funds shall be carried forward from the prior fiscal year into the current fiscal year.

25 **54.2.** (RIA: Carry Forward - Local Government Assistance) The Rural Infrastructure Authority may carry forward from prior  
26 fiscal years to the current fiscal year funds appropriated for the purpose of providing financial assistance and for matching federal  
27 funds for financial assistance to local governments with water, wastewater, and sewer projects.

28 **54.3.** (RIA: Carry Forward Calculation) For purposes of calculating the amount of funds which may be carried forward by the  
29 Rural Infrastructure Authority, grant and loan program funds carried forward by the Office of Local Government shall be excluded  
30 from the calculation of the carry forward authorized by provision elsewhere in this act.

31 **54.4.** (RIA: State Water Pollution Control Revolving Fund) In the event that any state funds remain after fully matching federal  
32 grants for the State Revolving Funds under the Clean Water Act or Safe Drinking Water Act, such funds may be deposited into the  
33 South Carolina Infrastructure Revolving Loan Fund established pursuant to Section 11-40-50.

34 **54.5.** (RIA: Statewide Water and Sewer Fund) The Rural Infrastructure Authority shall use the funds allocated for the Statewide  
35 Water and Sewer Fund to assist qualified infrastructure projects not eligible for the Rural Infrastructure Fund. The authority shall  
36 utilize the same procedures and guidelines established for the Rural Infrastructure Fund to select qualified projects for the Statewide



1 Water and Sewer Fund. The authority may carry forward from the prior fiscal year into the current fiscal year, funds appropriated  
2 to the Statewide Water and Sewer Fund.

3  
4 **SECTION 57 - B040 - JUDICIAL DEPARTMENT**

5  
6 **57.1.** (JUD: Prohibit County Salary Supplements) County salary supplements of Judicial Department personnel shall be  
7 prohibited.

8 **57.2.** (JUD: County Offices For Judges) Every county shall provide for each circuit and family judge residing therein an office  
9 with all utilities including a private telephone, and shall provide the same for Supreme Court Justices and Judges of the Court of  
10 Appeals upon their request.

11 **57.3.** (JUD: Judicial Expense Allowance) Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit  
12 Court Judge and any retired judge who receives payment for performing full-time judicial duties pursuant to Section 9-8-120 of the  
13 South Carolina Code of Laws, shall receive one thousand dollars per month as expense allowance.

14 **57.4.** (JUD: Special Judge Compensation) In the payment of funds from “Contractual Services,” and “Administrative Fund,”  
15 that no special judge shall be paid for more than a two week term within a fiscal year except that this restriction will not apply in  
16 case of an ongoing trial.

17 **57.5.** (JUD: BPI/Merit) Judicial employees shall receive base and average merit pay in the same percentages as such pay are  
18 granted to classified state employees.

19 **57.6.** (JUD: Supreme Court Bar Admissions) Any funds collected from the Supreme Court Bar Admissions Office may be  
20 deposited into an escrow account with the State Treasurer’s Office. The department is authorized to receive, expend, retain, and  
21 carry forward these funds.

22 **57.7.** (JUD: Travel Reimbursement) State employees of the Judicial Department traveling on official state business must be  
23 reimbursed in accordance with Proviso 117.20(J) of this act.

24 **57.8.** (JUD: Interpreters) The funds appropriated in this section for “Interpreters” shall be used to offset costs associated with  
25 interpreters appointed in judicial proceedings under Sections 17-1-50, 15-27-155, and 15-27-15. The selection, use, and  
26 reimbursement of interpreters shall be determined under such guidelines as may be established by the Chief Justice of the Supreme  
27 Court.

28 **57.9.** (JUD: Reimbursement Receipt Deposit) Amounts received as payment for reproducing, printing, and distributing copies  
29 of court rules and other department documents shall be retained for use by the department.

30 **57.10.** (JUD: Surplus Property Disposal) Technology equipment that has been declared surplus may be donated directly to  
31 counties for use in court-related activities.

32 **57.11.** (JUD: Judicial Carry Forward) In addition to the funds appropriated in this section, the funds appropriated for the Judicial  
33 Department in the prior fiscal year which are not expended during that fiscal year may be carried forward to be expended in the  
34 current fiscal year.

1       **57.12.** (JUD: Case Management Services) The Judicial Department shall retain revenue generated by charging a fee for  
2 technology support services provided to users of the State case management system. These funds may be expended and carried  
3 forward to offset the costs of supporting and maintaining the case management system.

4       **57.13.** (JUD: Magistrates' Training) From the funds appropriated to the Judicial Department, the department shall provide  
5 magistrates annual continuing education on domestic violence, which may include, but is not limited to:

6       (1) the nature, extent, and causes of domestic and family violence;

7       (2) issues of domestic and family violence concerning children;

8       (3) prevention of the use of violence by children;

9       (4) sensitivity to gender bias and cultural, racial, and sexual issues;

10       (5) the lethality of domestic and family violence;

11       (6) legal issues relating to domestic violence and child custody;

12       (7) procedures, penalties, programs, and other issues relating to criminal domestic violence, including social and psychological  
13 issues relating to such violence, the vulnerability of victims and volatility of perpetrators, and the court's role in ensuring that the  
14 parties have appropriate and adequate representation;

15       (8) procedures and other matters relating to issuing orders of protection from domestic violence.

16       **57.14.** (JUD: Judges Salary Exemption) For the current fiscal year, judges' salaries and related employer contributions in Part  
17 IA, Section 57, are exempt from mid-year across-the-board reductions.

18       **57.15.** (JUD: Judicial Department Applicability) For purposes of this act and any other provision of law that would have any  
19 effect on the expenditure of state revenue through the applicability of the particular provision or through compliance with a mandate  
20 or requirement of the provision, the terms "state agency" or "agency" do not include any component of the Judicial Department  
21 unless the provision of law specifically includes these entities and the inclusion only applies for purposes of the particular provision.

22       **57.16.** (JUD: Court Costs Carry Forward) The Judicial Department shall retain the funds collected from costs related to court  
23 proceedings (including the cost of hearings, investigations, prosecution, service of process and court reporter services) under Rules  
24 413 or 502 of the SC Appellate Court Rules, or from costs related to the appointment of a receiver or an attorney to assist the receiver  
25 under Rule 413, that are assessed against a party. The department is authorized to receive, expend, retain, and carry forward these  
26 funds which shall be used for the same purpose.

27       **57.17.** (JUD: Appellate Court Fee) The Judicial Department shall retain the funds collected as required by the SC Appellate Court  
28 Rules. The department is authorized to receive, expend, retain, and carry forward these funds which shall be used by the department.

29       **57.18.** (JUD: Interpreter Training and Certification) The Judicial Department shall collect and retain funds received from  
30 applicants for interpreter training and certification tests. These funds shall be used to offset expenses incurred for the SC Court  
31 Interpreter Certification Program. The department is authorized to receive, expend, retain, and carry forward these funds.  
32

1     **SECTION 58 - C050 - ADMINISTRATIVE LAW COURT**

2

3     **58.1.** (ALC: Copying Costs Revenue Deposit) The Administrative Law Court shall retain and expend, for the same purpose for  
4 which it is generated, all revenue received during the current fiscal year as payment for printing and distributing copies of court rules  
5 and other agency documents.

6     **58.2.** (ALC: County Office Space for Judges) Every county shall provide for each Administrative Law Judge residing therein,  
7 upon their request, an office within the existing physical facilities if space is available, to include all utilities and a private telephone.  
8 The request shall only be made provided that the judge's residence is not within fifty miles of the official headquarters of the agency  
9 by which the Administrative Law Judge is employed.

10     **58.3.** (ALC: ALJ Travel) While holding court or on other official business outside the county in which he resides, within fifty  
11 miles of his residence, an Administrative Law Judge is entitled to a subsistence allowance in the amount of \$35 per day plus such  
12 mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a  
13 location fifty miles or more from his residence, an Administrative Law Judge is entitled to a subsistence allowance in the amount as  
14 provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees  
15 of the State. However, notwithstanding any other provision of law, the allowance as provided shall not exceed \$8,000 per judge in  
16 a fiscal year.

17

18     **SECTION 59 - E200 - OFFICE OF ATTORNEY GENERAL**

19

20     **59.1.** (AG: Prior Year Expenditures) The Office of Attorney General is authorized to use unexpended federal funds in the current  
21 fiscal year to pay for expenditures incurred in the prior fiscal year.

22     **59.2.** (AG: Other Funds Carry Forward) Any balance of unexpended funds, not including general fund appropriations, may be  
23 carried forward for the operation of the Office of Attorney General.

24     **59.3.** (AG: Reimbursement for Expenditures) The Office of Attorney General may retain for general operating purposes, any  
25 reimbursement of funds for expenses incurred in a prior fiscal year.

26     **59.4.** (AG: Donation Carry Forward) All revenue derived from donations received at the Office of the Attorney General shall  
27 be retained, carried forward, and expended according to agreement reached between the donor, or donors, and the Attorney General.

28     **59.5.** (AG: Securities Fee Revenue) After the provisions of Section 35-1-702(b) of the 1976 Code have been satisfied, and upon  
29 notification to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee that such  
30 provisions have been satisfied, the next \$20,500,000 of Securities Fee revenues collected during the current fiscal year by the Office  
31 of the Attorney General shall be remitted to the General Fund of the State. The Office of the Attorney General may retain the next  
32 \$400,000 collected and may utilize these funds for operations to include expert witness expenses, investigative costs, trial preparation,  
33 and other related expenses associated with the increase in licensed securities agents. These funds may be carried forward from the  
34 prior fiscal year into the current fiscal year and utilized for the same purpose. Remaining Securities Fee revenues collected during  
35 the current fiscal year shall be remitted to the General Fund of the State.

1     **59.6.** (AG: Savannah River Maritime Commission Funds) The Office of the Attorney General is authorized to use funds  
2 appropriated for litigation expenses related to the Savannah River Maritime Commission to reimburse litigation expenditures incurred  
3 by the Office of the Attorney General on behalf of the Savannah River Maritime Commission, the State, or other state agency during  
4 the current fiscal year for any proposed or existing federal project on the Savannah River related to construction in navigable waters  
5 or water quality. Following the conclusion of these litigation matters any remaining funds shall be deposited in the General Fund.

6     **59.7.** (AG: Gang Violence Prevention/Youth Mentor) The Office of the Attorney General may expend other funds to implement  
7 and maintain gang prevention and youth mentoring programs in conjunction with Section 63-19-1430 of the 1976 Code, the Youth  
8 Mentor Act.

9     **59.8.** (AG: Litigation Recovery Account) During the current fiscal year, when there is a recovery or an award in any litigation  
10 managed by the Attorney General, any funds received that would have otherwise been credited to the General Fund shall be deposited  
11 to the credit of a special account created in the Office of State Treasurer entitled "Litigation Recovery Account." The funds deposited  
12 in this account must be expended only as prescribed by law.

13     **59.9.** (AG: Public Official Attorney Fees) The Executive Director of the State Fiscal Accountability Authority shall pay from  
14 the Insurance Reserve Fund, up to \$50,000 of opposing attorney's fees and court costs as ordered by the court in those cases in which  
15 the Attorney General defends one or more public officers in their official capacities.

16     The Attorney General must certify to the Executive Director the amount the court has ordered the Attorney General to pay for  
17 opposing attorney's fees and court costs and upon receipt of the certification, the Executive Director shall pay up to \$50,000 of the  
18 amount certified to the appropriate individual or entity. The Attorney General must report any court ordered payment of attorney's  
19 fees and court costs that exceed \$50,000 to the President of the Senate, the Speaker of the House of Representatives, the Chairman  
20 of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee for consideration by the General  
21 Assembly.

22     **59.10.** (AG: Victim/Witness Program Formula Distribution) If funds in the South Carolina Victims' Compensation Fund exceed  
23 the amount required to operate the State Crime Victim Compensation Department and pay claims of crime victims, the first \$650,000  
24 of such excess must be used for Victim/Witness programs by distribution to Judicial Circuits based on a formula and criteria  
25 developed by the policy committee, and otherwise subject to requirements of Proviso 60.8.

26     **59.11.** (AG: Physical Abuse Examinations) Of the funds appropriated in this section for Victims' Rights, up to \$120,000 may be  
27 expended for physical abuse examinations.

28     **59.12.** (AG: Procuring Services) In order to maximize services for victims of crime, if the fulfilling of requirements pursuant to  
29 Section 16-3-1410 of the 1976 Code, necessitates hiring any outside entities, the State Crime Victim Compensation Department must  
30 follow procedures established by the SC Consolidated Procurement Code. Any entity contracting with the agency will submit an  
31 annual report by August first to the Governor's Office and to the Chairmen of the Senate Finance Committee and House Ways and  
32 Means Committee detailing expenditures from the prior fiscal year in accordance with the State Office of Victims' Assistance. The  
33 Attorney General's Office is directed to transfer \$122,032 of the funds carried forward from the prior fiscal year in the Victims'  
34 Compensation Fund, and up to \$41,892 from general funds from Victim's Assistance to pay for any contracts or services procured.

35     **59.13.** (AG: Crime Victims Ombudsman) ~~For the current fiscal year, the State Crime Victim Compensation Department shall~~  
36 ~~transfer \$116,000 to the Crime Victims Ombudsman's Office to be used for administrative and operational support.~~

1       **59.14.** (AG: State Crime Victim Compensation Department) For the current fiscal year, The State Crime Victim Compensation  
2 Department may enter into memoranda of agreement with third-party victim service providers to secure emergency medical,  
3 transportation, or other crisis stabilization services on a reimbursable basis. Such agreements shall not allow for more than eight  
4 percent of the total reimbursement to cover a provider's administrative, marketing, and advocacy costs. Annually, and no later than  
5 October first of each year, the State Crime Victim Compensation Department shall report to the Governor, the Chairman of the  
6 Senate Finance Committee, and the Chairman of House Ways and Means Committee on the performance of third-party providers  
7 and the use of funds authorized pursuant to this provision in the prior fiscal year.

8       **59.15.** (AG: State Crime Victim Compensation) A county or municipality may retain carry forward funds that were collected  
9 pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208 (B) and (D), and 14-1-211 (B) of the 1976 Code, but no  
10 more than \$25,000 or ten percent of funds collected in the prior fiscal year, whichever is higher. If a county or municipality does  
11 not spend at least ninety percent of the funds collected pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208  
12 (B) and (D), and 14-1-211 (B) on Article 16, Chapter 3, Title 16 first priority and/or second priority programs during the fiscal year  
13 that the funds are received then the county or municipality shall remit any unspent funds that are greater than the allowed carried  
14 forward funds, regardless of the year collected, to the State Victim Assistance Program (SVAP) with the Office of the Attorney  
15 General within 120 days after the end of the fiscal year. All funds must be accounted for in the annual audit for each county or  
16 municipality.

17       The State Crime Victim Compensation Department shall offer training and technical assistance to each municipality and county  
18 annually on acceptable use of both priority one and priority two funds and funds available for competitive bid.

19       The State Crime Victim Compensation Department is authorized to transfer to the State Victim Assistance Program any state funds  
20 deemed available under Crime Victims Compensation authority to the State Victim Assistance Programs be placed in the competitive  
21 bid process.

22       The State Victim Assistance Program shall offer any funds remitted to it to non-profit organizations that provide direct victim  
23 services on a competitive bid process. These funds may be used by the non-profit for administrative costs and victim services.

24       A county or municipality may be exempt from the remittance requirements of this proviso upon submission of a plan to the State  
25 Crime Victim Compensation Department that meets the statutory requirements for the use of funds. A county or municipality must  
26 submit the report within 60 days after the end of the fiscal year. The State Crime Victim Compensation Department shall review the  
27 submitted plan and advise the county or municipality of plan compliance with statutory requirements.

28       **59.16.** (AG: Crime Victim Training Certification and Statistical Analysis) ~~Of the funds appropriated and/or authorized for the~~  
29 ~~State Crime Victim Compensation Fund, \$75,000 may be used to support the State Crime Victim Training, Certification and~~  
30 ~~Statistical Analysis Division.~~

31       **59.17.** (AG: Crime Victim Services Funeral and Burial Compensation) The Department of Crime Victim Compensation shall set  
32 a funeral and burial compensation maximum of \$6,500.

33       **59.18.** (AG: Securities Revenue) The Office of Attorney General is authorized to expend Securities Fees and Securities Fines  
34 revenue for information technology, building renovations, and law enforcement equipment and supplies.

35

1     **SECTION 60 - E210 - PROSECUTION COORDINATION COMMISSION**

2  
3     **60.1.**(PCC: Solicitor Salary) The amount appropriated in this section for salaries of solicitors shall be paid to each full-time  
4 solicitor. Each full-time circuit solicitor shall earn a salary not less than each full-time circuit court judge.

5     **60.2.**(PCC: Solicitor Expense Allowance) Each solicitor shall receive one thousand dollars (\$1,000.00) per month as expense  
6 allowance.

7     **60.3.**(PCC: Judicial Circuits State Support) The amount appropriated and authorized in this section for Judicial Circuits (16) State  
8 Support shall be apportioned among the circuits. The first \$4,692,961 shall be distributed on a per capita basis based upon the current  
9 official census. The next \$1,659,041 shall be distributed on a pro-rata basis. Payment shall be made as soon after the beginning of  
10 each quarter as practical.

11     **60.4.**(PCC: Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year may be carried forward into the  
12 current fiscal year and expended for the operation of the Commission on Prosecution Coordination or the Offices of the Solicitor  
13 relating to operational expenses.

14     **60.5.**(PCC: Solicitor's Office - County Funding Level) It is the intent of the General Assembly that the amounts appropriated for  
15 solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used  
16 to supplant funding already allocated for such services without any additional charges. If the county reduces the amount of support  
17 provided to solicitors' offices below the level provided in the prior fiscal year, the Solicitor shall notify the Chairman of the Senate  
18 Finance Committee and the Chairman of the House Ways and Means Committee of the amount of such reduced support.

19     **60.6.**(PCC: Solicitors Victim/Witness Assistance Programs) When funds are available, the amount appropriated and authorized  
20 in Part IA, Section 60 for Solicitors Victim/Witness Assistance Programs shall be apportioned among the circuits on a per capita  
21 basis and based upon the current official census. Payment shall be made as soon after the beginning of each quarter as practical.

22     **60.7.** (PCC: CDV Prosecution) The amount appropriated and authorized in this section for Criminal Domestic Violence  
23 Prosecution shall be apportioned among the circuits on a pro-rata basis. If not privileged information, the Prosecution Coordination  
24 Commission shall collect and retain information and data regarding Criminal Domestic Violence Prosecution and shall include:  
25 the number of dispositions, types of dispositions and county in which the disposition took place and shall provide the General  
26 Assembly with an annual report no later than sixty days after the conclusion of the fiscal year.

27     **60.8.** (PCC: Establish Victim/Witness Program) The funds appropriated in this section for Victim/Witness Program must be  
28 equally divided among the judicial circuits, less any adjustments made for budget reductions. The funds for each circuit must be  
29 distributed to the solicitor's office of that circuit and only used by the solicitor for the purpose of establishing a Victim/Witness  
30 Program in the circuit which shall provide, but not be limited to, the following services:

31     (1) Make available to victims/witnesses information concerning their cases from filing in general sessions court through  
32 disposition.

33     (2) Keep the victim/witness informed of his rights and support his right to protection from intimidation.

34     (3) Inform victims/witnesses of and make appropriate referrals to available services such as medical, social, counseling, and  
35 victims' compensation services.

36     (4) Assist in the preparation of victims/witnesses for court.

- 1 (5) Provide assistance and support to the families or survivors of victims where appropriate.
- 2 (6) Provide any other necessary support services to victims/witnesses such as contact with employers or creditors.
- 3 (7) Promote public awareness of the program and services available for crime victims.

4 The funds may not be used for other victim-related services until the above functions are provided in an adequate manner.

5 It is the intent of the General Assembly that the amounts appropriated in this section for victim assistance programs in solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services. Any reduction by any county in funding for victim assistance programs in solicitors' offices shall result in a corresponding decrease of state funds provided to the solicitors' office in that county for victim assistance services. Each solicitor's office shall submit an annual financial and programmatic report which describes the use of these funds. The report shall be submitted to the Governor, the Attorney General, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on October first, for the preceding fiscal year.

12 **60.9.** (PCC: DUI Prosecution) The amount appropriated and authorized in this section for Driving Under the Influence Prosecution shall be apportioned among the circuits on a pro-rata basis. If not privileged information, the Prosecution Coordination Commission shall collect and retain information and data regarding Driving Under the Influence Prosecution and shall include: the number of dispositions, types of dispositions and county in which the disposition took place and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal year.

17 **60.10.** (PCC: Violent Crime Prosecution) The amount appropriated and authorized in this section for Violent Crime Prosecution shall be apportioned pro rata among the circuits. Payment shall be made as soon after the beginning of each quarter as practical.

19 **60.11.** (PCC: Caseload Equalization Funding) The amount appropriated in this act and authorized for Caseload Equalization will have the first ~~\$3,450,000~~ \$10,350,000 distributed at an amount of ~~\$75,000~~ \$225,000 per county. The remaining ~~\$4,376,872~~ \$12,006,872 shall be distributed based upon the average incoming caseload for each county as reported by the Judicial Department for the prior three fiscal years.

23 **60.12.** (PCC: Summary Court Domestic Violence Fund Distribution) The Summary Court Domestic Violence Prosecution funding shall be distributed based on the average incoming caseload for each county as reported by the South Carolina Judicial Department for the prior 3 fiscal years.

26 **60.13.** (PCC: Intake and Analysis Funding) ~~Funds appropriated and/or authorized for Intake and Analysis Programs shall be distributed at an amount of \$135,000 to each circuit that establishes, maintains, and annually reports information and data regarding its Intake and Analysis Program. Funds not expended by the end of the current fiscal year shall be remitted to the General Fund.~~

29 **60.14.** (PCC: Drug Court Funding) The funds appropriated to the Prosecution Coordination Commission for drug court funding and distributed to the Offices of Solicitor shall be used for the purpose of operating drug courts and other diversion programs.

31 **60.15.** (PCC: Solicitor Technology Funding Distribution) The amount appropriated in this act and authorized for Solicitor Technology Equipment and Software shall be apportioned in equal amounts among the sixteen circuits. Funding allocated for each circuit must be distributed for the development and implementation of a Criminal Justice Information Services compliant prosecution case management system capable of integration with the South Carolina Commission on Prosecution Coordination, the South Carolina Judicial Branch, all State and Local Law Enforcement Departments, and other Offices of Circuit Solicitor. Each Circuit Solicitor shall submit to the Commission on Prosecution Coordination a comprehensive report detailing the capabilities and all

1 associated expenditures for the Prosecution Case Management System. The Commission on Prosecution Coordination shall compile,  
2 summarize, and submit these reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and  
3 Means Committee by December 31, ~~2022~~ 2023.  
4

#### 5 SECTION 61 - E230 - COMMISSION ON INDIGENT DEFENSE 6

7 **61.1.** (INDEF: Defense of Indigents Formula) The amount appropriated in this act for “Defense of Indigents” shall have the first  
8 \$3,600,000 distributed as follows: \$1,200,000 shall be distributed in the amount of \$75,000 per circuit for 1.00 Public Defender and  
9 \$2,400,000 shall be distributed in the amount of \$150,000 per circuit for 2.00 investigators; the remaining amount appropriated shall  
10 be apportioned among counties in accord with Section 17-3-330 of the 1976 Code, but on a per capita basis and based upon the most  
11 current official decennial census of the United States; provided that no county shall receive funding in an amount less than the amount  
12 apportioned to it as of July 1, 2020. The level of contribution of each county as of July 1, 2001, must be maintained. No county  
13 shall be permitted to contribute less money than the amount the county contributed in the prior fiscal year. Within the amount of  
14 money established for indigent defense services, the State shall authorize the Commission on Indigent Defense to receive up to or  
15 spend no more than \$3,000,000 for the Death Penalty Trial Fund annually for use of the defense in capital cases pursuant to Section  
16 16-3-26 of the 1976 Code, for juveniles facing the possibility of a sentence of life without parole, and for the expenses of the operation  
17 of the Commission on Indigent Defense to include salaries and operations expenses of the Death Penalty Trial Division. The State  
18 also shall authorize the Commission on Indigent Defense to receive up to or spend no more than \$2,500,000 annually to pay fees and  
19 expenses of private counsel appointed in noncapital cases pursuant to Section 17-3-50 (Conflict Fund). Of the funds generated from  
20 the fees imposed under Sections 14-1-206(C)(4), 14-1-207(C)(6) and 14-1-208(C)(6) ~~and the application fee provided in Section~~  
21 ~~17-3-30(B)~~, on a monthly basis, fifty percent must be deposited into the Death Penalty Trial Fund, fifteen percent must be deposited  
22 into the Conflict Fund, and thirty-five percent each month must be apportioned among the counties’ public defender offices pursuant  
23 to Section 17-3-330. At the end of each fiscal year any leftover funds shall carryover to the next fiscal year for the same purposes.  
24 All applications for the payment of fees and expenses in capital cases shall be applied for from the Death Penalty Trial Fund which  
25 shall be administered by the Commission on Indigent Defense. All applications for the payment of fees and expenses of private  
26 counsel or expenses of public defenders pursuant to Section 17-3-50 shall be applied for from the Conflict Fund administered by the  
27 Commission on Indigent Defense. Reimbursement in excess of the hourly rate and limit set forth in Section 17-3-50 is authorized  
28 only if the court certifies, in a written order with specific findings of fact, prior to the fees being incurred, that reimbursement in  
29 excess of the rates or limit is necessary to provide reimbursement adequate to ensure effective assistance of counsel and  
30 reimbursement in excess of the limit is appropriate because the services to be provided are reasonable and necessary. If prior approval  
31 by written order of the court is not obtained, no additional fees shall be paid under any circumstances.

32 Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the  
33 representation of the defendant, the court shall authorize the defendant’s attorney to obtain such services on behalf of the defendant  
34 and shall authorize the payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed  
35 five hundred dollars as the court considers appropriate. Payment in excess of the five hundred dollar limit is authorized only if the  
36 court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the



1 limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall  
2 be made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of  
3 the court is not obtained, no additional expenses shall be paid under any circumstances.

4 Indigent defense vouchers authorized in this provision must be reviewed and paid pursuant to procedures and policies established  
5 by the Commission on Indigent Defense. The commission shall provide a copy of the established procedures and policies to the  
6 Senate Finance Committee and the House Ways and Means Committee.

7 **61.2.** (INDEF: State Employee Compensation Prohibited) Except as otherwise provided in Proviso 117.5, no money  
8 appropriated pursuant to Defense of Indigents shall be used to compensate any state employees appointed by the court as examiners,  
9 guardians ad litem or attorneys nor shall such funds be used in payment to any state agency for providing such services by their  
10 employees.

11 **61.3.** (INDEF: Appellate Conflict Fund) The purpose of the Appellate Conflict Fund is to provide money to pay attorneys for  
12 representing indigent defendants on appellate review when the Office of Appellate Defense is unable to do so. Funds designated for  
13 appellate use in conflict cases shall be administered by the Commission on Indigent Defense. The Office of Appellate Defense  
14 must first determine that it is unable to provide representation. Fees shall be \$40 per hour for out of court work and \$60 for in court  
15 work, with a maximum of \$3,500 per case for noncapital appeals. Fees shall be \$50 per hour for out of court work and \$75 per hour  
16 for in court work in capital appeals with a maximum of \$10,000 per capital appeal. The appropriate appellate court shall review and  
17 approve vouchers for payment for appellate conflict cases. The Office of Appellate Defense shall continue to provide printing and  
18 other support functions currently provided from their resources. On June thirtieth of each year, the Commission on Indigent Defense  
19 shall review all outstanding obligations in this fund. Any unspent and unobligated money shall be used to pay outstanding vouchers  
20 in the Death Penalty Trial Fund or the Conflict Fund, provided the designated fund has become exhausted during the year.

21 **61.4.** (INDEF: SC Appellate Court Rule 608 Appointments) The funds appropriated under “SC Appellate Court Rule 608  
22 Appointments” shall be used for Civil Court Appointments including Termination of Parental Rights, Abuse and Neglect, Probate  
23 Court Commitments, Sexually Violent Predator Act, and Post-Conviction Relief (PCR) and Criminal Conflict appointments to  
24 reimburse court appointed private attorneys and for other expenditures as specified in this provision. SC Appellate Court Rule 608  
25 Appointments funds may not be transferred or used for any other purpose.

26 A portion of the funds appropriated under “SC Appellate Court Rule 608 Appointments” shall be used for “Termination of Parental  
27 Rights” cases and “Abuse and Neglect” cases to reimburse private attorneys who are appointed by the Family Court to represent  
28 guardians ad litem, children, or parents under the provisions of Sections 63-7-1620 et seq., 63-7-2560 et seq., 63-9-320(A)(2) et seq.,  
29 63-19-810 et seq., and 63-19-2210 et seq.; for “Probate Court Commitment” cases to reimburse private attorneys who are appointed  
30 by the Probate Court to represent indigent persons; and for “Sexually Violent Predator” cases to reimburse private attorneys who are  
31 appointed by the Circuit Court pursuant to Sections 44-48-10, et seq., to represent indigent persons. When private counsel is  
32 appointed pursuant to these provisions, counsel shall be reimbursed a reasonable fee to be determined on the basis of fifty dollars per  
33 hour or reimbursement may also be made on the basis of a set (flat) fee. The method of payment and the amount of the set fee will  
34 be determined by the Commission on Indigent Defense. Attorney fees shall not exceed two thousand dollars for any case under  
35 which such private attorney is appointed.

1 A portion of the funds appropriated under “SC Appellate Court Rule 608 Appointments” shall be used for noncapital Post  
2 Conviction Relief Cases. Any attorney appointed shall be compensated at a rate not to exceed forty dollars per hour for time expended  
3 out of court and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The method of payment and  
4 amount of set (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed one thousand  
5 dollars in any single case.

6 A portion of the funds appropriated under “SC Appellate Court Rule 608 Appointments” shall be used for noncapital criminal  
7 cases pursuant to Section 17-3-50 (Conflict Fund). Any attorney appointed shall be compensated at a rate not to exceed forty dollars  
8 per hour for time expended out of court and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The  
9 method of payment and amount of set (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not  
10 exceed three thousand five hundred dollars in any single felony case or one thousand dollars in any single misdemeanor case.

11 Reimbursement in excess of the hourly rate and limit set forth herein is authorized only if the court certifies, in a written order  
12 with specific findings of fact, prior to the fees being incurred, that reimbursement in excess of the rates or limit is necessary to provide  
13 reimbursement adequate to ensure effective assistance of counsel and reimbursement in excess of the limit is appropriate because  
14 the services to be provided are reasonable and necessary. If prior approval by written order of the court is not obtained, no additional  
15 fees shall be paid under any circumstances.

16 Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the  
17 representation of the defendant, the court shall authorize the defendant’s attorney to obtain such services on behalf of the defendant  
18 and shall authorize the payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed  
19 five hundred dollars as the court considers appropriate. Payment in excess of the five hundred dollar limit is authorized only if the  
20 court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the  
21 limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall  
22 be made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of  
23 the court is not obtained, no additional expenses shall be paid under any circumstances.

24 Indigent defense vouchers authorized in this provision must be reviewed and paid pursuant to procedures and policies established  
25 by the Commission on Indigent Defense. The commission shall provide a copy of the established procedures and policies to the  
26 Senate Finance Committee and the House Ways and Means Committee.

27 A portion of the funds appropriated under “SC Appellate Court Rule 608 Appointments” may be used by the Commission on  
28 Indigent Defense to retain, on a contractual basis, the services of attorneys and other professionals to assist court appointed attorneys  
29 to provide quality and effective representation. The commission shall establish all policies, procedures, and contract provisions as it  
30 deems appropriate for the implementation of the system including, but not limited to, the selection and compensation of contract  
31 awardees.

32 **61.5.** (INDEF: Carry Forward) To offset budget reductions, the Commission on Indigent Defense may carry forward and utilize  
33 any unencumbered balances available in the Appellate Conflict Fund and the SC Appellate Court Rule 608 Appointment Fund at the  
34 end of the prior fiscal year.

35 **61.6.** (INDEF: Public Defender Fee) Every person placed on probation on or after July 1, 2003, who was represented by a public  
36 defender or appointed counsel, shall be assessed a fee of five hundred dollars. The revenue generated from this fee must be collected

1 by the clerk of court and sent on a monthly basis to the Commission on Indigent Defense. However, if a defendant fails to pay this  
2 fee, this failure alone is not sufficient basis for incarceration for a probation violation. This assessment shall be collected and paid  
3 over before any other fees.

4 **61.7.** (INDEF: Defense of Indigents Civil Action Application Fee) (A) A person requesting appointment of counsel in any  
5 termination of parental rights (TPR), abuse and neglect, or any other civil court action in this state shall execute an affidavit that the  
6 person is financially unable to employ counsel and that affidavit shall set forth all of the person's assets. This affidavit must be  
7 completed before counsel may be appointed. If it appears that the person has some assets but they are insufficient to employ private  
8 counsel, the court, in its discretion, may order the person to pay these assets or a portion thereof to the ~~Commission on Indigent~~  
9 ~~Defense~~ *State Treasurer's Office* on a monthly basis *separate from the application fee collected pursuant to Section 17-3-30(B)*.

10 (B) A forty dollar application fee for appointed counsel services must be collected from every person who executes an affidavit  
11 that they are financially unable to employ counsel. The person may apply to the court, the clerk of court, or other appropriate official  
12 for a waiver or reduction in the application fee. If it is determined that the person is unable to pay the application fee, the fee may  
13 be waived or reduced, provided that if the fee is waived or reduced, the clerk or appropriate official shall report the amount waived  
14 or reduced to the trial judge and the trial judge shall order the remainder of the fee paid by a time payment method or such method  
15 as the trial judge deems appropriate. The clerk of court or other appropriate official shall collect the application fee imposed by this  
16 section and remit the proceeds to the Commission on Indigent Defense on a monthly basis. The monies must be deposited in an  
17 interest-bearing account separate from the general fund and used only to provide for indigent defense services. The monies shall be  
18 administered by the Commission on Indigent Defense. The clerk of court or other appropriate official shall maintain a record of all  
19 persons applying for representation and the disposition of the application and shall provide this information to the Commission on  
20 Indigent Defense on a monthly basis as well as reporting the amount of funds collected or waived.

21 (C) In matters in which a juvenile is brought before a court, the parents or legal guardian of such juvenile shall execute the above  
22 affidavit based upon their financial status and shall be responsible for paying any fee. In matters concerning juveniles, the parents  
23 or legal guardians of said juvenile, shall be advised in writing of this requirement at the earliest stage of the proceedings against said  
24 juvenile.

25 (D) Nothing contained above shall restrict or hinder a court from appointing counsel in any emergency proceedings or where  
26 existing statutes do not provide sufficient time for an individual to complete the application process.

27 (E) The appointment of counsel, as herein before provided, creates a claim against the assets and estate of the person who is  
28 provided counsel or the parents or legal guardians of a juvenile in an amount equal to the costs of representation as determined by a  
29 voucher submitted by the appointed counsel and approved by the court, less that amount that the person pays to the appointed counsel.

30 (F) Such claim shall be filed in the office of the clerk of court in the county where the person is assigned counsel, but the filing  
31 of a claim shall not constitute a lien against real or personal property of the person unless, in the discretion of the court, part or all of  
32 such claim is reduced to judgment by appropriate order of the court, after serving the person with at least thirty days' notice that  
33 judgment will be entered. When a claim is reduced to judgment, it shall have the same effect as judgments, except as modified by  
34 this provision.

1       **61.8.** (INDEF: Exemption for Pass Through Funding) The funds distributed by the Commission on Indigent Defense to the  
2 Legal Services Corporation in accordance with Section 14-1-204 of the 1976 Code shall not be considered part of the commission's  
3 budget for purposes of calculating budget reductions.

4       **61.9.** (INDEF: Reporting Requirement) Circuit Public Defenders shall provide, in a manner and form as the agency head  
5 requires, information and data concerning caseloads, dispositions, and other information as required by the agency head or General  
6 Assembly. The agency shall withhold payments and transfers to Circuit Public Defenders who are not in compliance with the agency  
7 reporting requirements.

8       **61.10.** (INDEF: Capital Case Contract Attorneys) Funds appropriated from the Death Penalty Trial Fund may be used by the  
9 commission to retain, on a contractual basis, the service of attorneys qualified to provide representation in capital proceedings to  
10 include: capital trials, post-conviction relief actions, re-sentencing, appeals or any other capital litigation proceeding.

11       The commission shall establish all policies, procedures, and contract provisions as it deems appropriate for the implementation of  
12 the system, including but not limited to the selection and compensation of contract awardees. The commission may use these funds  
13 to retain, on a contractual basis, the services of other professionals to assist court appointed attorneys to provide quality and effective  
14 representation in the above capital proceedings.

15       **61.11.** (INDEF: Optional Courts and Indigent Representation) If a municipality has or elects to have an optional municipal court  
16 system, it must provide adequate funds for representation of indigents. No public defender shall be appointed in any such court  
17 unless the municipality and the office of the circuit public defender have reached an agreement for indigent representation and no  
18 funds allocated to the commission shall be used to provide compensation for appointed counsel in municipal courts.

19       **61.12.** (INDEF: Court Case Contract Attorneys) ~~Of the funds appropriated to the Commission on Indigent Defense for court case~~  
20 ~~backlogs, the commission shall distribute fifty percent to each circuit based upon the proportional statewide share of the number of~~  
21 ~~pending cases for each circuit aged 545 days or more, thirty percent to each circuit based upon the proportional statewide share of~~  
22 ~~the number of pending cases for each circuit aged 366 days and less than 545 days, and twenty percent to each circuit based upon~~  
23 ~~the proportional statewide share of the number of pending cases for each circuit aged 365 days or less as reported by the Judicial~~  
24 ~~Department for the fiscal year ending June 30, 2021. These funds shall be used by each circuit for the purpose of hiring contract~~  
25 ~~attorneys to address pending active cases.~~

26       ~~By June 30, the commission, in coordination with the Judicial Department and the solicitors' offices, shall provide a report to the~~  
27 ~~Senate Finance Committee and the House Ways and Means Committee on the amount of funds received by each circuit and on the~~  
28 ~~effectiveness of how these funds have reduced pending cases. The commission shall track any other information deemed necessary~~  
29 ~~to evaluate the effectiveness of this program.~~

30       **61.13.** (INDEF: Indigent Sex Offender Registry Removal Cases) The funding appropriated under SC Appellate Court Rule 608  
31 Appointments shall be used for Sex Offender Registry Removal actions to include court ordered investigative, expert, or other  
32 services necessary for representation by public defenders or other private appointed counsel.

33       Any private attorney appointed shall be compensated at a rate not to exceed forty dollars per hour for time expended out of court  
34 and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The method of payment and amount of set  
35 (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed three thousand five hundred  
36 dollars.

1 Reimbursement in excess of the hourly rate and limit set forth herein is authorized only if the court certifies, in a written order  
2 with specific findings of fact, prior to the fees being incurred, that reimbursement in excess of the rates or limit is necessary to provide  
3 reimbursement adequate to ensure effective assistance of counsel and reimbursement in excess of the limit is appropriate because  
4 the services to be provided are reasonable and necessary. If prior approval by written order of the court is not obtained, no additional  
5 fees shall be paid under any circumstances.

6 Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the  
7 representation of the defendant, the court shall authorize the defendant's attorney to obtain such services on behalf of the defendant  
8 and shall authorize the payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed  
9 five hundred dollars as the court considers appropriate. Payment in excess of the five-hundred-dollar limit is authorized only if the  
10 court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the  
11 limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall be  
12 made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of the  
13 court is not obtained, no additional expenses shall be paid under any circumstances.

14 The Commission on Indigent Defense may retain, on a contractual basis, the services of attorneys and other professionals to assist  
15 court appointed attorneys to provide quality and effective representation in these cases.

16 **61.14.** (INDEF: Assistant Public Defender Personnel and Retention Funding) The \$11,200,733 appropriated shall be distributed  
17 as follows: \$5,746,944 shall be distributed in the amount of \$359,184 per circuit for 3.00 Public Defenders; and the remaining  
18 amount of \$5,453,789 shall be apportioned on a per capita basis and based upon the most current official decennial census of the  
19 United States.

## 21 SECTION 62 - D100 - STATE LAW ENFORCEMENT DIVISION

22  
23 **62.1.** (SLED: Special Account Carry Forward) Funds awarded to the State Law Enforcement Division by either court order or  
24 from donations or contributions shall be deposited in a special account with the State Treasurer, and shall be carried forward from  
25 year to year, and withdrawn from the Treasurer as needed to fulfill the purposes and conditions of the said order, donations or  
26 contributions, if specified, and if not specified, as may be directed by the Chief of the State Law Enforcement Division. Funds  
27 expended from the special account must be annually reported by October first to the Senate Finance Committee and the Ways and  
28 Means Committee.

29 **62.2.** (SLED: Computer/Communications Center Carry Forward) Revenue generated from the operation of the division's  
30 criminal justice computer/communications center and not expended during the prior fiscal year may be carried forward and expended  
31 for the same purpose during the current fiscal year.

32 **62.3.** (SLED: Agents Operations Carry Forward) Any unexpended balance on June thirtieth, of the prior fiscal year, in Part IA,  
33 Section 62 of the section "Agents Operations" may be carried forward and expended for the same purpose in the current fiscal year.

34 **62.4.** (SLED: Match for Federal Grants Carry Forward) State appropriations to SLED that are required to provide match for  
35 federal grant programs in the prior fiscal year may be carried forward into the current fiscal year and expended for the same purpose  
36 as originally appropriated.

1       **62.5.** (SLED: Clothing Allowance) The State Law Enforcement Division is hereby authorized to provide agents and criminalists  
2 with an annual clothing allowance (on a pro rata basis) not to exceed \$600 per agent/criminalist for required clothing used in the line  
3 of duty.

4       **62.6.** (SLED: Witness Fee) The State Law Enforcement Division is hereby authorized to charge a witness fee of \$130.00 per  
5 hour up to \$1,000 per day for each employee testifying in civil matters which do not involve the State as a part in interest. This fee  
6 shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial appearances and  
7 deposited into a designated revenue account.

8       **62.7.** (SLED: Commissioned Officers' Physicals) The department is authorized to pay for the cost of physical examinations for  
9 department personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

10       **62.8.** (SLED: Meals in Emergency Operations) The State Law Enforcement Division may provide meals to employees of SLED  
11 who are not permitted to leave assigned duty stations and are required to work during deployment, emergency simulation exercises  
12 and when the Governor declares a state of emergency.

13       **62.9.** (SLED: Hazardous Materials Security Detail) The State Law Enforcement Division (SLED) is authorized to be reimbursed  
14 for security related law enforcement services provided to entities authorized to transport sensitive materials within the borders of  
15 South Carolina. SLED shall determine all costs associated with security details and is authorized to coordinate the collection,  
16 retention, and distribution to any assisting agency. SLED and each assisting agency shall expend any funds associated with  
17 minimizing risks related to the transportation of these hazardous materials for the implementation of homeland security initiatives.

18       **62.10.** (SLED: Sex Offender Registry Fee) Each Sheriff is authorized to charge and collect an annual amount of one hundred  
19 fifty dollars from each sex offender required to register by law. If such sex offender has been declared indigent by the Sheriff of the  
20 county in which the offender must register and provides proof of the declaration at the time of registration, the fee will automatically  
21 be waived. If an offender is not declared indigent and fails to pay the fee, he is officially declared unregistered. This fee shall be  
22 divided between the Sheriffs and the State Law Enforcement Division with one hundred dollars of the fee retained by the Sheriffs  
23 and the remaining fifty dollars remitted by the Sheriffs to SLED on a quarterly basis. These funds must be used to support the  
24 Statewide Sex Offender Registry.

25       **62.11.** (SLED: Private Detective Fees Criminal History Checks) The State Law Enforcement Division is authorized to charge  
26 private detective companies, individual private detectives, private security companies, armed security guards, and proprietary  
27 security companies a fee of twenty-five dollars to process state criminal history checks and fifty dollars for federal fingerprint based  
28 criminal history checks. These funds shall be collected, retained, expended, and carried forward by the State Law Enforcement  
29 Division.

30       **62.12.** (SLED: CWP Instructors Certification) The State Law Enforcement Division is authorized to charge one hundred dollars  
31 for the issuance of a Certified Concealable Weapons Permit Instructor certificate, and one hundred dollars every three years for each  
32 renewal. These funds shall be collected, retained, expended, and carried forward by the State Law Enforcement Division.

33       **62.13.** (SLED: Expungement Requests) The State Law Enforcement Division is authorized to collect a twenty-five dollar  
34 expungement fee for each request to expunge criminal records. These funds shall be used to offset the operational and research  
35 expenses associated with processing these expungement requests. SLED is authorized to collect, retain, expend, and carry forward

1 these funds. Persons found not guilty by a court of competent jurisdiction or where charges have been dismissed or nolle prossed  
2 shall be excluded from the fee requirement.

3 **62.14.** (SLED: Retention of Funds Reimbursed by State or Federal Agencies) The State Law Enforcement Division is authorized to  
4 collect, expend, retain, and carry forward all funds received from other state or federal agencies in the current fiscal year as  
5 reimbursement of expenditures incurred in the current or prior fiscal year.

6 **62.15.** (SLED: Monies Associated with Illegal Gaming Devices) The State Law Enforcement Division is authorized to retain,  
7 expend, and carry forward all monies associated with illegal gaming devices seized by the division, once orders of destruction and  
8 awarding of these monies have been received from a court of competent jurisdiction.

9 **62.16.** (SLED: Private Detective/Security Fee) The license and registration fees set by the State Law Enforcement Division for  
10 private detective businesses, private security businesses, including employees of these businesses, and companies which provide  
11 private security on their own premises must not exceed those fees set by regulation as of January 1, 2011, unless otherwise approved  
12 by the General Assembly. From the funds collected from these fees, the State Law Enforcement Division must transfer \$480,000 to  
13 the Department of Public Safety which shall be used for the purpose of providing security in the Capitol Complex area.

14 **62.17.** (SLED: Criminal Record Search Fees) The State Law Enforcement Division is authorized to charge and collect a fee of  
15 eight dollars for a criminal record search for local park and recreation volunteers through a commission, municipality, county, or the  
16 South Carolina Department of Parks, Recreation and Tourism. Any organization that is authorized to receive the reduced fee must  
17 not charge the volunteer, mentor, member, or employee more than the eight dollars or any additional fee that is not required by the  
18 State Law Enforcement Division. All criminal record searches conducted under this provision must be for a volunteer, mentor,  
19 member or employee performing in an official capacity of the organization and must not be resold.

20 **62.18.** (SLED: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the  
21 State Law Enforcement Division may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the  
22 Chief, and providing funds are available.

23 **62.19.** (SLED: Meth Lab Clean Up Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year, in the  
24 special line "Meth Lab Clean Up" may be carried forward and expended for agency law enforcement operations in the current fiscal  
25 year.

26 **62.20.** (SLED: CWP Renewal and Replacement) A concealed weapons permit may not be suspended by a state official, agent, or  
27 employee supported by state funds if the permit holder has initiated a renewal or replacement application and the processing and  
28 issuance of a renewal or replacement permit is delayed for administrative reasons. A concealed weapons permit remains valid during  
29 the pendency of the renewal or replacement process so long as the application for replacement renewal is submitted prior to the  
30 expiration of the permit.

31 **62.21.** (SLED: Drug Lab Electronic Mandatory Reporting System) Of the funds appropriated for Meth Lab Clean Up, the State  
32 Law Enforcement Division is authorized to expend such funds for the development and implementation of a statewide electronic  
33 mandatory reporting system for municipal, county and state governmental entities to report information, as directed by the State Law  
34 Enforcement Division, pertaining to the discovery or seizure of methamphetamine laboratories and dumpsites.

1       **62.22.** (SLED: Mandatory Meth Lab Reporting) If a municipal, county, or state governmental entity locates, finds, or seizes a  
2 methamphetamine laboratory or dumpsite within the State, the governmental entity shall report the incident within three business  
3 days to the State Law Enforcement Division.

4       The State Law Enforcement Division shall determine the reporting mechanism and is authorized to request, receive, catalogue,  
5 classify, and maintain all information it determines necessary pertaining to the laboratory or dumpsite including, but not limited to,  
6 the location, the type of manufacturing method used, and suspect information. The State Law Enforcement Division shall maintain  
7 information related to these governmental reports on its website, which must be made available to the public, and is authorized to  
8 use funds appropriated for Meth Lab Clean Up towards the prudent maintenance of information reported.

9       A governmental entity that fails to report information to the State Law Enforcement Division pursuant to this proviso is ineligible  
10 to receive public safety grants that are funded through the South Carolina Public Safety Coordinating Council pursuant to Section  
11 23-6-520(2) of the 1976 Code.

### 12 13 SECTION 63 - K050 - DEPARTMENT OF PUBLIC SAFETY

14  
15       **63.1.** (DPS: Special Events Traffic Control) The highway patrol must not charge any fee associated with special events for  
16 maintaining traffic control and ensuring safety on South Carolina public roads and highways unless approved by the General  
17 Assembly. Nothing shall prohibit the Treasury of the State from accepting voluntary payment of fees from private or public entities  
18 to defray the actual expenses incurred for services provided by the Department of Public Safety.

19       **63.2.** (DPS: Retention of Private Detective Fees) The Department of Public Safety is hereby authorized to receive, expend,  
20 retain, and carry forward all funds transmitted from SLED related to fees charged and collected by SLED from license and registration  
21 fees for private detective businesses, private security businesses, including employees of these businesses, and companies which  
22 provide private security on their own premises. The funds transferred are to be used in the Bureau of Protective Services Program  
23 to provide security for state agencies and the Capitol Complex.

24       **63.3.** (DPS: Motor Carrier Advisory Committee) ~~From the funds appropriated and/or authorized to the Department of Public~~  
25 ~~Safety and the Department of Motor Vehicles, the departments are directed to jointly establish a Motor Carrier Advisory Committee~~  
26 ~~to solicit input from the Trucking Industry and other interested parties in developing policies and procedures for the regulation of~~  
27 ~~this industry. The members of the advisory committee shall serve without compensation.~~

28       **63.4.** (DPS: CMV Driver Rest Areas) A joint working group is to be established between the Department of Transportation,  
29 Department of Public Safety, State Transport Police and the South Carolina Trucking Association to review and evaluate where  
30 critical rest areas may be made available for commercial motor vehicle drivers to park and obtain their federally mandated required  
31 rest.

32       **63.5.** (DPS: SC Law Enforcement Officers Hall of Fame Scholarships/Donations) The Department of Public Safety is hereby  
33 authorized to accept donations from the public in order to provide scholarships to the children of law enforcement officers killed in  
34 the line of duty. The South Carolina Law Enforcement Officers Hall of Fame Advisory Committee is authorized to set the criteria  
35 for awarding such scholarships. All revenue received for this purpose shall be used to provide scholarships and shall be retained,



1 carried forward, and expended for the same purpose. Funds received and designated for scholarships shall not be used for any other  
2 purpose.

3 The department shall also be authorized to receive and expend funds including any donations, contributions, grants, or gifts from  
4 private individuals, foundations, agencies, corporations, or the state or federal government, for the purpose of carrying out the  
5 programs and objectives of the South Carolina Law Enforcement Officers Hall of Fame. The department shall be authorized to  
6 retain, expend, and carry forward unexpended funds received for the South Carolina Law Enforcement Officers Hall of Fame and  
7 utilize those funds for the same purposes in the current fiscal year.

8 **63.6.** (DPS: Body Cameras) The Department of Public Safety is authorized to retain and carry forward unexpended funds  
9 associated with body cameras from the prior fiscal year into the current fiscal year and expend those funds for the same purpose.

10 **63.7.** (DPS: Overtime Pay) For the current fiscal year, the department is authorized and required to pay current non-exempt law  
11 enforcement officers by October 1st for any compensatory time earned and not used in the prior fiscal year. The funds for this  
12 compensation must be provided from available personal services, appropriated overtime funding, and/or employer contributions  
13 funds carried forward from the prior fiscal year. If the amount of carried forward funds is not sufficient to pay all the non-exempt  
14 law enforcement officers accrued compensatory time, the department shall pay the officers on a percentage distribution based on the  
15 hours owed per officer up to the total amount that the department has carried forward.

16 **63.8.** (DPS: In-Car Camera Funding) For the current fiscal year, from funds appropriated to and/or authorized for the Department  
17 of Public Safety, there is maintained within the department an "In-Car Video Camera Fund" for the purpose of assisting law  
18 enforcement agencies in purchasing and maintaining in-car video cameras and ongoing costs related to the maintenance and storage  
19 of data recorded by in-car video cameras.

20 The Public Safety Coordinating Council shall oversee the fund and establish a process for the application for and disbursement of  
21 monies to law enforcement agencies. The council shall disburse the funds in a fair and equitable manner, taking into consideration  
22 the DUI enforcement activity of the law enforcement agencies, with priority given to those law enforcement agencies who prioritize  
23 DUI enforcement activity.

24 **63.9.** (DPS: School Safety Program) Funds appropriated for the School Safety Program and School Resource Officers in this  
25 act shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource  
26 officer for school districts, including the South Carolina Public Charter School District and schools authorized by an institution of  
27 higher learning, that otherwise would lack the adequate resources to hire their own school resource officers. In making  
28 determinations of eligibility, the department shall use the most recent index of taxpaying ability as the district's indicator of ability  
29 to pay with districts of the lowest index of taxpaying ability receiving priority consideration. Districts, in collaboration with a local  
30 law enforcement agency of its choosing, must apply for funding through the department. In making awards the department shall  
31 provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that shall serve as a  
32 full time school resource officer. Unexpended funds may be carried forward and expended for salaries, equipment, and training.  
33 School district superintendents shall provide to the department at the end of each quarter the number of full and part-time school  
34 resource officers that currently serve schools in their respective districts, regardless of the fund sources supporting those officers.

35 The Department of Education shall transfer any fund balance to the Department of Public Safety by August 15.

1       **63.10.** (DPS: Governor's Law Enforcement Officer of the Year Award) The Department of Public Safety shall establish an  
2 advisory committee to create an award nomination and recipient selection process for the Governor's Law Enforcement Officer of  
3 the Year Award. The advisory committee annually shall select a state law enforcement officer of the year, a county law enforcement  
4 officer of the year, and a municipal law enforcement officer of the year. Each winner shall be recognized by the Office of the  
5 Governor and also shall receive an award of \$10,000 to be distributed by the department. These awards shall not be subject to South  
6 Carolina income taxes.

7  
8       **SECTION 64 -N200 - LAW ENFORCEMENT TRAINING COUNCIL**

9  
10       **64.1.** (LETC: CJA-Federal, Other Flow Through Funds) In order to complete projects begun in a prior fiscal year, the Law  
11 Enforcement Training Council, Criminal Justice Academy is authorized to expend federal and earmarked funds in the current fiscal  
12 year for expenditures incurred in the prior fiscal year.

13       **64.2.** (LETC: CJA-Retention of Emergency Expenditure Refunds) The Law Enforcement Training Council, Criminal Justice  
14 Academy is authorized to collect, expend, retain, and carry forward all funds received from other state or federal agencies in the  
15 current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year when personnel and equipment are  
16 mobilized and expenses incurred due to an emergency.

17       **64.3.** (LETC: Center for Excellence in Policing and Public Safety) There is established at the Law Enforcement Training Council  
18 a Center for Excellence in Policing and Public Safety. The Council, in partnership with the University of South Carolina School of  
19 Law, shall create a professional development training program for South Carolina law enforcement personnel. The Center will be a  
20 resource for programming, technical assistance, support, research, and education. The Center will also provide professional  
21 development for command staff and mid-level supervisors for the benefit of the citizens of South Carolina, leading to certifications  
22 and providing advancement opportunities and promoting recruitment and retention for the state's law enforcement community. In  
23 the current fiscal year, funds received by the Council for the Center shall be transferred to the Center to be used for these purposes.

24  
25       **SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS**

26  
27       **65.1.** (CORR: Canteen Operations) Revenue derived wholly from the canteen operations within the Department of Corrections  
28 on behalf of the inmate population, may be retained and expended by the department for the continuation of the operation of said  
29 canteens and the welfare of the inmate population or, at the discretion of the Director, used to supplement costs of operations. The  
30 canteen operation is to be treated as an enterprise fund within the Department of Corrections and is not to be subsidized by state  
31 appropriated funds.

32       **65.2.** (CORR: E.H. Cooper Trust Fund) Any unclaimed funds remaining in any inmate account, after appropriate and necessary  
33 steps are taken to determine and contact a rightful owner of such funds, shall be deposited into the Inmate Welfare Fund.

34       **65.3.** (CORR: Instructional Salaries) The certified instructional personnel of the Department of Corrections shall receive a  
35 percentage increase in their annual salary for the current fiscal year equal to the percentage allocated to the instructional personnel  
36 throughout the State.

- 1       **65.4.** (CORR: Funding Through State Criminal Assistance Program) All funds received by the State from the United States  
2 Department of Justice, State Criminal Alien Assistance Program, for care and custody of illegal aliens housed in the state correctional  
3 facilities shall be retained by the South Carolina Department of Corrections to offset incurred expenses.
- 4       **65.5.** (CORR: Remedial Education Funding) A criminal offender committed to the custody of the Department of Corrections,  
5 who has been evaluated to function at less than an eighth grade educational level, or less than the equivalent of an eighth grade  
6 educational level, may be required by department officials to enroll and actively participate in academic education programs. Funds  
7 appropriated to the Department of Corrections for educational programs shall be prioritized to assure such remedial services are  
8 provided.
- 9       **65.6.** (CORR: Tire Retreading Program Restriction) The tire retreading program at the Lieber Correctional Institution shall be  
10 limited to the marketing and sale of retreads to state governmental entities.
- 11       **65.7.** (CORR: Social Security Administration Funding) All funds received by the South Carolina Department of Corrections  
12 from the Social Security Administration under Section 1611 (e)(1)(I) of the Social Security Act, which provides payment for  
13 information regarding incarcerated Social Security Insurance recipients, shall be retained by the South Carolina Department of  
14 Corrections and credited to a fund entitled “Special Social Security” for the care and custody of inmates housed in the state  
15 correctional facilities.
- 16       **65.8.** (CORR: Medical Expenses) The Department of Corrections shall be authorized to charge inmates a nominal fee for any  
17 medical treatment or consultation provided at the request of or initiated by the inmate. A nominal co-pay shall be charged for  
18 prescribed medications. Inmates shall not be charged for psychological or mental health visits.
- 19       **65.9.** (CORR: Prison Industry Funds) The Director of the Department of Corrections, at his discretion, is hereby authorized to  
20 utilize prison industry funds for projects or services benefiting the general welfare of the inmate population or to supplement  
21 costs of operations. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same  
22 purpose.
- 23       **65.10.** (CORR: Reimbursement for Expenditures) The Department of Corrections may retain for general operating purposes any  
24 reimbursement of funds for expenses incurred in a prior fiscal year.
- 25       **65.11.** (CORR: Sale of Real Property) Funds generated from the sale of real property owned by the Department of Corrections  
26 shall be retained by the department to offset renovation and maintenance capital expenditures.
- 27       **65.12.** (CORR: Funds From Vehicle Cleaning) Monies generated by inmates engaged in the cleaning and waxing of private  
28 vehicles, or any other adult work activity center, shall be placed in a special account and utilized for the welfare of the inmate  
29 population.
- 30       **65.13.** (CORR: Release of Inmates) The Director of the Department of Corrections and other persons having charge of prisoners  
31 who are required to serve a period of six months or more, may release all such prisoners, including prisoners to whom Section  
32 24-13-150(A) of the 1976 Code applies, on the first day of the month in which their sentences expire, and if the first day of the month  
33 falls on a Saturday, Sunday, or a legal holiday, such prisoners may be released on the last weekday prior to the first of the month  
34 which is not a holiday.
- 35       **65.14.** (CORR: Western Union Funding) All funds received by the South Carolina Department of Corrections from the Western  
36 Union Quick Collect Revenue Sharing Program or similar private sector entities, which provides payment for processing electronic

1 transfers into the E.H. Cooper Trust Fund, shall be retained by the South Carolina Department of Corrections and credited to a fund  
2 entitled "Inmate Welfare Fund" to be expended for the benefit of the inmate population.

3 **65.15.** (CORR: Monitoring Fees) The Department of Corrections is authorized to charge an inmate who participates in community  
4 programs a reasonable fee for the cost of supplying electronic and telephonic monitoring. The fees charged may not exceed the  
5 actual cost of the monitoring.

6 **65.16.** (CORR: Inmate Insurance Policies) The Department of Corrections may collect and record private health insurance  
7 information from incarcerated individuals. The department may file against any private insurance policy covering an inmate to  
8 recoup any health care expenditures covered by the policy. Health care will be provided in accordance with law and standards  
9 regardless of whether or not an inmate is covered by insurance.

10 **65.17.** (CORR: Work Release Transportation Fee) The South Carolina Department of Corrections is authorized to charge a \$4.00  
11 per day transportation fee to participants in the work release program only when such transportation is provided by the department.  
12 Monies collected shall be credited to the South Carolina Department of Corrections, and utilized solely to fund transportation of  
13 work release participants and vehicle replacement for the work release program.

14 **65.18.** (CORR: Special Assignment Pay Level 2 & 3 Facilities) Funds appropriated for special assignment pay at the Department  
15 of Corrections are for the purpose of addressing vacancies and turnover of staff by providing a pay differential for certain employees  
16 assigned to institutions with a Level II or Level III security designation. The funds are to be used for special assignment pay only  
17 and may not be transferred to any other program. If the employee leaves one of the qualifying job classes or leaves a Level II or  
18 Level III institution for a non-Level II or non-Level III facility, they shall no longer be eligible for this special assignment pay. Only  
19 employees in full-time equivalent positions are eligible for this special assignment pay.

20 The special assignment pay is not a part of the employee's base salary and is as determined by the Director of the Department of  
21 Corrections at Level II and Level III institutions:

- 22 (1) Cadets;
- 23 (2) Correctional Officers, including Class Code JD-30 (Officer I and II positions);
- 24 (3) Corporals I and II;
- 25 (4) Sergeants and Lieutenants;
- 26 (5) Captains and Majors;
- 27 (6) Nursing Staff;
- 28 (7) Food Services Staff; and
- 29 (8) Warden.

30 **65.19.** (CORR: Quota Elimination) Pursuant to Section 24-3-60 of the 1976 Code, upon notification by the county, the  
31 Department of Corrections shall accept newly sentenced inmates from each local jail and detention center.

32 For sentenced inmates who the county is willing to transport, the department may limit the acceptance at the Kirkland Correctional  
33 Institution to the hours of 8:00 a.m. to 1:00 p.m., Monday through Friday, excluding holidays, ~~and~~ at the Perry and Lieber Correctional  
34 Institutions to the hours of 8:00 a.m. to 10:30 a.m., Monday through ~~Friday~~ Thursday, excluding holidays, and at the Camille Graham  
35 Correctional Institution to the hours of 8:00 a.m. to 1:00 p.m. on Thursdays and Fridays, excluding holidays.

1 By mutual agreement between the Department of Corrections and a local jail or detention center, the department may establish an  
2 alternate admissions schedule for receiving inmates at the Reception and Evaluation Center.

3 At ~~the time of~~ least one day prior to the date for transfer of the inmate to the department, the county shall provide the sentencing  
4 order, and if available copies of medical history and screening records, booking reports, and other documents required to assist the  
5 department in its intake processing. Counties that have not completed medical screenings at the time of transfer shall not be ~~required~~  
6 ~~to do so~~ allowed to have an inmate admitted to the department until after the screenings are completed.

7 In the event there are inadequate beds within the Reception and Evaluation Center, the Department of Corrections may create a  
8 “jail” within the Kirkland Correctional Institution using one or more of the available 192-bed housing units to accept newly sentenced  
9 state inmates who are awaiting R & E processing. The department may operate such “jail,” to the extent feasible, in accordance with  
10 standards applicable to the local jails.

11 The department shall use the funds appropriated in this act for “Quota Elimination” to accomplish this initiative and to open a  
12 96-bed unit at the MacDougall Correctional Institution and the 192-bed housing units at Kirkland Correctional Institution. The funds  
13 may not be transferred to any other program or used for any other purpose.

14 **65.20.** (CORR: Public/Private Partnerships for Construction) Funds appropriated in Act 407 of 2006, item 23, shall be used to  
15 construct as many multi-purpose buildings at Department of Corrections institutions as possible. For such facilities at Lieber,  
16 McCormick, Leath, Perry, or Allendale Correctional Institution, at least \$150,000 in matching funds and/or construction materials  
17 or services must be donated before construction of the facility may begin. At other Department of Corrections locations, the Director  
18 may require that donated funds and/or materials or services equal one-half of the cost of construction, including design and  
19 engineering costs.

20 **65.21.** (CORR: Inmate Barbering Program) Inmate barbers in the Inmate Barbering Program at the Department of Corrections,  
21 shall not be subject to the licensing requirement of Section 40-7-30 of the 1976 Code.

22 **65.22.** (CORR: Executed Inmate Autopsy) For the current fiscal year, the autopsy requirements of Section 17-7-10 of the 1976  
23 Code are suspended when an inmate is executed by the Department of Corrections pursuant to a valid order of the Supreme Court of  
24 South Carolina.

25 **65.23.** (CORR: Recoupment of Expenses Associated with Inmate Cremation) If the Department of Corrections incurs expenses  
26 for cremating and disposing of an unclaimed deceased inmate, the department may recoup all associated costs of cremation, including  
27 transportation, through the deceased inmate’s E.H. Cooper account, providing funds are available.

28 **65.24.** (CORR: Credited Jail Time; DNA Sample Collection) Inmates committed to the Department of Corrections for sentences  
29 greater than ninety days, but who have credit for jail time in excess of their sentence to incarceration are not required to be transported  
30 to the Reception and Evaluation Center of the Department of Corrections. Cities and counties housing inmates who have credit for  
31 jail time in excess of their sentence may, through written agreement with the Department of Corrections, transfer required  
32 commitment records to the department electronically or by other means. The Department of Corrections must establish reasonable  
33 documentation requirements to facilitate the implementation of this cost savings measure. Employees of the Department of  
34 Probation, Parole and Pardon Services assigned to the court or employees of the Department of Corrections, as applicable, shall  
35 obtain DNA samples from the offenders who are required to submit DNA samples. This provision does not exempt the above

1 referenced inmates from the \$250 DNA fee as required by Section 23-3-670 of the 1976 Code. The \$250 fee shall be collected in  
2 the same manner as other fines and fees and submitted to the State Treasurer for remittance to SLED.

3 **65.25.** (CORR: Cell Phone Interdiction) The Director of the Department of Corrections is granted the right to add a surcharge to  
4 all inmate pay phone calls to offset the cost of equipment and operations of cell phone interdiction measures. The surcharge will be  
5 added to the cost per call, collected by chosen telephone vendor and paid to the department on a monthly basis. The department is  
6 authorized to retain the funds to pay, either directly or through the State lease program, for equipment required to enact cell phone  
7 interdiction or retrieval or for critical security needs. When the equipment has been paid in full, the surcharge amount will be  
8 reviewed and adjusted to cover the cost of ongoing operational expenses of the interdiction equipment. Any unexpended balance  
9 may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose or for critical security  
10 needs.

11 **65.26.** (CORR: Correctional Institution Maintenance and Construction) For maintenance and construction activities funded in the  
12 current fiscal year, the Department of Corrections may utilize inmate labor to perform any portion of the work on its own grounds  
13 and facilities. The provisions of Section 40-11-360(A)(9) of the 1976 Code shall apply to any such project, including new  
14 construction.

15 **65.27.** (CORR: Meals in Emergency Operations) The Department of Corrections may provide meals to public employees who  
16 are not permitted to leave their stations and are required to work during actual emergencies, emergency simulation exercises, or when  
17 the Governor declares a state of emergency.

18 **65.28.** (CORR: Prohibition on Funding Certain Surgery) (A) The Department of Corrections is prohibited from using state funds  
19 or state resources to provide a prisoner in the state prison system sexual reassignment surgery; however, if a person is taking hormonal  
20 therapy at the time the person is committed to the Department of Corrections, the department shall continue to provide this therapy  
21 to the person as long as medically necessary for the health of the person.

22 (B) As used in this provision:

23 (1) "Hormonal therapy" means the use of hormones to stimulate the development or alteration of a person's sexual  
24 characteristics in order to alter the person's physical appearance so that the person appears more like the opposite gender;

25 (2) "Sexual reassignment surgery" means a surgical procedure to alter a person's physical appearance so that the person  
26 appears more like the opposite gender.

27 **65.29.** (CORR: Video Bond Conferencing) In the current fiscal year, and from the funds appropriated to the Department of  
28 Corrections, the video conferencing bond system shall be used for all bond hearings for inmates incarcerated at facilities with video  
29 conferencing capabilities that are compatible with county video conferencing equipment, network, firewalls, etc. and charged with  
30 criminal offenses that require a bond hearing. The Department of Corrections shall not be responsible for recording any of these  
31 proceedings or for providing the counties with any equipment.

32 **65.30.** (CORR: Safety & Security) The Department of Corrections shall be authorized to carry forward into the current fiscal year  
33 the funds reimbursed to the agency pursuant to Section 3 of Act 154 of 2020. The amount shall not be included or part of any other  
34 authorized carry forward amount. Funds carried forward pursuant to this provision, in addition to funds appropriated under the  
35 nonrecurring provision for security and maintenance funds to the Department of Corrections, shall be deposited into a separate and  
36 distinct fund known as the "Department of Corrections Security and Maintenance Reserve Fund." The department may expend these

1 funds to meet the maintenance and security needs of the agency for critical repairs, deferred maintenance, renovations, security  
2 upgrades, and equipment which are directly related to the safety and security of the public, officers, employees, and inmates. Prior  
3 to the expenditure of these funds, the department shall develop a comprehensive security and maintenance plan which shall itemize  
4 the permanent improvement projects and equipment purchases needed to maintain the safety and security of the state's prison system.  
5 This plan shall be presented by September 30<sup>th</sup> of the current fiscal year to the Governor and the Joint Bond Review Committee for  
6 its favorable review and comment. Subsequent to the committee's review, the department shall be authorized to initiate the  
7 permanent improvement projects and equipment purchases included in the plan upon submitting the necessary documentation to the  
8 Executive Budget Office without further review by the committee. Any deviations from the plan shall be subject to further review  
9 and comment by the committee. The department shall provide a report to the Governor and Joint Bond Review Committee on its  
10 implementation of the comprehensive security and maintenance plan and its expenditures from the fund by September 30 of each  
11 fiscal year.

12 ~~65.31. (CORR: Correctional Officer Compensation Reinvestment) The Department of Corrections shall eliminate two hundred~~  
13 ~~vacant, full time equivalent state positions with a job class title of a correctional officer and reallocate the associated personal~~  
14 ~~services, such as salary and fringe benefits, to the remaining vacant and filled correctional officer positions. The agency has discretion~~  
15 ~~on which vacant positions to eliminate, but should prioritize positions that have been vacant for at least five hundred days as of~~  
16 ~~March 1, 2022. The reallocation shall occur no later than September 1st of the current fiscal year. The agency shall not transfer any~~  
17 ~~general fund appropriations derived from these two hundred positions from personal service accounts to operating accounts. The~~  
18 ~~Executive Budget Office shall finalize the authorized FTE positions upon feedback from the agency, and the Human Resources~~  
19 ~~Division of the Department of Administration shall provide guidance and assistance to the agency regarding the reallocation of the~~  
20 ~~resources associated with the reduction of positions. The Department of Corrections shall provide a report to the Senate Finance~~  
21 ~~Committee and the House Ways and Means Committee in November of the current fiscal year on the salary effect of this reallocation~~  
22 ~~for active and vacant correctional officers.~~

## 23 24 SECTION 66 - N080 - DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES

25  
26 **66.1.** (DPPP: Sale of Equipment) All revenue generated by the Department of Probation, Parole and Pardon Services from the  
27 sale of various equipment in excess of \$575, less the cost of disposition incurred by the Department of Administration, may be  
28 retained and carried forward into the current fiscal year and expended for the purpose of purchasing like items.

29 **66.2.** (DPPP: Interstate Compact Application Fee) The department may charge offenders an application fee set by the  
30 department, not to exceed the department's actual costs, to offenders applying for transfers out of or into the state under the Interstate  
31 Compact Act. The application fee shall be retained by the department to offset the cost of the Interstate Compact Act. All unexpended  
32 funds at year-end may be retained and carried forward by the department to be expended for the same purpose.

33 **66.3.** (DPPP: Sex Offender Monitoring Carry Forward) The Department of Probation, Parole and Pardon Services is authorized  
34 to carry forward any unexpended funds in the Sex Offender Monitoring program. These funds must be used for the sex offender  
35 monitoring program. For the purpose of calculating the amount of funds which may be carried forward by the department, Sex

1 Offender Monitoring program funds carried forward by this provision shall be excluded from the calculation of the carry forward  
2 authorized by provision elsewhere in this act.

3 **66.4.** (DPPP: Offender Drug Testing Fee) The department may charge offenders a fee set by the department, not to exceed \$50,  
4 for the purpose of drug testing. If it is determined that the offender is indigent, this fee must be waived. The fee shall be retained by  
5 the department to offset the cost of drug testing. All unexpended funds at year-end may be retained and carried forward by the  
6 department to be expended for the same purpose.

7 **66.5.** (DPPP: Public Service Employment Set-Up Fee) In addition to any other fee, the department may charge an adult offender  
8 placed under the jurisdiction of the department, who is ordered to public service employment by the court, a twenty-five dollar Public  
9 Service Employment set-up fee. The fee must be retained by the department and applied to the department’s supervision process.

10  
11 **SECTION 67 - N120 - DEPARTMENT OF JUVENILE JUSTICE**

12  
13 **67.1.** (DJJ: Meal Ticket Revenue) The revenue generated from sale of meal tickets by the Department of Juvenile Justice shall  
14 be retained and carried forward into the current fiscal year by the agency and expended for the operation of the agency’s cafeterias  
15 and food service programs.

16 **67.2.** (DJJ: Interstate Compact Revenue) The revenue returned to the Interstate Compact Program shall be retained and carried  
17 forward into the current fiscal year by the agency and expended for the operation of the program.

18 **67.3.** (DJJ: Children’s Projects Revenue) Funds generated from the projects undertaken by children under the supervision of the  
19 Department of Juvenile Justice may be retained by the department and utilized for the benefit of those children. Such funds may be  
20 carried forward into the following fiscal year.

21 **67.4.** (DJJ: Instructional Salaries) The certified instructional personnel of the Department of Juvenile Justice shall receive a  
22 percentage increase in their annual salary for the current fiscal year equal to the percentage allocated to the instructional personnel  
23 throughout the State.

24 **67.5.** (DJJ: Reimbursements for Expenditures) The Department of Juvenile Justice may retain for general operating purposes  
25 any reimbursement of funds for expenses incurred in a prior fiscal year.

26 **67.6.** (DJJ: Juvenile Arbitration/Community Advocacy Program) The amount appropriated and authorized in this section for the  
27 Juvenile Arbitration Program shall be retained and expended by the Department of Juvenile Justice for the purpose of providing  
28 juvenile arbitration services through the sixteen Judicial Circuit Solicitors’ offices in the state and used to fund necessary  
29 administrative and personnel costs for the programs.

30 The Department of Juvenile Justice shall contract with Solicitors to administer the Juvenile Arbitration Program and disburse up  
31 to \$60,000 per Judicial Circuit based on services rendered. The amount payable to Solicitors may vary based on consistent adherence  
32 to established statewide program guidelines to assess program performance.

33 The \$350,000 appropriated for the Community Advocacy Program in the first Judicial Circuit, will be used to fund necessary  
34 administrative and personnel costs for this status offender diversion program. The Department of Juvenile Justice shall monitor  
35 and provide support to this program.

36 All unexpended funds may be retained and carried forward from the prior fiscal year to be used for the same purposes.



1       **67.7.** (DJJ: Sale of Real Property) After receiving approval from the Department of Administration or State Fiscal Accountability  
2 Authority, for the sale of property, the department is authorized to retain revenues associated with the sale of department-owned real  
3 property and may expend these funds on capital improvements reviewed by the Joint Bond Review Committee and approved by the  
4 State Fiscal Accountability Authority.

5       **67.8.** (DJJ: Sale of Timber) The Department of Juvenile Justice is hereby authorized to sell mature trees and other timber suitable  
6 for commercial purposes from lands owned by the department. Prior to such sales, the director shall consult with the State Forester  
7 to determine economic and environmental feasibility and to obtain approval for such sales. Funds derived from timber sales shall be  
8 retained and utilized for family support services after setting aside a reasonable amount, as determined by the State Forester, for  
9 reforestation of the lands from which the trees and timber are sold.

10       **67.9.** (DJJ: Drug Free Workplace) The critical mission of the Department of Juvenile Justice requires a safe and drug free work  
11 environment. In order to accomplish this, the department may conduct and pay for the cost of pre-employment drug testing and  
12 random employee drug testing. The department is authorized to expend funds in order to provide or procure these services.

13       **67.10.** (DJJ: Definition of Juveniles) The Department of Juvenile Justice is authorized to place juveniles in marine and wilderness  
14 programs or other community residence programs operated by nongovernmental entities. Juveniles receiving services in these  
15 community residence programs must either be referred to such a program by the Family Court as a condition of probation, released  
16 to such a program by the Board of Juvenile Parole, or voluntarily agree to be assigned and released to such a program by the  
17 Department of Juvenile Justice.

18       **67.11.** (DJJ: Adult Education - GED) Juveniles committed to the Department of Juvenile Justice who have been enrolled in, but  
19 not yet completed, a GED educational program while at the department, at the discretion of the local school district, upon release  
20 from the department shall be allowed to enroll in either the juvenile's local school district's regular education program, in their  
21 appropriate grade placement, or allowed to enroll in that district's or county's adult education program. If enrolled in an adult  
22 education program, the juvenile's eligibility for taking the GED shall be based upon the regulations promulgated by the Department  
23 of Education for youth who are confined in, or under the custody of, the Department of Juvenile Justice.

24       **67.12.** (DJJ: Local District Effort) Upon commitment or confinement to a Department of Juvenile Justice facility, the school  
25 district in which that child resides shall pay an amount equivalent to the statewide average of the local base student cost (thirty  
26 percent), multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to  
27 out-of-district students to the Department of Juvenile Justice for the time period in which the child is committed or confined to a  
28 department facility. EFA funding for school districts is provided for a one hundred eighty day school year. The billing provided by  
29 the department shall be calculated by dividing the local base student cost by two hundred twenty-five days to determine the daily  
30 rate. The department shall notify the school district in writing within forty-five calendar days that a student from the nonresident  
31 district is receiving education services pursuant to this provision. The notice shall also contain the student's name, date of birth,  
32 disabling condition if available, and dates of service.

33       The invoice shall be paid within sixty days of billing, provided the department has provided a copy of the invoice to both the  
34 superintendent and the finance office of the school district being invoiced. Should the school district fail to pay the invoice within  
35 sixty days, the department can seek relief from the Department of Education. The Department of Education shall withhold EFA  
36 funding equal to the billing from the district refusing to pay and submit the funding (equal to the invoice) to the department. If

1 adequate funding is not received, the department shall have the flexibility to use funds from other programmatic areas to maintain  
2 an appropriate level of service.

3 **67.13.** (DJJ: Early Release Authorization) In order to avoid unconstitutional levels of overcrowding and other unconstitutional  
4 conditions from occurring in facilities operated by the department and in residential programs operated for the department, the  
5 number of children housed in residential placements (either committed to the custody of the Department of Juvenile Justice or who  
6 are under the department's supervision) shall not exceed the number of beds available to the department to house them. Should  
7 appropriation reductions necessitate that the department close any additional facility, program, or housing unit it operates, or to be  
8 unable to fund any additional residential program operated for its benefit, the department is authorized and empowered to release  
9 from its residential placements sufficient numbers of children committed to its custody or supervision for a status offense, a  
10 misdemeanor offense, other than Assault and Battery of a High and Aggravated Nature and Assault with Intent to Kill, or for violation  
11 of probation/contempt of a status offense or a misdemeanor offense, other than Assault and Battery of a High and Aggravated Nature  
12 and Assault with Intent to Kill, so that the number of children in its custody or under its supervision and placed in these residential  
13 placements does not exceed the number of housing units/beds available to properly house those children. No child adjudicated  
14 delinquent for a violent crime as defined in Section 16-1-60 of the 1976 Code, a felony offense as defined in Section 16-1-90 of the  
15 1976 Code, or a sexual offense shall be released pursuant to this proviso.

16 **67.14.** (DJJ: Raise the Age) The department must use carry forward funds to implement Act 268 of 2016 by contracting in the  
17 current fiscal year with local child-serving non-profit organizations and Judicial Circuit Solicitor's offices for community-based  
18 diversion and intervention services. The department shall give preference to multi-agency and organizational collaborations that  
19 include stakeholders from the Family Court, Department of Education, Public Defenders' Offices, the Department of Mental Health,  
20 the Department of Social Services, and community based non-profits that utilize best practices.

21 **67.15.** (DJJ: ~~Carryforward~~ Other Funds) Notwithstanding any provision of state law, for Fiscal Year ~~2022-23~~ 2023-24, the  
22 Department of Juvenile Justice is authorized to carry forward and expend for agency operating and/or capital needs ~~any General~~  
23 ~~Fund balances~~ and any cash or fund balances from the following sources: Law Enforcement Funding; Traffic Education Program  
24 App; Juvenile Detention Services; Joint Children's Committee; Court Fines-Detention Services; and Dedicated Court Fines; ~~funds~~  
25 ~~provided to the department in Fiscal Year 2021-22 for security fencing for Maple, Cypress, and Poplar and the fire alarm upgrade~~  
26 ~~for the Birchwood Campus; and funds provided to the department in Fiscal Year 2019-20 for payment of overtime.~~ For purposes of  
27 this provision, agency operating and/or capital needs includes the following items: (1) ~~Staffing / Personnel Funding Needs~~ The  
28 recruitment and retention of qualified staff; (2) Youth Services Training and Community Programs; (3) ~~Technology Server~~  
29 ~~Management and Application Modernization~~; (4) Physical Plant Maintenance and Upgrades; and (5) Projects on Fiscal Year  
30 2021-22 the Agency's Master Plan and Comprehensive Permanent Improvement Plan; ~~and~~ (6) ~~SMI Youth Facility~~. The department  
31 shall submit a plan regarding the use of these funds to the Chairman of the Senate Finance Committee, the Chairman of the House  
32 Ways and Means Committee, the Chairman of the Corrections and Penology Committee, and the Chairman of the House Judiciary  
33 Committee. This plan shall be submitted for review before the expenditure of any of these funds.  
34

1     **SECTION 70 - L360 - HUMAN AFFAIRS COMMISSION**

2

3     **70.1.** (HAC: Human Affairs Forum Carry Forward) All revenue derived from donations and registration fees received for  
4 attendance at Human Affairs Forums shall be retained and carried forward and expended for the purpose of general operations of the  
5 Human Affairs Commission.

6     **70.2.** (HAC: Training Revenue) All revenue derived from fees received from training and technical assistance provided by the  
7 Human Affairs Commission to entities other than state agencies shall be retained, carried forward, and expended for the purpose of  
8 general operations of the Human Affairs Commission.

9     **70.3.** (HAC: Revenue from Copying Fees) All revenue derived from providing requested copies of commission files, final  
10 opinions, orders, and determinations shall be retained, carried forward, and expended for the purpose of general operations of the  
11 Human Affairs Commission.

12

13     **SECTION 71 - L460 - COMMISSION FOR MINORITY AFFAIRS**

14

15     **71.1.** (CMA: Private Contributions and Sponsorship) Monies derived from private sources for agency research, forums, training,  
16 and institutes may be retained and expended by the commission for the said purpose. Any remaining balance may be carried forward  
17 and expended for the same purpose.

18     **71.2.** (CMA: Carry Forward Registration Fees) Revenue derived from registration fees received from training and institutes may  
19 be retained and carried forward for the purpose of conducting future training and institutes.

20     **71.3.** (CMA: Carry Forward Grant Awards) Revenues pooled from public and private sources for the purpose of awarding grants  
21 to address problems in the minority community may be retained and carried forward by the commission.

22     **71.4.** (CMA: Carry Forward Bingo Revenues) Bingo revenues received by the commission in the prior fiscal year pursuant to  
23 Section 12-21-4200(3) of the 1976 Code which are not expended during that fiscal year may be carried forward to be expended in  
24 the current fiscal year.

25     **71.5.** (CMA: Retention of Photocopy Fees) Revenue derived from photocopy fees and other fees related to Freedom of  
26 Information Act requests from the general public may be retained and carried forward by the Commission.

27     **71.6.** *(CMA: Division of Small and Minority Business Contracting and Certification) For the current fiscal year, the Division*  
28 *of Small and Minority Business Contracting and Certification (the Division) and the funds appropriated to the Division pursuant to*  
29 *Part IA of this Act are transferred to the Commission for Minority Affairs. The Division shall continue to perform its duties and*  
30 *responsibilities required in Article 21, Chapter 35, Title 11 including, but not limited to, assisting the Department of Revenue in*  
31 *providing income tax credits for firms with state contracts that subcontract with minority firms pursuant to Section 11-35-5230(B).*  
32 *In addition to the authorized appropriations for the Division, the employees and the assets and liabilities of the Division are also*  
33 *transferred to and become part of the Commission for Minority Affairs for the current fiscal year. All classified or unclassified*  
34 *personnel transferred by this provision are to become employees of the Commission for Minority Affairs with the same compensation,*  
35 *classification, and grade level, as applicable, for the duration that this provision remains in effect. Applicable regulations*  
36 *promulgated by or related to the Division are continued and are considered to be promulgated by the Commission for Minority*

1 Affairs. Applicable contracts entered into by or on behalf of the Division are continued and are considered to be devolved upon the  
2 Commission for Minority Affairs at the time of the transfer.  
3

#### 4 SECTION 72 - R040 - PUBLIC SERVICE COMMISSION 5

6 **72.1.** (PSC: Law Enforcement Officers) The Public Service Commission shall be authorized to hire law enforcement officers  
7 commissioned by the Governor. The commission may remove a law enforcement officer if it finds that the law enforcement officer  
8 is unfit for the position. Each law enforcement officer shall execute a bond with a licensed surety company in the amount of not less  
9 than ten thousand dollars. The bond may be individual, schedule, or blanket, and shall be approved by the Attorney General. The  
10 premiums on the bonds shall be paid by the commission from authorized funds.

11 **72.2.** (PSC: Santee Cooper Funds Held by Public Service Commission) The balance of the funds transferred to the Public Service  
12 Commission by the Department of Administration, for the purpose of reforming Santee Cooper, shall remain available to the Public  
13 Service Commission for its continued reformation of Santee Cooper. The Public Service Commission is authorized to employ,  
14 through contract or otherwise, third-party consultants and experts in carrying out its duties for purposes of reforming Santee Cooper.  
15 The Public Service Commission is exempt from complying with the State Procurement Code in the selection and hiring of third-party  
16 consultants or experts authorized by this provision.

17 **72.3.** (PSC: South Carolina Integration Study) The Public Service Commission is authorized to initiate an independent study to  
18 evaluate the integration of renewable energy and emerging energy technology into the electric grid for the public interest pursuant  
19 to Section 58-37-60 of the 1976 Code. Prior to expending funds related to consultant engagement, the Public Service Commission  
20 will provide the Public Utilities Review Committee with justification for approval of expenditure. The results of the independent  
21 study shall be reported to Governor and the General Assembly.

22 **72.4.** (PSC: Santee Cooper Billing) The Public Service Commission is authorized, subject to the Public Utilities Review  
23 Committee's approval of the commission's annual budget, to bill Santee Cooper for costs associated with its oversight of Santee  
24 Cooper performed pursuant to Act 90 of 2021 and any other relevant legislation, statute, or provision; provided such costs do not  
25 exceed the amounts authorized for the oversight of Santee Cooper in this act. Santee Cooper may reduce their remittance of revenues  
26 to the State by the amount paid to the commission for oversight costs under this provision. This reduction shall be made in Santee  
27 Cooper's second semi-annual remittance to the State.  
28

#### 29 SECTION 73 - R060 - OFFICE OF REGULATORY STAFF 30

31 **73.1.** (ORS: Transportation Fee Refund) The Transportation Department of the Office of Regulatory Staff is hereby authorized  
32 to make refunds of fees which were erroneously collected.

33 **73.2.** (ORS: Assessment Certification) Office of Regulatory Staff shall certify to the Department of Revenue the amounts to be  
34 assessed to cover appropriations in this section as follows: (1) the amount applicable to the assessment on public utility, telephone  
35 utility, radio common carrier and electric utility companies as provided for by Section 58-4-60, Code of Laws of 1976; (2) the amount  
36 to be assessed against gas utility companies as provided for in Section 58-5-940, Code of Laws of 1976; (3) the amount to be assessed

1 against electric light and power companies as provided for in Sections 58-4-60 and 58-27-50, Code of Laws of 1976; and (4) the  
2 amount to be covered by revenue from motor transport fees as provided for by Section 58-23-630, and other fees as set forth in  
3 Section 58-4-60, Code of Laws of 1976. The amount to be assessed against railroad companies shall consist of all expenses related  
4 to the operations of the Railway subprogram of the Agency's Transportation Division, to include the related distribution of salary  
5 increments and employer contributions not reflected in the related subprogram of this act as set forth in Section 58-4-60, Code of  
6 Laws of 1976.

7 **73.3.** (ORS: Assessment Adjustments) If the Office of Regulatory Staff determines that a person or entity subject to Title 58 of  
8 the 1976 Code has been assessed an amount greater than that authorized by Sections 58-4-60, 58-3-100 and 58-3-540, the Office of  
9 Regulatory Staff shall, at its discretion:

- 10 (a) refund the person or entity the amount of over collection using funds from the current fiscal year;  
11 (b) refund the person or entity the amount of over collection using any unexpended funds from the prior fiscal year;  
12 (c) credit the amount the person or entity will be assessed in the next fiscal year for the amount of over collection; or  
13 (d) any combination of these.

14 The Office of Regulatory Staff, when determining the amount to be assessed in the next fiscal year, may take into consideration  
15 any underpayment or overpayment by a person or entity during a given year. Any unexpended funds from revenue generated pursuant  
16 to this section may be retained and carried forward and expended for the same purposes.

17 **73.4.** (ORS: SSEB Annual Dues) The annual dues of the Southern States Energy Board shall be paid from the Radioactive Waste  
18 Operating Fund.

19 **73.5.** (ORS: Office of Broadband Coordinator) (A) From funds appropriated for this purpose, there is established the Office of  
20 Broadband Coordinator within the Office of Regulatory Staff to serve as the central broadband planning body for the State and to  
21 coordinate with federal, state, regional, local, and private entities, to the extent practicable, to encourage the continued development  
22 of access to broadband in the State.

23 (B) The Office of Broadband Coordinator shall convene a collaborative stakeholder process to identify challenges to expediting  
24 broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or  
25 other governmental actions are appropriate to promote broadband access throughout the State.

26 (C) Funds appropriated to the Office of Broadband Coordinator for broadband infrastructure shall be used to continue to fund the  
27 Broadband Infrastructure Program, including the completion of those broadband infrastructure projects that were approved for  
28 funding pursuant to Act 142 of 2020 but not constructed by December of 2020. Expansion of broadband infrastructure shall  
29 emphasize services to rural communities and communities with a lack of access to broadband. The Office of Broadband Coordinator  
30 shall prioritize infrastructure expansion that will make high-speed broadband available to homes, businesses, schools, health care  
31 facilities, and other institutions in unserved areas across South Carolina.

32 (D) The Office of Broadband Coordinator shall serve as a central resource to collect and publish information regarding federal  
33 and state programs to fund broadband expansion, and to the extent practicable, coordinate resources such that both state and federal  
34 resources are efficiently maximized.

1 (E) The Office of Broadband Coordinator may use assistance from state and federal agencies or from private organizations and  
2 industry to accomplish the purposes of this provision. Unexpended funds at the end of the prior fiscal year shall be carried forward  
3 and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.

4 **73.6.** (ORS: SC Broadband Map) (A)(1) From funds appropriated, the Office of Broadband Coordinator shall contact the  
5 appropriate entities to provide information necessary to compile the county-by-county broadband mapping plan required by Section  
6 10 of Act 142 of 2020 showing the location and capability of broadband facilities throughout the State. In order to facilitate the  
7 provision of information necessary to this task, all information provided by a broadband service provider or other entity providing  
8 information for the purpose of creating a South Carolina broadband map shall be maintained by the Office of Broadband Coordinator  
9 and any other agency as confidential, proprietary, and a trade secret as defined in Section 30-4-40 of the 1976 Code, and subject to  
10 exemption from disclosure under state and federal law. The information shall not be subject to disclosure under Chapter 4, Title 30  
11 of the 1976 Code, except in the form of a map where information that could be used to determine provider-specific information about  
12 the network of the broadband service provider or other providing entity is not disclosed.

13 (2) Except as otherwise provided in this provision, such broadband provider-specific information shall not be released to any  
14 person other than to the broadband service provider or other entity providing information, employees of the Office of Broadband  
15 Coordinator, agents designated to assist in developing the South Carolina broadband map, entities contracting with the Office of  
16 Broadband Coordinator, and other state agencies administering funds for broadband deployment without express permission of the  
17 submitting broadband service provider or other entity providing information. Such information shall be used solely for the purposes  
18 stated under this provision. The Office of Broadband Coordinator shall ensure that any such agents, entities, or agencies with whom  
19 the information is shared are aware of the confidential nature and restricted purposes for which the information may be used and that  
20 any such agents or entities that are not state agencies execute an appropriate nondisclosure agreement protecting the information  
21 from public disclosure before receiving the information.

22 (B) Entities providing broadband service or middle-mile infrastructure in South Carolina shall, on an annual basis, provide to the  
23 Office of Broadband Coordinator deployment data in a format specified by the office to provide the most accurate and granular  
24 representation of currently available broadband infrastructure. These same entities, when they serve residential or business  
25 customers, shall also provide the type of technology deployed together with the sustainable download and upload speeds available  
26 at each serviceable location. Entities failing to provide such data on an annual basis may be disqualified from state funding  
27 opportunities for the current fiscal year. Annually, the office shall compile this information, analyze, and update statewide broadband  
28 deployment information.

29 (C) Any unexpended funds at the end of the prior fiscal year shall be carried forward and expended in the current fiscal year by  
30 the Office of Regulatory Staff for the same purposes.

31 **73.7.** (ORS: Agency Head Salary Commission Purview) The Executive Director of the Office of Regulatory Staff shall be under  
32 the purview of the Agency Head Salary Commission and subject to all provisions related to the agency heads covered by commission.

33 **73.8.** (ORS: Santee Cooper Billing) The Office of Regulatory Staff is authorized, subject to the Public Utilities Review  
34 Committee's approval of the Office of Regulatory Staff's annual budget, to bill Santee Cooper for costs associated with its oversight  
35 of Santee Cooper performed pursuant to Act 90 of 2021 and any other relevant legislation, statute, or provision, provided such costs  
36 do not exceed the amounts authorized for the oversight of Santee Cooper in this act. Santee Cooper may reduce their remittance of

1 revenues to the State by the amount paid to the Office of Regulatory Staff for oversight costs under this provision. This reduction  
2 shall be made in Santee Cooper's second semiannual remittance to the State.

3  
4 **SECTION 74 - R080 - WORKERS' COMPENSATION COMMISSION**

5  
6 **74.1.** (WCC: Educational Seminar Revenue) All revenue earned from educational seminars shall be retained by the agency to  
7 be used for the printing of educational materials and other expenses related to conducting the seminar.

8 **74.2.** (WCC: Retention of Filing Fees) The Workers' Compensation Commission is authorized to retain and expend all revenues  
9 received as a result of a \$50.00 filing fee for each requested hearing, settlement, or motion. If it is determined that the individual is  
10 indigent, this filing fee must be waived.

11 **74.3.** (WCC: Tax on Self-Insurers) Notwithstanding another provision of law, the sunset provision provided for in Act 68 of  
12 2017 is suspended for the current fiscal year to allow the commission to continue to collect tax on self-insurers.

13  
14 **SECTION 75 - R120 - STATE ACCIDENT FUND**

15  
16 **75.1.** (SAF: Educational Seminar Revenue) The State Accident Fund is authorized to set and collect fees for educational  
17 seminars. All revenue earned from educational seminars shall be retained by the agency and used for supplies, materials, and other  
18 expenses relating to the seminars.

19 **75.2.** (SAF: Adjuster License Fees) The State Accident Fund is authorized to use other appropriated funds to pay the costs of  
20 adjuster license fee dues owed to the Department of Insurance for any licensed adjusters employed as working adjusters with the  
21 State Accident Fund, where such license is an agency requirement for their position.

22  
23 **SECTION 78 - R200 - DEPARTMENT OF INSURANCE**

24  
25 **78.1.** (INS: Examiners Travel/Subsistence Reimbursement) Notwithstanding the limitations in this act as to amounts payable or  
26 reimbursable for lodging, meals, and travel, the Department of Insurance is authorized to reimburse department examiners in  
27 accordance with guidelines established by the National Association of Insurance Commissioners only when the State is reimbursed  
28 by an insurance company for the travel and subsistence expenses of Insurance Department examiners pursuant to Section 38-13-10  
29 of the 1976 Code.

30 **78.2.** (INS: Reimbursement Carry Forward) Reimbursements received for Data Processing Services, Revenue, Miscellaneous  
31 Revenue and Sale of Listings and Labels shall be retained for use by the department. These funds may be carried forward in the  
32 current fiscal year.

33 **78.3.** (INS: Fees for Licenses) The Department of Insurance shall be authorized to charge a twenty-five dollar initial producer  
34 license fee; a twenty-five dollar biennial producer license renewal fee; and a two hundred-fifty dollar penalty fee for late appointment  
35 renewals. The director shall specify the time and manner of payment of these fees. These fees shall be retained by the department  
36 for the administration of Title 38.

1       **78.4.** (INS: Special Study on Fraudulent Claim Status) ~~Of the funds appropriated and/or authorized to the Department of~~  
2 ~~Insurance, the department shall conduct a study on possible violations pursuant to Title 38 of the 1976 Code. The study shall review~~  
3 ~~instances in which insurers licensed to do business in South Carolina engage in improper claim practices, including, but not limited~~  
4 ~~to, inappropriately or inaccurately classifying or presuming claims as fraudulent. The Department of Insurance shall report the results~~  
5 ~~of their study to the General Assembly and the Governor's Office by December 1, 2022.~~  
6

7       **SECTION 79 - R230 - BOARD OF FINANCIAL INSTITUTIONS**

8  
9       **79.1.** (FI: Supervisory Fees) The Board of Financial Institutions shall fix supervisory fees of banks, savings and loan associations  
10 and credit unions on a scale which, together with fees collected by the Consumer Finance Division will fully cover the total funds  
11 expended under this section.  
12

13       **SECTION 80 - R280 - DEPARTMENT OF CONSUMER AFFAIRS**

14  
15       **80.1.** (CA: Consumer Protection Code Violations Revenue) Funds, paid to the department in resolution of cases involving  
16 violations of the South Carolina Consumer Protection Code and other statutes enforced by the department be retained and expended  
17 within the agency's budget to help offset the costs of investigating, prosecuting, and the administrative costs associated with these  
18 violations, may be carried forward and expended for the same purposes in the current fiscal year.

19       **80.2.** (CA: Expert Witness/Assistance Carry Forward) Unexpended appropriated funds for the Consumer Advocacy expert  
20 witness/assistance program (under Section 37-6-603) may be carried forward into the current fiscal year and expended for the same  
21 purpose.

22       **80.3.** (CA: Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention) The Department of Consumer  
23 Affairs may retain all filing fees collected under Chapters 2, 3 and 6, Title 37 of the 1976 Code. These fees shall be used to offset  
24 the cost of administering and enforcing Title 37 and may be applied to the cost of operations. Unexpended balances may be carried  
25 forward for the prior fiscal year into the current fiscal year and be utilized for the same purposes.

26       **80.4.** (CA: Retention of Fees) For the current fiscal year, the department may retain all fees collected pursuant to Sections  
27 39-61-80, 39-61-120, 40-39-120, and 44-79-80 of the 1976 Code. The funds retained shall be utilized to implement the requirements  
28 of the programs mandated by those sections of the code.  
29

30       **SECTION 81 - R360 - DEPARTMENT OF LABOR, LICENSING AND REGULATION**

31  
32       **81.1.** (LLR: Fire Marshal - Authorization to Charge Fees for Training) The Fire Academy may charge participants a fee to cover  
33 the cost of education, training programs, and operations. The revenue generated may be applied to the cost of operations, and any  
34 unexpended balance may be carried forward to the current fiscal year and utilized for the same purposes.

35       **81.2.** (LLR: Real Estate - Special Account) Revenue in the Real Estate Appraisal Registry account shall not be subject to fiscal  
36 year limitations and shall carry forward each fiscal year for the designated purpose.



- 1       **81.3.** (LLR: POLA - Ten Percent, Other Funds) The Professional and Occupational Offices in Program II.F. Professional and  
2 Occupational Licensing must remit annually an amount equal to ten percent of the expenditures to the general fund. The Contractor's  
3 Licensing Board must remit all revenues above their expenditures to the general fund. The revenue remitted by the Contractor's  
4 Licensing Board to the general fund includes the ten percent. Professional and Occupational Offices with an overall negative ending  
5 cash balance for the current and prior completed fiscal years will be exempt from these requirements.
- 6       **81.4.** (LLR: Fire Marshal Fallen Firefighters Memorial) The Department of Labor, Licensing and Regulation - Division of the  
7 State Fire Marshal is authorized to accept gifts or grants of services, properties, or monies from individuals or public and private  
8 organizations to honor South Carolina firefighters who have died in the line of duty. All excess monies collected to erect a memorial  
9 are to be placed in a fund for upkeep and maintenance. Any later contributions are to be used for upkeep and maintenance.
- 10       **81.5.** (LLR: Firefighter Mobilization Project) The department is directed to utilize \$165,000 of the funds derived under Section  
11 2 of Act 1377 of 1968, as amended by Act 60 of 2001 from the tax of thirty-five one-hundredths percent imposed annually on the  
12 gross premium receipts less premiums returned on canceled policy contracts and less dividends and returns of unabsorbed premium  
13 deposits of all fire insurance companies doing business in the State to fund the Firefighter Mobilization Project.
- 14       **81.6.** (LLR: Match for Federal Funds) State appropriations to the Department of Labor, Licensing and Regulation that are  
15 required to provide match for federal grant programs in the prior fiscal year may be carried forward into the current fiscal year and  
16 expended for the same purpose as originally appropriated.
- 17       **81.7.** (LLR: Flexibility) In order to provide maximum flexibility in absorbing the general fund reductions to the OSHA and  
18 OSHA Voluntary Programs, the Department of Labor, Licensing and Regulation shall be authorized to spend agency earmarked and  
19 restricted accounts to maintain these critical programs previously funded with general fund appropriations. Any increase in spending  
20 authorization for these purposes must receive the prior approval of the Executive Budget Office.
- 21       **81.8.** (LLR: Immigration Bill Funding Report) Prior to any funds carried forward from the prior fiscal year in Subfund 3135  
22 being transferred to fund any other purpose, \$250,000 must be retained by the Department of Labor, Licensing and Regulation to  
23 fund the department's responsibilities under the South Carolina Illegal Immigration Reform Act. The department shall compile an  
24 accountability report outlining expenditures of the Immigration Bill funding to be issued to the President of the Senate, the Chairman  
25 of the Senate Finance Committee, the Chairman of the Senate Finance Natural Resources and Economic Development Subcommittee,  
26 the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, and the Chairman of the  
27 House Ways and Means Transportation and Regulatory Subcommittee. Said report must be issued on the first Tuesday of February  
28 in the current fiscal year.
- 29       **81.9.** (LLR: Authorized Reimbursement) The Director of the Department of Labor, Licensing and Regulation cannot authorize  
30 reimbursement under Section 40-1-50(A) of the 1976 Code to members of any board listed in Section 40-1-40(B) for meetings held  
31 at any location other than the offices of the department unless there has been a determination that the department is unable to provide  
32 space for the meeting in a state-owned or leased facility in Richland or Lexington County.
- 33       **81.10.** (LLR: Illegal Immigration Hotline Assistance) Upon the request of the Commission for Minority Affairs, the Department  
34 of Labor, Licensing and Regulation shall provide assistance to establish and maintain a twenty-four hour toll free telephone number  
35 and electronic website to receive, record, collect, and report allegations of violations of federal immigration laws or related provisions

1 of South Carolina law by any non-United States citizen or immigrant, and allegations of violations of any federal immigration  
2 laws or related provisions in South Carolina law against any non-United States citizen or immigrant.

3 Such violations shall include, but are not limited to, E-Verify or other federal work authorization program violations, violations of  
4 Chapter 83, Title 40 of the 1976 Code relating to immigration assistance services, or any regulations enacted governing the operation  
5 of immigration assistance services, false or fraudulent statements made or documents filed in relation to an immigration matter, as  
6 defined by Section 40-83-20, violation of human trafficking laws, as defined in Section 16-3-930, landlord tenant law violations, or  
7 violations of any law pertaining to the provision or receipt of public assistance benefits or public services.

8 **81.11.** (LLR: Board of Pharmacy) The Board of Pharmacy must accept affidavits of practical experience from interns whose  
9 practical experience internships occurred in this State. The affidavit must provide that the supervising pharmacist and the site of  
10 experience is licensed and in good standing with the board and that the internship falls within the criteria for internships set by the  
11 board. The affidavit must be accompanied by a ten dollar fee to cover administrative costs associated with compliance with this  
12 proviso.

13 **81.12.** (LLR: Office of State Fire Marshal - Clothing) The Department of Labor, Licensing and Regulation is authorized to  
14 purchase and issue clothing to the non-administrative staff of the Office of the State Fire Marshal that are field personnel working in  
15 a regulatory aspect and/or certified to be a resident state fire marshal.

16 **81.13.** (LLR: First Responder PTSD Treatment) Of the funds appropriated to the Department of Labor, Licensing and  
17 Regulation - State Fire Marshal's Office for first responder PTSD treatment, the department shall distribute funds to the South  
18 Carolina Firefighter Assistance Support Team (FAST) to reimburse firefighters and emergency medical technicians who incur mental  
19 injury as a result of a critical incident during the scope of employment for actual out-of-pocket expenses not covered through workers  
20 compensation claims and/or other insurance. These funds may also be utilized to provide services through the South Carolina  
21 Firefighter Assistance Support Team. The department shall promulgate any administrative regulations necessary to carry out these  
22 provisions.

23 **81.14.** (LLR: Compensatory Payment) In the event a State of Emergency is declared by the Governor or in the event of a situation  
24 requiring the use of mutual assistance under Section 25-1-450 of the 1976 Code, exempt employees of the Department of Labor,  
25 Licensing and Regulation's Office of State Fire Marshal may be paid for actual hours worked, in lieu of accruing compensatory time,  
26 at the discretion of the agency director, and providing funds are available.

27 **81.15.** (LLR: Indirect Cost Waiver OSHA) The Department of Labor, Licensing and Regulation shall retain indirect cost  
28 recoveries relating to federal OSHA grants in this act. Recoveries retained by the agency will be used for operations of the agency.  
29 All other federal grants within the agency will remit indirect cost recoveries pursuant to Section 2-65-70 of the 1976 Code.

30  
31 **SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES**

32  
33 **82.1.** (DMV: Federal, Other Flow Through Funds) In order to complete projects begun in a prior fiscal year, the Department of  
34 Motor Vehicles is authorized to expend federal and earmarked funds in the current fiscal year for expenditures incurred in the prior  
35 fiscal year.

1       **82.2.** (DMV: Cost Recovery Fee/Sale of Photos or Digitized Images) The Department of Motor Vehicles may collect processing  
2 fees and fees to recover the costs of the production, purchase, handling and mailing of documents, publications, records and data  
3 sets. The department may collect and retain fees to defray the cost associated with fulfilling a Freedom of Information Act (FOIA)  
4 request. The amount charged by the Department of Motor Vehicles for any fees collected pursuant to this proviso may not exceed  
5 the rates that the department charged as of February 1, 2001. The Department of Motor Vehicles may not sell, provide or otherwise  
6 furnish to private parties, copies of photographs, whether digitized or not, taken for the purpose of a driver's license or personal  
7 identification card. Photographs and digitized images from a driver's license or personal identification card are not considered  
8 public records. With the exception of the cost associated with fulfilling a FOIA request, revenue generated by the fees imposed by  
9 this provision must be placed into the State Highway Fund as established by Section 57-11-20 of the 1976 Code and be distributed  
10 as provided in Section 11-43-167.

11       **82.3.** (DMV: DPPA Compliance Audit) The Department of Motor Vehicles may charge fees to defray the costs associated with  
12 auditing and enforcing compliance of all Federal or State statutes and regulations pertaining to personal information for customers  
13 receiving information disseminated by the department as allowed by law. This provision does not pertain to state agencies.

14       **82.4.** (DMV: Underutilized Offices) The Director of the Department of Motor Vehicles is authorized to develop and implement  
15 a plan to reduce the hours of operation in underutilized DMV field offices; however the legislative delegation of the county in  
16 which the affected field office is located must be notified prior to implementation of the plan. In addition, the director shall review  
17 field offices which have a high volume of traffic to determine whether it would be beneficial to expand the hours of operation.

18       **82.5.** (DMV: Activities Allowed on Special Restricted Driver's License) In the current fiscal year, employing funds authorized  
19 or appropriated to the Department of Motor Vehicles pursuant to Section 82, Part IA of this act, the department must include  
20 employment, school, church-related or sponsored activities, and parentally approved sports activities in the categories for which it  
21 may waive or modify restrictions in the special restricted driver's license for certain minors. The licensee must provide the  
22 department a statement of the purpose of the waiver or modification of restrictions executed by the parents or legal guardian of the  
23 licensee and documents executed by church representatives and/or representatives of the sports entity for which the waiver is being  
24 requested.

25       **82.6.** (DMV: Fund Balance Carry Forward) The Department of Motor Vehicles may carry forward any unexpended general  
26 fund balance or other funds not designated for REAL ID and/or non-recurring expense in Act 37 of 2021 from the prior fiscal year  
27 and expend those funds in the current fiscal year for expenditures as needed.

28       **82.7.** (DMV: Real ID) For Fiscal Year ~~2022-23~~ 2023-24, the Department of Motor Vehicles may expend any available  
29 earmarked cash reserves on the implementation of Real ID.

30       **82.8.** (DMV: Electronic Verification Processing Fees) In the current fiscal year, the Department of Motor Vehicles is exempt  
31 from paying fees to the Department of Health and Environmental Control associated with the use of the Electronic Verification of  
32 Vital Events (EVVE) system to verify or certify birth certificates during the driver's license or identification card issuance process.

33       **82.9.** (DMV: Identification Card Fees) In the current fiscal year, the Department of Motor Vehicles may waive the fee associated  
34 with issuing an identification card if the card issuance is through an established partnership with a state or federal agency.

35       **82.10.** (DMV: Retention of Traceable Temporary License Plates Revenue) For the current fiscal year, the department shall be  
36 authorized to retain five dollars from the sale of traceable temporary license plates as found in Section 56-3-210 of the 1976 Code.

1 The funds shall be placed in the department's Plate Replacement Fund and used solely for the purposes of plate production and  
2 reissuance costs.

3 **82.11.** (DMV: Provide Data to DOT) The Department of Motor Vehicles shall provide access, in compliance with all state and  
4 federal privacy protection statutes, to the following data and reports without charge to the Department of Transportation: (1) all  
5 collision data and collision reports; (2) registration information used for toll enforcement; and (3) driver records of employees or  
6 prospective employees.

7 **82.12.** (DMV: Commercial Driver's License Skills Test Fee) In the current fiscal year, the Department of Motor Vehicles may  
8 charge twenty-five dollars for all commercial driver's license (CDL) applicants who schedule a skills test with the agency. Applicants  
9 who schedule a CDL skills test with the department, but cancel at least two business days before the appointment, shall be refunded  
10 this fee from the department. Monies from first-time skills test attempts where the applicant does not appear for the skills test shall  
11 be retained by the department and used for advancement of the CDL and commercial motor vehicle programs of the State. All other  
12 monies for CDL skills test shall be distributed in accordance with Section 56-1-2080(A)(1) of the 1976 Code. In instances where the  
13 applicant appears for the scheduled appointment and passes the skills test, the department shall credit this fee towards the applicant's  
14 CDL and CDL application. In instances where the applicant appears for the scheduled appointment but does not pass the skills test  
15 on the first attempt, the department shall credit this fee towards the applicant's subsequent skills test attempts in accordance with  
16 Section 56-1-2080(A)(1).

17 **82.13.** (DMV: Mobile Driver's License Study Committee) ~~In the current fiscal year, the Department of Motor Vehicles shall lead~~  
18 ~~a study committee with the purpose of making recommendations on the implementation and acceptance of mobile identities in South~~  
19 ~~Carolina. The committee shall meet at least quarterly throughout the fiscal year, and the DMV shall author recommendations on~~  
20 ~~adopting mobile identities by the end of the fiscal year. The recommendations shall be addressed to the Chairmen of Senate Finance,~~  
21 ~~Senate Transportation, House Ways and Means, and House Education and Public Works. In addition to the Department of Motor~~  
22 ~~Vehicles, the committee shall consist of at least one member from the following entities:~~

23 ~~(1) the Department of Public Safety;~~

24 ~~(2) the Department of Revenue;~~

25 ~~(3) the Department of Administration;~~

26 ~~(4) the Department of Employment and Workforce;~~

27 ~~(5) the State Election Commission;~~

28 ~~(6) the South Carolina Retail Association;~~

29 ~~(7) the South Carolina Bankers Association;~~

30 ~~(8) the South Carolina Sheriffs' Association;~~

31 ~~(9) the South Carolina Police Chiefs Association;~~

32 ~~(10) the South Carolina Medical Association;~~

33 ~~(11) the South Carolina Pharmacy Association; and~~

34 ~~(12) the South Carolina Appleseed Legal Justice Center or a similar organization that represents indigent persons.~~

1 The Department of Motor Vehicles, in its discretion, and other committee members may recommend additional participants that  
2 support the mission of the committee, to include a staff member from the Senate Transportation and House Education and Public  
3 Works Committees.

4 Entities listed above must submit the name and contact information of their committee member to the DMV no later than August  
5 1, 2022.

6 **82.14.** (DMV: Fees for Qualified Service Members) In the current fiscal year, the Department of Motor Vehicles must waive the  
7 application, learner's permit, and driver's license fee, and, when applicable, the knowledge test fee for any applicant who qualifies  
8 for commercial learner's permits or commercial driver's licenses under the provisions of 49 CFR Section 383.77.

9 **82.15.** (DMV: Biennial Plates Commercial Motor Vehicles) The department may issue biennial plates to large commercial motor  
10 vehicles until all provisions of Act 37 of 2021 are enacted.

11 **82.16.** *(DMV: Special Account for System Modernization) In the current fiscal year, the Department of Motor Vehicles may*  
12 *expend funds from a special funded program created for the sole purpose of IT system modernization. The Department of Motor*  
13 *Vehicles shall be authorized to carry forward any unexpended funds appropriated for the IT System Modernization and expend for*  
14 *the same purpose in accordance with the process established by proviso 117.109 in Act 239 of 2022.*

15 **82.17.** *(DMV: Authorized to Charge a Witness Fee) In the current fiscal year, the Department of Motor Vehicles is authorized to*  
16 *charge a witness fee of \$100 an hour, up to \$1,000 a day, for each employee testifying in matters which do not involve the department*  
17 *as a party. This fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial*  
18 *appearances and depositing into a designated revenue account. The department is authorized to receive, expend, retain, and carry*  
19 *forward these funds.*

20 **82.18.** *(DMV: Emergency Powers of the SCDMV) In the current fiscal year, in the event of a State of Emergency declared by the*  
21 *Governor or during extenuating circumstances outside of the Department of Motor Vehicle's control, the agency may:*

22 *(1) temporarily extend expiration dates for any products issued by the department; provided that extensions are only granted for*  
23 *citizens with items due for expiration during the State of Emergency;*

24 *(2) temporarily waive delinquent fees and penalties of any type; provided that waivers are only granted for citizens with items*  
25 *that fall under the provisions of item (1);*

26 *(3) provide meals to employees who are working in support of the State of Emergency; or*

27 *(4) implement any waivers issued by the Federal Motor Carrier Safety Administration, International Fuel Tax Agreement,*  
28 *International Registration Plan, or other federal entities and programs issued during the State of Emergency as deemed necessary*  
29 *by the Executive Director or his or her designee.*

## 30 SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND WORKFORCE

31  
32  
33 **83.1.** (DEW: Business Intelligence Division Program Contracts) All earmarked funds collected for the Business Intelligence  
34 Division Program Contracts through the Department of Employment and Workforce may be retained by the agency to be used for  
35 the exclusive purpose of operating these programs. All funds not expended in the prior fiscal year may be carried forward for use in  
36 the current fiscal year.

1       **83.2.** (DEW: Federal and Earmarked Prior Year Payments) The Department of Employment and Workforce shall be allowed to  
2 pay federal and earmarked prior year obligations with current year funds.

3       **83.3.** (DEW: Transparency of Funding Appropriation) In order to promote accountability and transparency, the Department of  
4 Employment and Workforce must provide and release to the public via the agency's website, a report of all aggregate amounts of  
5 taxes, fees and payments that were charged, collected and paid by that state agency in the prior fiscal year. For the purpose of  
6 efficiency and conservation of resources, this report shall be incorporated into the Trust Fund Report due by October first as required  
7 by Section 41-33-45 of the 1976 Code. In addition to the requirements of Section 41-33-45, the Trust Fund Report shall include, but  
8 not be limited to: (1) SUTA taxes collected per Tier; (2) unemployment benefit claims paid; (3) how many unemployment claims  
9 were made in error; (4) loan repayments made to the federal government; and (5) the amount of funds left in the agency's account at  
10 the end of the fiscal year. The report must be posted online by October first of the current fiscal year. Additionally, the report must  
11 be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by  
12 October first. Funds appropriated to and/or authorized for use by the department shall be used to accomplish this directive.

13       **83.4.** (DEW: Negotiation of Interest) For the current fiscal year and upon final repayment of all Title XII advances from the  
14 Federal Unemployment Account received by the state beginning in December of 2008, any interest assessment funds received by the  
15 Department of Employment and Workforce Interest Assessment Fund pursuant to Section 41-33-810 of the 1976 Code shall be  
16 transferred to the Unemployment Compensation Fund.

17       **83.5.** (DEW: ~~UI Tax System Modernization~~ *REED Act Spending Authority*) The Department of Employment and Workforce is  
18 authorized to expend up to ~~\$2,230,756~~ *\$2,375,072* of funds made available to the State under Section 903 of the United States Social  
19 Security Act, as amended. The funds must be used under the direction of the Department of Employment and Workforce, for the  
20 purpose of ~~acquiring software, equipment, and necessary services to replace the agency's unemployment tax information system~~  
21 ~~with a modern technology solution~~ *funding of UI, WIOA, and Employment Services Programs*. No part of the funds herein authorized  
22 may be obligated after a two-year period beginning on July 1, ~~2022~~ *2023*. The amount obligated pursuant to this provision shall not  
23 at any time exceed the amount by which (a) the aggregate of amounts transferred to the accounts of the State pursuant to Section 903  
24 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for administration and  
25 paid out for benefits ~~and~~ *are* required by law to be charged against the amounts transferred to the account of this State.

26       **83.6.** (DEW: Employment Training Outcomes Data Sharing) The Workforce Innovation and Opportunity Act (WIOA) (P.L.  
27 113-128), requires integration of training and employment data for the purposes of improving assessment of employment outcomes  
28 for the various training providers eligible to receive funding appropriated or authorized by this act.

29       (A) The department must enter into a data-sharing agreement with eligible training providers (ETPs) prior to the ETP entering  
30 student data into the Palmetto Academic Training Hub (PATH). ETPs will submit data related to the types of training programs  
31 offered, individual student coursework, including personal identifying information (PII) to match training, employment data and  
32 performance outcomes, program completion and time to complete, and program costs, as outlined in federal guidance.

33       (B) State agencies needing data from the Department of Employment and Workforce must meet an exception permitting  
34 disclosure, pursuant to 20 C.F.R. Part 603. Prior to providing data to a state agency, the department must enter into a data sharing  
35 agreement with the requesting agency, as described in 20 C.F.R. Part 603. Requesting state agencies must identify a need in the  
36 administration of the official duties for department data, as required by 20 C.F.R. Part 603. The department shall charge state

1 agencies, excluding the Department of Commerce, for costs, as described in federal and state law, for the data sharing requests. The  
2 Department of Commerce shall not be charged for costs associated with this provision.

3 **83.7.** (DEW: GED Incentive Program) Unexpended funds for the GED Incentive Program at the Department of Employment  
4 and Workforce may be carried forward and expended for the same purposes in the current fiscal year. \$1,500,000 shall be utilized as  
5 an incentive for individuals ~~currently drawing unemployment benefits~~ to obtain their GED or high school diploma *with an additional*  
6 *incentive if they successfully complete a short-term occupational training provided by a South Carolina technical college.* In order  
7 to be eligible, the individual must ~~have an active claim from any of the state or federal unemployment insurance programs~~ and be a  
8 South Carolina resident who is at least nineteen years of age. The individual must certify to the department that they do not currently  
9 hold a GED or high school diploma from any state. They must also enroll in and complete the GED or high school diploma, *and, if*  
10 *applicable, short-term occupational training,* course work prior to June 1, ~~2023~~ *2024.* The Department of Employment and  
11 Workforce shall enter into a data-sharing agreement with the Department of Education *and the State Technical College System*  
12 to cross match eligibility to ensure that participants do not currently hold a GED or high school diploma and to confirm that the  
13 individual enrolled in and completed the diploma process to obtain the GED or high school diploma *along with enrollment in and*  
14 *completion of a short-term occupational training.* The Department of Employment and Workforce shall issue a one-time payment  
15 in the amount of \$500 to the individual upon confirmation from the Department of Education that the individual has successfully  
16 received the GED or diploma *and an additional \$500 to the individual upon confirmation from the State Technical College System*  
17 *that the individual also successfully completed qualifying occupational training.* These incentive payments shall be issued on a first  
18 come first served basis based on completion date, until the funds from this program have been exhausted. Funds allocated for this  
19 incentive program shall not be transferred or utilized for any other purpose.

## 20 SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

21  
22  
23 **84.1.** (DOT: Expenditure Authority Limitation) The Department of Transportation is hereby authorized to expend all cash  
24 balances, unexpended general funds, and unexpended proceeds from bond sales or loans accruing to the department brought forward  
25 from the previous year. The department is also authorized to expend for activities and projects to be reimbursed in part or whole  
26 from federal funds from the United States Department of Transportation or other agencies that were obligated, but not expended in  
27 a prior fiscal year; and all income for funding for contracted activities and projects funded by another entity not expended in a  
28 previous fiscal year. The Department of Transportation shall provide the Chairman of the Senate Finance Committee, Chairman of  
29 the House Ways and Means Committee, and the Executive Budget Office a listing of cash balances; unexpended general funds;  
30 unexpended proceeds from bond sales or loans accruing to the department; activities and projects funded from previously obligated  
31 federal funds not expended in the previous fiscal year; income from contracted activities and projects not expended in the prior fiscal  
32 year; and federal funds or other sources approved during the current fiscal year. The Executive Budget Office shall establish  
33 expenditure authorization adjustments, pursuant to the South Carolina Federal and Other Funds Oversight Act, upon review of the  
34 listing provided by the department.

- 1       **84.2.** (DOT: Special Fund Authorization) The Department of Transportation with the approval of the State Treasurer, is hereby  
2 authorized to set up with the State Treasurer such special funds out of the Department of Transportation funds as may be deemed  
3 advisable for proper accounting purposes.
- 4       **84.3.** (DOT: Secure Bonds & Insurance) The Department of Transportation is hereby authorized to secure bonds and insurance  
5 covering such activities of the department as may be deemed proper and advisable, due consideration being given to the security  
6 offered and the service of claims.
- 7       **84.4.** (DOT: Benefits) Employees of the Department of Transportation shall receive equal compensation increases, health  
8 insurance benefits and employee bonuses provided in this act for employees of the State generally. The amount will be funded from  
9 Department of Transportation funding sources.
- 10       **84.5.** (DOT: Document Fees) The Department of Transportation is hereby authorized to establish an appropriate schedule of  
11 fees to be charged for copies of records, lists, bidder's proposals, plans, maps, etc. based upon approximate actual costs and handling  
12 costs of producing such copies, lists, bidder's proposals, plans, maps, etc.
- 13       **84.6.** (DOT: Meals in Emergency Operations) In the event a State of Emergency is declared by the Governor or in the event of  
14 a situation requiring the use of the Secretary of Transportation's authorities under Section 57-5-1620 of the 1976 Code, the  
15 Department of Transportation may provide meals to employees who are not permitted to leave assigned duty stations to include  
16 deployment and emergency simulation exercises.
- 17       **84.7.** (DOT: Rest Area Water Rates) For the current fiscal year, rest areas of the Department of Transportation shall be charged  
18 in-district water rates by providers of water and sewer services, unless the rate currently charged by the provider is less than in-district  
19 rates.
- 20       **84.8.** (DOT: Shop Road Farmers Market Bypass Carry Forward) Unexpended funds appropriated for the Shop Road Farmers  
21 Market Bypass may be carried forward into the current fiscal year and expended for the matching requirement for the widening and  
22 expansion of Leesburg Road from Fairmont to Wildcat Road (Lower Richland roads-Phase I).
- 23       **84.9.** (DOT: Project Priority List) From the funds appropriated to the department, the Department of Transportation Commission  
24 project priority lists, as required under Act 114 of 2007, shall be published in a conspicuous place on the department's website in a  
25 manner easily accessible to the public. The priority lists shall be accompanied by the associated engineering directives explaining  
26 the ranking process and methodology for applying the commission approved criteria.
- 27       **84.10.** (DOT: General Fund Balance Carry Forward) ~~The Department of Transportation may carry forward any unexpended~~  
28 ~~general fund balance from the prior fiscal year and expend those funds in the current fiscal year.~~
- 29       **84.11.** (DOT: Reimbursement for Vehicle Damage) Of the funds appropriated to the Department of Transportation, the  
30 department must develop direct internet access from the department's home page to any document or claim form that may be used  
31 by the public to seek reimbursement for vehicle damages caused by poor road conditions. The department must post a link to the  
32 documents or claim forms on the department's home page in a prominent, easily viewed location.
- 33       **84.12.** (DOT: Preventative Maintenance Credit) The Department of Transportation is authorized to transfer a portion of proceeds  
34 of the motor fuel user fee received from Section 12-28-310(D) to the Department of Revenue in order to satisfy the requirements of  
35 the preventive maintenance credit in Section 12-6-3780(B)(2).



1       **84.13.** (DOT: Emergency Meetings) The Department of Transportation Commission is authorized to use funds under this act in  
2 order to convene a meeting in cases of emergency as determined by the Secretary of Transportation when a natural disaster or other  
3 dire situation requires immediate action. Notice shall be given to the press and the public as soon as a decision is made to convene  
4 an emergency meeting. Only emergency matters may be considered in such a meeting. The meeting shall be open to the public, and  
5 may be conducted over a conference call if necessary.

6       **84.14.** (DOT: CTC Donor Bonus) The Department of Transportation is authorized, in order to meet the requirements of Act 40  
7 of 2017, to transfer a portion of the proceeds of the motor fuel user fee received from Section 12-28-310(D) of the 1976 Code to  
8 satisfy the donor bonus for County Transportation Committees in Section 12-28-2740(H).

9       **84.15.** (DOT: Compensatory Payment) In the event a State of Emergency is declared by the Governor or in the event of a situation  
10 requiring the use of the Secretary of Transportation’s authorities under Section 57-5-1620 of the 1976 Code, exempt employees of  
11 the Department of Transportation may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of  
12 the Secretary of Transportation, and providing funds are available.

13       **84.16.** (DOT: Non-Federal Aid Highway Fund) Funds deposited in the Non-Federal Aid Highway Fund established in Act 176  
14 of 2005 may be used for repairs, maintenance, and improvements to the existing transportation system.

15  
16 **SECTION 85 - U150 - INFRASTRUCTURE BANK BOARD**

17  
18       **85.1.** (IBB: Board Meeting Coverage) Of the funds authorized for the State Transportation Infrastructure Bank Board, the bank  
19 must provide live-streamed coverage of all board meetings to ensure transparency and access for the public. The board meetings  
20 shall be recorded and archived and made available on the South Carolina Transportation Infrastructure Bank’s website.

21  
22 **SECTION 86 - U200 - COUNTY TRANSPORTATION FUNDS**

23  
24       **86.1.** (CTC: Increased Funding) The requirement of Section 13 of Act 40 of 2017 for increased funding to the County  
25 Transportation Committees shall come from the proceeds of Section 12-28-310(D), and shall be used exclusively for repairs,  
26 maintenance, and improvements to the state highway system.

27       **86.2.** (CTC: Expenditure Authority Limitation) County Transportation Funds are authorized to expend all cash balances brought  
28 forward from the previous fiscal year. A listing of cash balances shall be provided to the Chairman of the Senate Finance Committee,  
29 the Chairman of the House Ways and Means Committee, and the Executive Budget Office. The Executive Budget Office shall  
30 establish expenditure authorization adjustments, pursuant to the South Carolina Federal and Other Funds Oversight Act, upon review  
31 of the listing provided.

32

1    **SECTION 87 - U300 - DIVISION OF AERONAUTICS**

2  
3    **87.1.** (AERO: Reimbursement for Services Carry Forward) The Division of Aeronautics may retain and expend reimbursements  
4 derived from charges to other government agencies for service and supplies for operating purposes and that a reserve not to exceed  
5 \$300,000 may be carried forward to the current fiscal year for the replacement of time limit aircraft components.

6    **87.2.** (AERO: Office Space Rental) Revenue received from rental of Division of Aeronautics office space may be retained and  
7 expended to cover the cost of building operations.

8    **87.3.** (AERO: Funding Sequence) All General Aviation Airports will receive funding prior to the six air carrier airports (i.e.  
9 Columbia, Charleston, Florence, Hilton Head Island, Greenville-Spartanburg, and Myrtle Beach International) as these qualify for  
10 special funding under the DOT/FAA appropriations based on enplanements in South Carolina.

11    **87.4.** (AERO: Hangar/Parking Facilities) The Division of Aeronautics will provide hangar/parking facilities for government  
12 owned and/or operated aircraft on a first come basis. Funds shall be retained by the division for the purpose of hangar and parking  
13 facility maintenance. The Hangar Fee Schedule shall be determined by the division and shall not exceed local average market rates.

14    Personnel from the agencies owning and/or operating aircraft will be responsible for ground movement of their aircraft.

15    **87.5.** (AERO: Aviation Grants) The funds appropriated for Aviation Grants, in this bill or any bill supplemental thereto, shall  
16 be credited to the State Aviation Fund within the Division of Aeronautics for the following purposes:

17    (1) to allow the maximization of grant funds available through the Federal Aviation Administration for capital improvement  
18 projects;

19    (2) for maintenance projects of general aviation airports; and or

20    (3) for aviation education related programs including, but not limited to, educating young people about careers in the aviation  
21 industry and/or the promotion of aviation in general.

22    Sponsors of publicly owned airports for public use are eligible to receive grants pursuant to this provision, but the airport must  
23 have a current development plan that meets the planning requirements of the National Plan of Integrated Airports Systems.

24    The Aeronautics Commission shall promulgate regulations establishing the grants program that, at a minimum, address: (1)  
25 priorities among improvements qualifying for grants; (2) an airport selection process to ensure an equitable distribution of funds  
26 among eligible airports; and (3) the criteria for distribution of funds among eligible airports.

27    Enabling airport sponsors to meet basic Federal Aviation Administration safety guidelines for obstruction clearance must be a  
28 major factor in the priority guidelines established by the Aeronautics Commission pursuant to this provision. The Commission also  
29 shall have discretion consistent with Section 55-5-170 of the 1976 Code to establish a program to grant Aviation Fund dollars for  
30 these purposes at the ratio of eighty percent from the fund to twenty percent from the local airport sponsor, or any ratio with a smaller  
31 relative contribution from the fund.

32    A report on the expenditure of these funds shall be submitted to the Senate Finance Committee and the House Ways and Means  
33 Committee.

34    Unspent funds from the prior fiscal year may be carried forward to the current fiscal year and spent for like purposes.

35    **87.6.** (AERO: Asset Procurement Flexibility) The Division of Aeronautics is authorized, upon approval by the Aeronautics  
36 Commission, to acquire aircraft and assets for state service through purchase projects including, but not limited to, the Department

1 of Defense Surplus Equipment Programs and the Federal Asset Transfer Program as long as the assets can be used to meet the typical  
2 mission requirements of the Division's operations. Aeronautics may participate in the Federal Asset Transfer program to secure  
3 aircraft for use in official state business by utilizing appropriated general funds, not to exceed \$50,000, and after the South Carolina  
4 Aeronautics Commission has provided the approval.

5  
6 **SECTION 88 - Y140 - STATE PORTS AUTHORITY**  
7

8 **88.1.** (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund  
9 surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, ~~2022~~ 2023, pay  
10 to the State Transportation Infrastructure Bank one million dollars before June 30, ~~2023~~ 2024, to continue the Charleston Cooper  
11 River Bridge Project.

12 **88.2.** (SPA: Harbor Deepening Reserve Fund) The State Ports Authority shall maintain the Harbor Deepening Reserve Fund.  
13 This fund shall be separate and distinct from the General Fund and interest accrued by the fund must remain in the fund. This fund  
14 must be used exclusively by the South Carolina Ports Authority for the activities associated with deepening the state's harbors. Prior  
15 to expending any amount from the fund, the State Ports Authority must present a comprehensive plan for the use of the fund for  
16 harbor deepening to the Joint Bond Review Committee for review and comment. These funds shall be carried forward from the prior  
17 fiscal year into the current fiscal year and must be used for the same purpose.

18 **88.3.** (SPA: Jasper Ocean Terminal) There is created within the State Ports Authority the Jasper Ocean Terminal Port Facility  
19 Permitting and Infrastructure Fund. The State Ports Authority shall maintain the Jasper Ocean Terminal Port Facility Permitting and  
20 Infrastructure Fund and the \$3,125,000 in state funds previously appropriated to the State Ports Authority for use in connection with  
21 the proposed Jasper Ocean Terminal Port shall be deposited into this account. This fund shall be separate and distinct from the  
22 General Fund and interest accrued by the fund must remain in the fund. This fund must be used exclusively by the State Ports  
23 Authority for permitting and capital infrastructure expenditures supporting the development of the Jasper Ocean Terminal Port  
24 facility, including, but not limited to, any and all permits and matters associated therewith that are required by the United States  
25 Army Corps of Engineers in order to develop the Jasper Ocean Terminal Port, roads, utilities, dredge disposal areas, and acquisition  
26 of property and property rights (such as easements, rights-of-way, and licenses) and any other matter reasonably related to the  
27 authorization and development of the Jasper Ocean Terminal Port. In regard to the permits and other activities associated with the  
28 Corps of Engineers, the State Ports Authority must ensure that the legal posture of the permitting is at all times such that the Jasper  
29 Ocean Terminal Port is qualified to be considered an alternative by the Corps of Engineers in connection with its consideration of  
30 any other permits for ports-related activity in the Savannah River, including, without limitation, any attempt to permit the  
31 development of port-related facilities on Hutchinson Island. These funds must be expended by the State Ports Authority for the  
32 stated purpose within the current fiscal year. The State Ports Authority is directed to take action against the Georgia Ports Authority  
33 in accordance with the Joint Venture Agreement between the parties dated December 2015, in the event the Georgia Ports Authority  
34 fails to expend funds in furtherance of that joint venture that are equal to the funds expended by the State Ports Authority, such action  
35 to include, without limitation, invocation of the mediation provisions of the Joint Venture Agreement. In the event of an assignment  
36 by the State Ports Authority of its interest in the Jasper Ocean Terminal Project to Jasper County that is consented to by the Georgia

1 Ports Authority, the funds appropriated pursuant to this provision shall be transferred by the State Ports Authority to the Department  
2 of Administration, for subsequent disbursement by the department for the purposes set forth herein, upon applications for such made  
3 by Jasper County, and Jasper County shall assume all of the State Ports Authority's obligations hereunder.

4 **88.4.** (SPA: Transfer of Port of Georgetown) The South Carolina State Ports Authority will transfer the Port of Georgetown real  
5 property, including buildings, fixtures, and certain equipment, to the County of Georgetown in "as-is" condition including, but not  
6 limited to, any appurtenances and the assumption of any existing leases through a quit-claim deed no later than June 30, 2023. Any  
7 and all funds in the Georgetown Port Maintenance Dredging Fund shall be transferred to the South Carolina State Ports Authority in  
8 full consideration for such transfer, which is deemed to be just and fair compensation. Only the approval of the Georgetown County  
9 Council and the South Carolina State Ports Authority Board of Directors is required for this transaction, and such approval shall  
10 satisfy the fiduciary duties of each approving body related to this transfer.

11 **88.5.** (SPA: Road Closures Related to Navy Base Intermodal Facility) The State Ports Authority is authorized to close any street  
12 or road on or in the vicinity of the former Charleston Navy Base to the extent necessary to implement the Navy Base Intermodal  
13 Facility. Such closure shall not deny access to any property owners abutting the closed section of the street or road, or in the event  
14 access is denied, alternate access shall be provided.

15 **88.6.** (SPA: Distribution Facility) The Navy Base Intermodal Facility owned by the State Ports Authority shall be considered a  
16 distribution facility for the purpose of sales tax exemptions associated with the purchase of equipment and construction materials.

17 **88.7.** (SPA: Transfer of Funds to Georgetown County) Funds appropriated in Act 298 of 2014 to the State Ports Authority for  
18 Georgetown Port Dredging shall be transferred to Georgetown County. Of the funds transferred, the county may use up to  
19 \$1,500,000 for the purchase of excess port property within the county and shall use the balance of the funds for development of  
20 county property previously owned by the State Ports Authority.

## 21 SECTION 91 - A990 - LEGISLATIVE DEPARTMENT

22  
23  
24 **91.1.** (LEG: Legislative Employee Designations) The positions included in this section designated (P) shall denote a permanent  
25 employee and the salary is an annual rate. The positions designated (T) shall denote a temporary employee and the salary is for a  
26 period of six months to be paid at that rate only while the General Assembly is in session. The positions designated as (Interim) shall  
27 denote a temporary employee and the salary is for a period of six months to be paid at that rate while the General Assembly is not in  
28 session. The positions designated (PTT) shall denote part-time temporary employees on a twelve-months basis. The positions  
29 designated (PPT) shall denote permanent part-time employees retained for full-time work for a period of months or the duration of  
30 the legislative session.

31 **91.2.** (LEG: Legislative Employee BPI/Merit) Legislative employees designated (P) or (PPT) shall receive base pay and average  
32 merit pay in the same manner as such pay is granted to classified state employees, but for purposes of this paragraph, the term  
33 "legislative employees" does not include employees of the House of Representatives. From the funds appropriated for Employee  
34 Pay Increases, the Speaker of the House and the President of the Senate shall determine the amount necessary for compensation of  
35 the employees of the House and Senate.

1       **91.3.** (LEG: Interim Expenses Allowance) The Chairman of the Standing House and Senate Committees shall each be allowed  
2 the sum of six hundred and fifty dollars for expenses during the interim, between sessions of the General Assembly, to be paid from  
3 the House or Senate approved accounts, with each body paying the expense allowance of the chairman in its membership. The  
4 Speaker of the House is authorized to approve not more than six hundred and fifty dollars for expenses during the interim for  
5 Chairmen of the Standing Committees of the House.

6       **91.4.** (LEG: Subsistence/Travel Regulations) (A) Members of the General Assembly shall receive subsistence for each  
7 legislative day that the respective body is in session and in any other instance in which a member is allowed subsistence expense.  
8 No member of the General Assembly except those present are eligible for subsistence on that day. Legislative day is defined as those  
9 days commencing on the regular annual convening day of the General Assembly and continuing through the day of adjournment sine  
10 die, excluding Friday, Saturday, Sunday, and Monday.

11       (B) Standing Committees of the Senate and House of Representatives are authorized to continue work during the interim;  
12 however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced  
13 approval by the President of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the  
14 members of the General Assembly shall not be paid the per diem authorized in this provision. When certified by the Speaker of the  
15 House, President of the Senate, or Standing Committee Chairman, the members serving on such committees shall receive a  
16 subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards,  
17 commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for  
18 lodging and meals in lieu of the allowable subsistence expense. The funds for allowances specified in this proviso shall be paid to  
19 the members of the Senate or House of Representatives from the Approved Accounts of the respective body except as otherwise may  
20 be provided.

21       (C) Joint Study Committees created pursuant to Acts and Resolutions of the General Assembly are authorized to continue work  
22 during the interim to secure such information and complete such investigations as may be assigned to the respective committees;  
23 however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced  
24 approval by the President of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the  
25 House and Senate members of the Joint Study Committee shall not be paid the per diem authorized in this provision. When certified  
26 by the appropriate authority, the members appointed to such committees shall receive a subsistence and mileage at the rate provided  
27 for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending  
28 scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable  
29 subsistence expense. The allowances specified in this proviso shall be paid from funds appropriated to the respective committees  
30 for such purposes, or from Approved Accounts of the respective body of the General Assembly if no funds have been appropriated  
31 to such a committee for these purposes.

32       (D) Members of the Senate and the House of Representatives when traveling on official State business shall be allowed a  
33 subsistence and transportation expenses as provided for by law, and the regular per diem established in this act for members of  
34 boards, commissions, and committees upon approval of the appropriate chairman. When traveling on official business of the Senate  
35 or the House of Representatives not directly associated with a committee of the General Assembly, members shall be paid the same  
36 allowance upon approval of the President of the Senate or the Speaker of the House of Representatives. In either instance, the

1 members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds  
2 for the allowances specified in this proviso shall be paid from the Approved Accounts of the Senate or the House of Representatives  
3 or from the appropriate account of the agency, board, commission, task force or committee upon which the member serves.

4 (E) Members of the House of Representatives shall not be reimbursed for per diem, subsistence, or travel in connection with any  
5 function held outside of the regular session of the General Assembly unless prior approval has been received from the Speaker of the  
6 House.

7 (F) Notwithstanding any other provision of law, subsistence and mileage reimbursement for members of the General Assembly  
8 shall be the level authorized by the Internal Revenue Service for the Columbia area. Provided, in calculating the subsistence  
9 reimbursement for members of the General Assembly the reimbursement rate for the lodging component shall be the average daily  
10 rate for hotels in the Columbia Downtown area as defined by the Columbia Metro Convention and Visitor's Bureau for the preceding  
11 fiscal year.

12 **91.5.** (LEG: Senate Voucher Approval) All payroll vouchers, disbursement vouchers, and interdepartmental transfers of the  
13 Senate shall only require the approval of the Clerk of the Senate.

14 **91.6.** (LEG: Supplies Approval) All supplies for the Senate shall be purchased only upon the authority of the Clerk of the Senate  
15 and all supplies for the House of Representatives shall be purchased only upon the authority of the Clerk of the House.

16 **91.7.** (LEG: House Pages) Up to one hundred forty-four Pages may be appointed pursuant to House policies and procedures and  
17 they shall be available for any necessary service to the House of Representatives.

18 **91.8.** (LEG: Senate Research Personnel Compensation) Senate Research personnel other than Directors of Research and the  
19 committee research staff shall be paid from funds appropriated for Senate Research at the direction of the Clerk of the Senate.

20 **91.9.** (LEG: Contract for Services) The Standing Committees of the Senate may, upon approval of the President of the Senate,  
21 contract with state agencies and other entities for such projects, programs, and services as may be necessary to the work of the  
22 respective committees. Any such projects, programs, or services shall be paid from funds appropriated for contractual services.

23 **91.10.** (LEG: Jt. Leg. Committee Operational Authorization) Only the Joint Legislative Committees for which funding is provided  
24 herein are authorized to continue operating during the current fiscal year under the same laws, resolutions, rules or regulations which  
25 provided for their operations during the prior fiscal year.

26 **91.11.** (LEG: Legislative Carry Forward) In addition to the funds appropriated in this section, the funds appropriated under Part  
27 IA, Sections 91A, 91B, 91C, 91D, and 91E for the prior fiscal year which are not expended during that fiscal year may be carried  
28 forward to be expended for the same purposes in the current fiscal year.

29 **91.12.** (LEG: Senate Expenditures/O&M Committee) Notwithstanding any limitation or other provisions of law to the contrary,  
30 funds expended by the Senate for salary adjustments, professional fees and dues, and necessary expenses, supplies, and equipment  
31 for Senate employees, must be paid from funds appropriated to the Senate Operations and Management Committee and funds  
32 available in approved accounts of the Senate, and shall be authorized and allocated in such manner as determined by the Senate  
33 Operations and Management Committee. From the funds annually allocated to each Senator and Representative for postage and  
34 telephone, \$250 may be used to purchase American and State flags.

35 **91.13.** (LEG: In-District Compensation) All members of the General Assembly shall receive an in-district compensation of \$1,000  
36 per month.

1     **91.14.** (LEG: Additional House Support Personnel) The House Operations and Management Committee shall determine  
2 procedures and policies for the administration and operation of the Legislative Aide program and the House Operations and  
3 Management Committee shall manage the program. Appropriations to the House of Representatives in Part IA shall fund the  
4 program.

5     **91.15.** (LEG: House Postage) The Speaker of the House is authorized to approve no more than \$1,200 per member per fiscal year  
6 for postage.

7     **91.16.** (LEG: Legislative Dual Employment) Each committee and joint legislative committee provide a list to the members of the  
8 General Assembly of all employees who hold dual positions of state employment.

9     **91.17.** (LEG: Code of Law Reimbursement) The Legislative Council may require reimbursement from public sector recipients  
10 except for the General Assembly of its cost of acquiring codes of law, supplements, or replacement volumes distributed to them.

11     **91.18.** (LEG: Statewide Acts Availability) From the funds appropriated in Part IA, Section 91D of this act, for the current fiscal  
12 year the clerks of the House of Representatives and the Senate are to make all statewide Acts available to the public electronically.  
13 The provisions of this section are in lieu of the House and Senate Clerks' duties related to the printing and mailing of acts as set forth  
14 in Sections 2-13-190, 2-13-210, and 11-25-640 through 11-25-680 of the 1976 Code.

15     **91.19.** (LEG: LAC Matching Federal Funds) The Legislative Audit Council is authorized to use funds appropriated in this act as  
16 state matching funds for federal funds available for audits and reviews. The council is also authorized to charge state agencies for  
17 federal funds, if available, for the costs associated with audits and reviews. Agencies shall remit the federal funds to the Legislative  
18 Audit Council as reimbursement for the costs of audits and reviews.

19     **91.20.** (LEG: DMV Audit Review) For the current fiscal year, the provisions of Section 56-1-5(F) are suspended. Any savings  
20 generated by not conducting the review shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

21     **91.21.** (LEG: Electronic Correspondence) For the current fiscal year, the House of Representatives may not expend any funds for  
22 the printing or mailing of bills, summaries, committee agendas, etc. to committee members. The House of Representatives shall  
23 send all relevant information concerning committee meetings to committee members via electronic means.

24     **91.22.** (LEG: Technology Panel) Of the funds appropriated in the Department of Education's program VIII.D. for Technology  
25 the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House  
26 Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state's efforts to  
27 facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless  
28 of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and  
29 utilization of technological and online resources to support student development and achievement, the development and utilization  
30 of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational  
31 technology related activities engaged in by the partnership. Further, the report must detail information on the expenditure of the  
32 K-12 Technology funds by each district as well as a list of the districts requesting flexibility in the use of those funds. The report  
33 shall be submitted no later than June first of the current fiscal year.

34     **91.23.** (LEG: Legislative Department Applicability) For purposes of this act and any other provision of law that would have any  
35 effect on the expenditure of state revenue through the applicability of the particular provision or through compliance with a mandate

1 or requirement of the provision, the terms “state agency” or “agency” do not include any component of the Legislative Department  
2 unless the provision of law specifically includes these entities and the inclusion only applies for purposes of the particular provision.

3 **91.24.** (LEG: Requested Information) The departments, bureaus, officers, commissions, institutions, and other agencies or  
4 undertakings of the State, upon request, shall immediately furnish to President of the Senate or the Speaker of the House of  
5 Representatives in such form as he may require, any information requested in relation to their respective affairs or activities.

6 **91.25.** (LEG: Lawsuit Intervention by Legislature) The President of the Senate, on behalf of the Senate, and the Speaker of the  
7 House of Representatives, on behalf of the House of Representatives have an unconditional right to intervene on behalf of their  
8 respective bodies in a state court action and may provide evidence or argument, written or oral, if a party to that court action  
9 challenges:

- 10 (a) the constitutionality of a state statute;  
11 (b) the validity of legislation; or  
12 (c) any action of the Legislature.

13 In a federal court action that challenges the constitutionality of a state statute, the validity of legislation, or any action of the  
14 Legislature, the Legislature may seek to intervene, to file an amicus brief, or to present argument in accordance with federal rules of  
15 procedure.

16 Intervention by the Legislature pursuant to this provision does not limit the duty of the Attorney General to appear and prosecute  
17 legal actions or defend state agencies, officers or employees as otherwise provided.

18 In any action in which the Legislature intervenes or participates, the Senate and the House of Representatives shall function  
19 independently from each other in the representation of their respective clients.

20 The Attorney General shall notify the President of the Senate and the Speaker of the House of Representatives of a claim that  
21 challenges the constitutionality of a state statute, the validity of legislation, or any action of the Legislature.  
22

## 23 SECTION 92 - D210 - OFFICE OF GOVERNOR

24  
25 **92.1.** (GOV: Governor’s Office Budget) All other provisions of law notwithstanding, the Executive Control of State section and  
26 Mansion and Grounds section shall be treated as a single budget section for the purpose of transfers and budget reconciliation.

27 **92.2.** (GOV: Mansion and Grounds Budget) The Governor’s Office of Mansion and Grounds shall not exceed ten percent of its  
28 quarterly allocation of funds so as to provide for agency operations on a uniform basis throughout the fiscal year.

29 **92.3.** (GOV: Mansion and Grounds Maintenance and Complex Facilities) Revenue collected from rental of Mansion Complex  
30 facilities and grounds must be retained and expended by the Governor’s Office, Mansion and Grounds to support its operations.  
31 Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and be utilized for the same purposes.

32 **92.4.** (GOV: Use of Funds Report) In order to ensure transparency and accountability, the Governor’s Office of Executive  
33 Control of State shall report quarterly to the Senate Finance Committee and House Ways and Means Committee on financial  
34 transactions that have taken place between Executive Control of State and Mansion and Grounds. These transactions shall include,  
35 but are not limited to, any transfer of funds or payments or reimbursements for services rendered. For each transfer, payment, or  
36 reimbursement the report must specify the amount, the reason for, or circumstance that necessitated the transaction, and the source



1 of funds used. In the event federal or other funds were utilized, the source from which the revenue was generated must also be  
2 included. The report must be submitted as soon after the end of each quarter as practicable.

3  
4 **SECTION 92D - D300 - OFFICE OF RESILIENCE**  
5

6 **92D.1.** (SCOR: Catastrophic Weather Event) Any improvements made to real property or personal property used as a residence,  
7 such as a mobile home or manufactured housing unit, damaged during the catastrophic weather event in October 2015, Hurricane  
8 Matthew of 2016, or Hurricane Florence of 2018, after the event and before June 30, ~~2023~~ 2024, is not considered an improvement  
9 and may not be reassessed at a higher rate as a result of the assistance provided. This provision only applies if as a result of the  
10 catastrophic weather event, the improvements made to the property were funded by the United States Department of Housing and  
11 Urban Development Block Grant - Disaster Recovery program implemented by the Office of Resilience, Disaster Recovery Office.  
12 This provision also applies if, at the discretion of the county and using qualifications determined by the county, the improvements  
13 were made with the assistance of a volunteer organization active in disaster, or a similar volunteer organization.

14 During the current fiscal year, the property tax value of an eligible property shall remain the same unless an assessable transfer of  
15 interest occurs. No refund is allowed on account of values adjusted as provided in this provision.

16 **92D.2.** (SCOR: Leave Balances) Any temporary grant employees transferred from the Department of Administration's Disaster  
17 Recovery Office to the Office of Resilience who become full time employees shall retain any leave accrued prior to the transfer.

18 **92D.3.** (SCOR: Carry Forward) The Office of Resilience shall be authorized to carry forward unexpended funds from the prior  
19 fiscal year into the current fiscal year and expend the funds for the same purposes.

20 **92D.4.** (SCOR: Risk Reduction Plan Extension) ~~The completion date for the Office of Resilience's Strategic Statewide Resilience~~  
21 ~~and Risk Reduction Plan, as set forth in Section 48-62-30(1) of the 1976 Code, shall be extended from July 1, 2022 to July 1, 2023.~~  
22

23 **SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION**  
24

25 **93.1.** (DOA: Developmental Disabilities Council) Of the funds appropriated to the Department of Administration, Office of  
26 Executive Policy and Programs, \$50,000 must be used as state match for the Developmental Disabilities Council federal grant. These  
27 funds shall be excluded from the Department of Administration's base budget calculation of any across-the-board agency base  
28 reductions mandated by the Executive Budget Office or General Assembly.

29 **93.2.** (DOA: Capital Complex & Mansion) Funds appropriated to the Department of Administration - for Capital Complex &  
30 Mansion must be set aside in a separate account for the operation and maintenance of the Capital Complex & Mansion. The  
31 department shall report annually to the State House Committee on the amount expended from this fund for the operation and  
32 maintenance of the State House.

33 **93.3.** (DOA: Compensation - Reporting of Supplemental Salaries) No supplement shall be paid to an agency's employee unless  
34 the agency head or designated official of the employing agency, or in the case of supplements paid to college and university  
35 presidents, their board of trustees, has approved the conditions and amount of salary supplement. Any compensation, excluding  
36 travel reimbursement, from an affiliated public charity, foundation, clinical faculty practice plan, or other public source or any

1 supplement from a private source to the salary appropriated for a state employee and fixed by the State must be reported by the  
2 employing agency to the Department of Administration. The report must include the employee's base salary, amount of the  
3 supplement, source of the supplement, and any condition of the supplement. The employing agency must report this information on  
4 or before August thirty-first of each year and must include the total amount and source of the salary supplement received by the  
5 employee during the preceding fiscal year (July first through June thirtieth). The Department of Administration shall formulate  
6 policies the reporting provisions of this proviso. Copies of the reports shall be made available to the Chairman of the Senate Finance  
7 Committee and the Chairman of the House Ways and Means Committee, upon request.

8 **93.4.** (DOA: Compensation Increase - Appropriated Funds Ratio) Appropriated funds may be used for compensation increases  
9 for classified and unclassified employees and agency heads only in the same ratio that the employee's base salary is paid from  
10 appropriated sources.

11 **93.5.** (DOA: Local Provider Health Insurance) The local health care providers of the Department of Disabilities and Special  
12 Needs shall be awarded funding increases as prescribed for state agencies to cover the employer's share for the cost of providing  
13 health and dental insurance to their employees.

14 **93.6.** (DOA: Military Service) Notwithstanding the provisions of Section 8-11-610 of the 1976 Code, a permanent full-time  
15 state employee who serves on active duty as a result of an emergency or conflict declared by the President of the United States, and  
16 performs such duty, may use up to forty-five days of accumulated annual leave and may use up to ninety days of accumulated sick  
17 leave in a calendar year as if it were annual leave.

18 **93.7.** (DOA: First Responder Interoperability) The Department of Administration is directed to administer and coordinate First  
19 Responder Interoperability operations for the statewide Palmetto 800 radio system to better coordinate public safety disaster  
20 responses and communications. First Responder Interoperability administration and coordination shall be funded as provided in this  
21 act. The cost-proportional funds shall be utilized for radio user fees of state agencies and public safety first responders (Fire, EMS  
22 and Law Enforcement) that participate in the statewide Palmetto 800 radio system (Palmetto 800 participants). The Department of  
23 Administration, in consultation with the State Law Enforcement Division, the Department of Public Safety, and the State Emergency  
24 Management Division, and a representative of the South Carolina Sheriff's Association, shall set a baseline number of radios used  
25 by each Palmetto 800 participant based on the technical aspects of the Palmetto 800 radio system and the jurisdictional requirements  
26 of the participant. If a Palmetto 800 participant reduces the baseline number of radios in use, the amount of funds allocated for the  
27 participant's radio user fees shall be reduced in a proportional amount. The funds shall also be utilized to provide private county and  
28 city radio systems with grant funds to be used for purchases of equipment that support interoperability with the statewide Palmetto  
29 800 radio system and its users. Grant funds shall be allocated to private county and city radio systems based on the criteria used for  
30 Palmetto 800 Participants and in amounts proportional to the amounts allocated to support the per-site radio user fees of Palmetto  
31 800 participants. A matching share is required by a Palmetto 800 participant or by a private county or city radio system in order to  
32 qualify for receipt of funds pursuant to this proviso. Each fiscal year the Department of Administration shall establish the level of  
33 match required based upon funding provided by this act. These entities shall be required to furnish such documentation as may be  
34 required by the department to verify that the matching funds requirement is met. Upon funding state agency and public safety first  
35 responder user fees and private county and city equipment purchases, any remaining funds may be used to enhance and expand the  
36 statewide Palmetto 800 radio system. All funds shall be held in a separate account established by the department for the purposes

1 set forth herein. Any unexpended portion of these funds may be carried forward and used for the same purpose. In the calculation  
2 of any across-the-board budget reduction mandated by the Executive Budget Office or General Assembly, the amount appropriated  
3 to the Department of Administration for First Responder Interoperability must be excluded from the department's base budget.

4 The Department of Administration shall provide a report on the status of the integration of the statewide Palmetto 800 radio system  
5 which shall include, but not be limited to, a list of entities who are not integrated into the system as of the end of the immediately  
6 preceding fiscal year and the reason why they are not integrated. The report shall be submitted by October first, of the current fiscal  
7 year to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

8 **93.8.** (DOA: Sale of Surplus Real Property) Up to fifty percent of the proceeds, net of selling expenses, from the sale of surplus  
9 real properties shall be retained by the Department of Administration and used for the deferred maintenance of state-owned buildings.  
10 The remaining fifty percent of the net proceeds shall be returned to the agency that the property is owned by, under the control of, or  
11 assigned to and shall be used by that agency for nonrecurring purposes. This provision applies to all state agencies and departments  
12 except: institutions of higher learning; the Public Service Authority; the Ports Authority; the MUSC Hospital Authority; the Myrtle  
13 Beach Air Force Redevelopment Authority; the Department of Transportation; the Columbia State Farmers Market; the Department  
14 of Agriculture's Columbia Metrology Lab building and property; the Charleston Naval Complex Redevelopment Authority; the  
15 Department of Commerce's Division of Public Railways; the Midlands Technical College Enterprise Campus Authority; the Trident  
16 Technical College Enterprise Campus Authority; the Commissioners residence at the Department of Corrections and the Educational  
17 Television Commission's Key Road property.

18 The Educational Television Commission shall be authorized to retain the net proceeds from the sale of its property on Key Road,  
19 and such proceeds may be used for the renovation of the ETV Telecommunications Center and other maintenance and operating  
20 expenses. If it is determined that sufficient net proceeds are not to be derived from the sale of its property on Key Road to cover the  
21 cost of all renovations of the Telecommunications Center, the property on Key Road shall not be sold. Any proposed sale hereunder  
22 shall, prior to said sale, be submitted to the Department of Administration for approval as being in compliance with the requirements  
23 of this subsection.

24 The Department of Corrections shall be authorized to retain the net proceeds from the sale of the residence provided for the  
25 Commissioner of the Department of Corrections and use such proceeds for deferred maintenance needs at the Department of  
26 Corrections.

27 The Forestry Commission shall be authorized to retain the net proceeds from the sale of surplus land for use in firefighting  
28 operations and replacement of firefighting equipment.

29 The Department of Natural Resources shall be authorized to retain the net proceeds from the sale of existing offices originally  
30 purchased with a federal grant or with restricted revenue from hunting and fishing license sales for the improvement, consolidation,  
31 and/or establishment of regional offices and related facilities.

32 The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of  
33 Natural Resources, and the Forestry Commission shall annually submit a report, within sixty days after the close of the fiscal year,  
34 to the Senate Finance Committee and the House Ways and Means Committee on the status of the sale of the identified property and  
35 a detailed accounting on the expenditure of funds resulting from such sale.

1 This provision is comprehensive and supersedes any conflicting provisions concerning disposition of state-owned real property  
2 whether in permanent law, temporary law or by provision elsewhere in this act.

3 Any unused portion of these funds may be carried forward into succeeding fiscal years and used for the same purposes.

4 **93.9.** (DOA: Cyber Security) All state agencies must adopt and implement cyber security policies, guidelines and standards  
5 developed by the Department of Administration. The department may conduct audits on state agencies except public institutions of  
6 higher learning, technical colleges, political subdivisions, and quasi-governmental bodies as necessary to monitor compliance with  
7 established cyber security policies, guidelines and standards. Upon request, public institutions of higher learning, technical colleges,  
8 political subdivisions, and quasi-governmental bodies shall submit sufficient evidence that their cyber security policies, guidelines  
9 and standards meet or exceed those adopted and implemented by the department. In addition, while agencies retain the primary  
10 responsibility and accountability for ensuring responses to breach incidents comply with federal and state laws, the department shall  
11 be informed of all agency cyber security breaches, and is authorized to oversee incident responses in a manner determined by the  
12 department to be the most prudent. Upon request of the Department of Administration for information or data, all agencies must  
13 fully cooperate with and furnish the department with all documents, reports, assessments, and any other data and documentary  
14 information needed by the department to perform its mission and to exercise its functions, powers, and duties. The Judicial and  
15 Legislative Branches are specifically exempt from the requirements set forth herein.

16 **93.10.** (DOA: Holidays) When a legal holiday specified in Section 53-5-10 of the 1976 Code falls on Sunday, the following  
17 Monday and when a holiday specified in that section falls on Saturday, the preceding Friday next preceding is deemed a public  
18 holiday for all of the purposes. If either the following Monday or the preceding Friday is also a legal holiday, then the State Human  
19 Resources Director will designate the day upon which the legal holiday will be observed by state employees. To insure that no more  
20 than the legal holidays specified in Section 53-5-10 are observed in the calendar year, a New Year's Day that falls on Saturday must  
21 be observed on the following Monday. All bills of exchange, checks, and promissory notes which would otherwise be presentable  
22 for acceptance or payment on a Monday or Friday observed as a holiday pursuant to this section are deemed presentable for  
23 acceptance or payment on the secular or business day succeeding the holiday.

24 **93.11.** (DOA: Nuclear Advisory Council) The Office of Regulatory Staff shall reimburse the Department of Administration for  
25 travel expenses associated with the Governor's Nuclear Advisory Council from the SC Energy Office's radioactive waste funds.

26 **93.12.** (DOA: QECB Allocation) From the funds appropriated to the department, the director of the Department of Administration  
27 shall develop and implement a plan to utilize the state's remaining Qualified Energy Conservation Bond allocation to fund energy  
28 conservation projects on state-owned buildings and other eligible capital expenditures that benefit state agencies.

29 **93.13.** (DOA: Federal/Other Fund Authorization Adjustments) The Executive Budget Office is authorized to approve agency  
30 requests for federal and other fund authorization adjustments. Requests will be approved and reported by the Executive Budget  
31 Office pursuant to Chapter 65, Title 2, the "South Carolina Federal and Other Funds Oversight Act".  
32

1     **SECTION 94 - D250 - OFFICE OF INSPECTOR GENERAL**  
2

3     **94.1.** (OIG: Coordination with State Auditor) The State Inspector General will prepare an annual report to the Chairmen of the  
4 House Ways and Means Committee and the Senate Finance Committee and the Governor detailing all written referrals of fraud,  
5 waste, and abuse from the State Auditor and all corresponding actions taken by the State Inspector General.

6     **94.2.** (OIG: Carry Forward) The funds appropriated to the Office of Inspector General may be carried forward from the prior  
7 fiscal year and expended in the current fiscal year to secure legal services, forensic auditing, staff training, and other services to  
8 ensure the office can conduct investigations as needed.  
9

10    **SECTION 96 - E080 - OFFICE OF SECRETARY OF STATE**  
11

12    **96.1.** (SS: UCC Filing Fees) Revenues from the fees raised pursuant to Section 36-9-525(a), not to exceed \$180,000, may be  
13 retained by the Secretary of State for purposes of UCC administration.

14    **96.2.** (SS: Charitable Funds Act Disclosure Violations) The Secretary of State shall refer to the Attorney General for  
15 investigation under Section 33-56-145 of the Solicitation of Charitable Funds Act any person who is alleged to have violated the  
16 mandatory disclosure requirements of Section 33-56-90 of the Act, and who has been fined \$10,000 or more for those violations.

17    **96.3.** (SS: Charitable Funds Act Misrepresentation Violations) The Secretary of State shall refer to the Attorney General for  
18 investigation under Section 33-56-145 of the Solicitation of Charitable Funds Act any person who is alleged to have violated the  
19 misrepresentation provisions of Section 33-56-120 of the Act, and who has been fined \$10,000 or more for those violations.  
20

21    **SECTION 97 - E120 - OFFICE OF COMPTROLLER GENERAL**  
22

23    **97.1.** (CG: Signature Authorization) The Comptroller General is hereby authorized to designate certain employees to approve,  
24 in his stead, disbursement documents authorizing payment, and the State Treasurer is hereby authorized to accept such approved  
25 disbursement documents when notified by the Comptroller General. This provision shall in no way relieve the Comptroller General  
26 of responsibility.

27    **97.2.** (CG: GAAP Implementation & Refinement) It is the intent of the General Assembly that the State of South Carolina issue  
28 financial statements in conformance with Generally Accepted Accounting Principles (GAAP). To this end, the Comptroller General  
29 is directed, as the State Accounting Officer, to maintain an Enterprise Information System for State Government (SCEIS) that will  
30 result in proper authorization and control of agency expenditures, including payroll transactions, and in the preparation and issuance  
31 of the official financial reports for the State of South Carolina. Under the oversight of the General Assembly, the Comptroller  
32 General is given full power and authority to issue accounting policy directives to state agencies in order to comply with GAAP. The  
33 Comptroller General is also given full authority to conduct surveys, acquire consulting services, and implement new procedures  
34 required to implement fully changes required by GAAP.

35    **97.3.** (CG: Payroll Deduction Processing Fee) There shall be a fee for processing payroll deductions, not to exceed twenty-five  
36 cents, for insurance plans, credit unions, deferred compensation plans, benefit providers, and professional associations per deduction

1 per pay day. This fee shall not be applied to charitable deductions. Vendors and other third parties receiving payroll deductions  
2 shall bear the entire cost of this fee, at no cost to state employees. The revenues generated from these fees and those provided for  
3 child support deductions in accordance with Section 63-17-1460(C), South Carolina Code of Laws, 1976, as amended, may be used  
4 to support the operations of the Office of Comptroller General and any unexpended balance may be carried  
5 forward from the prior fiscal year to the current fiscal year and utilized for the same purposes.

6 **97.4.** (CG: Unemployment Compensation Fund Administration) \$200,000 of the fund balance of the Unemployment  
7 Compensation Fund shall be paid out annually to the Office of Comptroller General to be used by that agency to recover the costs of  
8 administering the fund. The Unemployment Compensation Fund is provided for in Section 41-31-820, South Carolina Code of  
9 Laws, 1976, as amended. Any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and  
10 used for the same purposes.

11 **97.5.** (CG: Purchasing Card Rebate Program) The Office of Comptroller General is authorized to retain the first \$100,000 of  
12 rebate associated with the Purchasing Card Program and \$200,000 of agency incentive rebates.

13 The funds retained may be used to support the operations of the Office of Comptroller General and any unexpended balance may  
14 be carried forward from the prior fiscal year into the current fiscal year and be utilized for the same purposes.

15 **97.6.** (CG: Annual Mapping Report) The Comptroller General shall provide to the Chairman of the House Ways and Means  
16 Committee and the Chairman of the Senate Finance Committee an implementation plan for creating and conducting an annual  
17 mapping report of funds for component units, also known as Audited Financial Statement Agencies or "Lump Sum" Agencies, by  
18 January 1, 2024. The plan shall include a detailed list of procedural steps for compiling the report, a determination of which steps  
19 will or will not be automated within SCEIS, which accounts will or will not be included, and any other relevant information required  
20 to conduct the report.

21 **97.7.** (CG: Comptroller General Account List) The Comptroller General shall provide a list of all accounts within SCEIS that  
22 have been created by the staff of the Comptroller General to the Chairman of the House Ways and Means Committee and the  
23 Chairman of the Senate Finance Committee. The list shall include whether the account is included in the compilation of the Annual  
24 Comprehensive Financial Report (ACFR) and an explanation for this condition.

## 25 SECTION 98 - E160 - OFFICE OF STATE TREASURER

26  
27  
28 **98.1.** (TREAS: Nat'l. Forest Fund - Local Govt. Compliance) In order to conform to federal requirements local governments  
29 receiving distributions of National Forest Fund revenues are required to report annually to the State Treasurer indicating compliance  
30 with authorized purposes.

31 **98.2.** (TREAS: STARS Approval) Decisions relating to the Statewide Accounting and Reporting System (STARS) and the  
32 South Carolina Enterprise Information System (SCEIS) which involve the State Treasurer's Banking Operations and other functions  
33 of the State Treasurer's Office shall require the approval of the State Treasurer.

34 **98.3.** (TREAS: Investments) The State Treasurer may pool funds from accounts for investment purposes and may invest all  
35 monies in the same types of investments as set forth in Section 11-9-660.

1     **98.4.** (TREAS: Management Fees) The State Treasurer is authorized to charge a fee for the operating and management costs  
2 associated with the Local Government Investment Pool, the Deferred Compensation Program, the Tuition Prepayment Program, and  
3 the College Investment Program and is further authorized to retain and expend the fees to provide these services. The fees  
4 assessed may not exceed the cost of the provision of such services.

5     **98.5.** (TREAS: Investment Management Fees) Unless otherwise prohibited by law, the State Treasurer may charge a fee for the  
6 operating and management costs associated with the investment management and support operations of various state funds and  
7 programs, and further, may retain and expend the fees to provide these services. The fees assessed may not exceed the actual cost  
8 of the provision of these services or the earnings on these investments.

9     **98.6.** (TREAS: Debt Management Cost Allocation) Unless otherwise prohibited by law, the State Treasurer may charge actual  
10 costs associated with the administration and management of the indebtedness of the State, its agencies and institutions, and further,  
11 may retain and expend any amounts so allocated to provide these services. Costs associated with the original issuance of bonds and  
12 other indebtedness must be assessed on an hourly basis, must be taken from the costs of issuance of any bond issue or other  
13 indebtedness, and must not exceed the actual cost of providing these services. Ongoing costs of administration and maintenance  
14 must be assessed against expenses of debt service, and must not exceed the actual costs of providing these services.

15     **98.7.** (TREAS: Withheld Accommodations Tax Revenues) Before noncompliant expenditures and penalties withheld pursuant  
16 to Sections 6-4-35(B)(1)(a) and (b) are reallocated, the Tourism Expenditure Review Committee must certify to the Office of State  
17 Treasurer that the time period for an appeal of the committee's action to the Administrative Law Court has expired or that the action  
18 of the committee has been upheld or overturned by the Administrative Law Court. Noncompliant expenditures and penalties withheld  
19 must be reallocated annually after August first. Allocations withheld must be reallocated proportionately based on the most recent  
20 completed fiscal year's total statewide collections of the accommodations tax revenue according to the Office of State Treasurer  
21 records. Each annual reallocation of withheld funds to non-offending counties and municipalities must be calculated separately  
22 then combined if necessary. Each reallocation to a county or municipality calculated less than a dollar must be transferred to the  
23 General Fund of the State.

24     **98.8.** (TREAS: Tuition Prepayment Program) The South Carolina Tuition Prepayment Program shall not accept any new  
25 enrollment in the current fiscal year. The annual increase in tuition for the purposes of the Tuition Prepayment Program, for an  
26 institution cannot exceed seven percent per year from the 2006-07 level. To the extent that actual tuition for an institution exceeds  
27 an annual growth of seven percent per year since Fiscal Year 2006-07, colleges and universities must grant a waiver of the difference  
28 to the designated beneficiary and shall not pass along this difference to any student.

29     **98.9.** (TREAS: Penalties for Non-reporting) If a municipality fails to submit the audited financial statements required under  
30 Section 14-1-208 of the 1976 Code to the State Treasurer within thirteen months of the end of their fiscal year, the State Treasurer  
31 must withhold all state payments to that municipality until the required audited financial statement is received.

32     If the State Treasurer receives an audit report from either a county or municipality that contains a significant finding related to  
33 court fine reports or remittances to the Office of State Treasurer, the requirements of Proviso 117.48 shall be followed if an amount  
34 due is specified, otherwise the State Treasurer shall withhold twenty-five percent of all state payments to the county or municipality  
35 until the estimated deficiency has been satisfied.

1 If a county or municipality is more than ninety days delinquent in remitting a monthly court fines report, the State Treasurer shall  
2 withhold twenty-five percent of state funding for that county or municipality until all monthly reports are current.

3 After ninety days, any funds held by the Office of State Treasurer will be made available to the State Auditor to conduct an audit  
4 of the entity for the purpose of determining an amount due to the Office of State Treasurer, if any.

5 ~~The penalty provisions in this proviso are suspended during Fiscal Year 2022-23 for municipalities. The State Treasurer is~~  
6 ~~authorized and directed to release all funds withheld from municipalities in the prior two fiscal years due to a municipality not~~  
7 ~~submitting the required audited financial statements or submitting financial information to the Revenue and Fiscal Affairs Office as~~  
8 ~~required by Section 6-1-50 of the 1976 Code.~~

9 **98.10.** (TREAS: Signature Authorization) The State Treasurer is hereby authorized to designate certain employees to sign  
10 payments for the current fiscal year in accordance with Section 11-5-140 of the 1976 Code to meet the ordinary expenses of the  
11 State. This provision shall in no way relieve the State Treasurer of responsibility.

12 **98.11.** (TREAS: Unclaimed Property) The State Treasurer may not expend funds to retain a third party, private sector auditor, or  
13 auditing firms to fulfill his duties pursuant to the South Carolina Uniform Unclaimed Property Act on a contingency basis or any  
14 basis other than an hourly basis, with the exception that the State Treasurer may join other state(s) in multi-state contingent fee  
15 auditors' examinations, not to include companies whose parent company is headquartered or incorporated in South Carolina, when  
16 there is a reason to believe that those companies being audited are holding funds belonging to South Carolina citizens. The Office  
17 of State Treasurer shall retain \$200,000 from the Unclaimed Property Program for the sole purpose of employing internal compliance  
18 auditors to enforce the Unclaimed Property Act.

19 **98.12.** (TREAS: Municipality Accommodations Tax Withholdings) If the State Treasurer is withholding accommodations tax  
20 revenue distributions to a municipality due to an expenditure the Tourism Expenditure Review Committee determined to be in  
21 noncompliance, then the municipality may refund an amount equivalent to the amount determined to be in noncompliance to the  
22 municipality's accommodations tax fund from the municipality's general fund. If the municipality certifies to the Tourism  
23 Expenditure Review Committee that the amount has been refunded, the State Treasurer shall refund the withheld funds to the  
24 municipality's general fund. The expenditure of funds refunded to the municipality's accommodations tax fund and any subsequent  
25 expenditures are subject to review by the Tourism Expenditure Review Committee. Prior to notification to the State Treasurer of  
26 noncompliance by a municipality, the Tourism Expenditure Review Committee must notify the municipality if an expenditure is  
27 found to be in noncompliance. If the committee informs the municipality of an expenditure determined to be in noncompliance and  
28 the municipality does not refund the noncompliant amount, the committee shall certify the noncompliance to the State Treasurer. If  
29 the committee determines an expenditure of any refunded amount to be in noncompliance, the municipality may not refund an  
30 equivalent amount in order to avoid future withholdings.

31 **98.13.** (TREAS: Investment Earnings and Interest) In accordance with the requirements of Section 11-13-125 of the 1976 Code,  
32 the State Treasurer shall remit earnings and interest from investments of general deposit funds into the General Fund of the State.  
33 Nothing in this provision shall be construed to limit the State Treasurer from incurring and paying fees, expenses, losses, statutory  
34 commitments, salaries, and other costs associated with the routine investment of funds pursuant to Section 11-9-660 of the 1976  
35 Code.

36



1    **SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL**  
2

3       **100.1** (ADJ: Use of Agency Property and Revenue Collections) The Adjutant General is authorized to rent, lease, or sub-lease  
4 any area under his ownership or control including facilities, unimproved real-estate, and parking areas. The Adjutant General is  
5 authorized to collect funds received from any sources including, but not limited to, county and city appropriations, short or long-term  
6 lease or rental payments, revenues from vending machines, military justice fines or other monetary penalties, federal reimbursements  
7 under cooperative

8 agreements, and gifts to the agency. These revenues shall be retained and expended as authorized by the Adjutant General.

9       **100.2.** (ADJ: Rental Fee for Election Purposes) The maximum fee that an armory may charge for the use of its premises for  
10 election purposes shall be the cost of providing custodial services, utilities, and maintenance.

11       **100.3.** (ADJ: Event Parking Contracts) Notwithstanding other provisions of this act, the Adjutant General may execute  
12 agreements addressing event-parking related services, sub-leases or licenses, or other appropriate subject in order to generate revenue  
13 from parking areas under his ownership or control near the University of South Carolina's Williams-Brice Stadium. The Adjutant  
14 General's authority to enter such agreements applies to the headquarters building parking facilities currently owned by the  
15 Department of Administration, whether or not those are subject of a current lease to the Adjutant General. The agreements may  
16 relate to parking for specific events, a series of events (USC home football games), or for all events. The Adjutant General may  
17 enter agreements with a state chartered and federally recognized tax exempt 501(c)(4) agency employees' association which may  
18 then sub-lease or sub-license individual parking spaces for use during an event, or a series of events (USC home football games).  
19 The agreements must require the employees association to obtain either event coverage, general liability coverage against wrongful  
20 death or injury, or similar coverage that is suitable to the Adjutant General. All agreements must obligate the employees association  
21 to hold harmless, indemnify, and defend the Office of the Adjutant General, the Department of Administration, the State of South  
22 Carolina, and their respective officers and employees from any liability resulting from parking patrons or their guests activities or  
23 presence during these events. The agreements must specify that the Office of the Adjutant General shall receive no less than  
24 thirty-three percent of the gross profits from sub-leasing, licensing, or other grants of use for parking. The agreements must also  
25 allow the State to audit the employees association's funds.

26       **100.4.** (ADJ: Meals in Emergency Operations Centers) The cost of meals, or the advanced purchase of food products to be stored  
27 and prepared for meals, may be provided to state employees who are required to work at the State Emergency Operations Centers  
28 during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

29       **100.5.** (ADJ: Educational Seminar Revenue) All revenue earned from educational seminars shall be retained by the agency to be  
30 used for the printing of materials and other expenses related to conducting the seminars. The balance of funds shall be reported  
31 annually to the General Assembly.

32       **100.6.** (ADJ: Billeting Operations) All revenues collected by the Billeting operations at the R.L. McCrady Training Center shall  
33 be retained and expended in its budgeted operations. Expenditures from these funds shall be determined by the Billeting Committee  
34 for Billeting operations. Funds remaining in the Billeting Operation account may retained, carried forward, and expended for the  
35 same purpose in the current fiscal year.

1       **100.7.** (ADJ: EMD Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees  
2 of the Emergency Management Division may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion  
3 of the Agency Director, and providing funds are available.

4       **100.8.** (ADJ: Civil Air Patrol) The funds appropriated in this section for the Civil Air Patrol shall be expended by the Civil Air  
5 Patrol so as to discharge the state's obligations in conjunction with the Civil Air Patrol as outlined in the SARDA Plan, the South  
6 Carolina Operational Radiological Emergency Response Plan, and to assist county and local authorities and other state agencies as  
7 permitted by the regulations governing the Civil Air Patrol. All expenditures for equipment and services shall be in accordance with  
8 state fiscal policies.

9       **100.9.** (ADJ: Emergency Commodities) The Emergency Management Division shall be allowed to rotate and replace water,  
10 Meals Ready to Eat (MREs), and other essential emergency commodities housed in the state's Logistic Center through the provision  
11 of said commodities to neighboring states, counties, municipalities and other state agencies, and shall be allowed to accept  
12 compensation for said commodities not to exceed replacement costs. Revenues from this exchange shall be utilized solely for the  
13 replacement of state emergency commodities.

14       **100.10.** (ADJ: Behavioral Health Care Facilitator/Coordinator) The funds appropriated and or authorized to the Office of the  
15 Adjutant General may be utilized to hire a Behavioral Health Care Facilitator/Coordinator who shall act as a liaison to provide mental  
16 health care coordination for mental health services to all members of the South Carolina National Guard. The responsibilities of the  
17 position shall include, but are not limited to, focusing on individuals without health insurance or without adequate health insurance;  
18 facilitating Memorandum of Understanding with mental health facilities across the state to provide assistance to National Guard  
19 Service Members; assisting in coordinating Yellow Ribbon and Beyond and other post deployment and mental health events;  
20 coordinating treatment for Service Members for conditions that may or may not result in their being medically non deployable; and  
21 participating in staff meetings to discuss care of Service Members. The individual hired must be knowledgeable of state and federal  
22 privacy laws, including the HIPAA privacy regulations. In addition, it is preferred that the individual have a previous background  
23 in Social Work. A national security background check must be performed on the individual prior to a job offer being tendered.

24       **100.11.** (ADJ: National or State Guard State Active Duty) In the event of the activation of the South Carolina National Guard  
25 or State Guard to State Active Duty in response to a declared emergency or in response to an imminent or anticipated emergency,  
26 including support provided under Section 25-9-420 of the 1976 Code, the Emergency Management Assistance Compact, the State  
27 Treasurer and the Comptroller General are hereby authorized and directed to pay from the general fund of the State such funds as  
28 necessary, not to exceed \$1,500,000, to cover the actual costs incurred. Any funds reimbursed to the state shall be deposited in the  
29 state general fund, up to the amount of funds advanced to the Office of Adjutant General for these activities.

30       **100.12.** (ADJ: National Guard Association and Foundation Support) From the funds authorized or appropriated for State Military  
31 Department operations, the Adjutant General may authorize National Guard personnel to support and assist the National Guard  
32 Association of South Carolina and the South Carolina National Guard Foundation in their missions to promote the health, safety,  
33 education, and welfare of South Carolina National Guard personnel and their families.

34       **100.13.** (ADJ: State Guard Activation) In the event of activation of the State Guard of the South Carolina National Guard to  
35 State Active Duty, the Office of the Adjutant General is authorized to compensate State Guard personnel at a rate of \$150 per day  
36 and to also compensate such personnel for meal per diem as authorized by National Guard and State policy.

1       **100.14.** (ADJ: Disasters Expenditure Status Report) The Emergency Management Division of the Office of the Adjutant General  
2 shall prepare a quarterly report on the status of the expenditure of the funds appropriated in the current fiscal year or in a previous  
3 fiscal year for FEMA Match for the 2015 Flooding, for Hurricane Matthew, and for the Pinnacle Mountain Fire. The quarterly report  
4 must include, but is not limited to, expenditure by category of work by state/local and by county and shall be submitted to the  
5 Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee beginning September 30,  
6 2018.

7       **100.15.** (ADJ: Armory Revitalizations Carry Forward) The funds appropriated for Armory Revitalizations may be carried  
8 forward from the prior fiscal year and expended for the same purpose in the current fiscal year.

9       **100.16.** (ADJ: Natural Disaster FEMA Match) The Office of Adjutant General, Emergency Management Division shall be  
10 authorized to utilize existing fund balances to provide the non-federal cost share to state and local government entities for work that  
11 is eligible under the Federal Emergency Management Agency Public Assistance Program for Hurricane Irma and Hurricane Florence.  
12 Existing fund balances may not be used to provide the non-federal cost share to private non-profit entities.

13       The Office of Adjutant General, Emergency Management Division is directed to use existing fund balances for the 2015 Flood  
14 disaster (Presidential Disaster Declaration DR-4241) to reimburse counties and municipalities with unreimbursed non-federal cost  
15 share from the 2014 Ice Storm disaster for storm cleanup expenses incurred during and after states of emergency declared by  
16 Executive Orders 2014-06 and 2014-11 and Presidential Disaster Declaration DR-4166. Counties and municipalities must submit  
17 an application for such funds by July 31, 2018.

18       The \$500,000 authorized by Proviso 100.21 in Act 264 of 2018 for grants for non-profit entities may be carried forward and used  
19 for the same purpose in Fiscal Year ~~2022-23~~ 2023-24. The Emergency Management Division shall prepare a report listing the name  
20 of the grant recipient and the amount received and submit the report to the Chairman of the Senate Finance Committee and the  
21 Chairman of the House Ways and Means Committee by January 15, ~~2023~~ 2024.

22       **100.17.** (ADJ: Use of Capital Funds-McEntire) For the current fiscal year, the Adjutant General may exercise the condemnation  
23 authority provided by Chapter 9, Title 55 of the 1976 Code to acquire property or air rights over private property near McEntire Joint  
24 National Guard Base and utilize funding for the “McEntire Joint National Guard Base - Land” received in Act 91 of 2019 for this  
25 and related purposes.

26       **100.18.** (ADJ: Use of Capital Funds-Joint Base Charleston) For the current fiscal year, the Adjutant General may accept a license  
27 on behalf of the State for the real estate to be utilized in construction of a National Guard facility at Joint Base Charleston and use  
28 the funds received for “Armory Construction and Revitalizations” in Act 91 of 2019 for the state’s share for construction and related  
29 costs.

30       **100.19.** (ADJ: PPE Stockpile) The Emergency Management Division shall be permitted to rotate and replace the State’s personal  
31 protection equipment stockpile, housed pursuant to a state contract. This may include the rotation of like-kind stock owned by  
32 participating entities, both public and private, in order to minimize the cost of maintaining a personal protective equipment stockpile  
33 for the State and to ensure the useful life of the State’s personal protective equipment stockpile.

34       **100.20.** *(ADJ: Dining Operations) All revenues collected by the Dining Facility operations at the R.L. McCrady Training Center*  
35 *shall be retained and expended in its budget operations. Funds remaining in the Dining Facility accounts may be retained, carried*  
36 *forward, and expended for the same purpose in the current fiscal year.*

1     **SECTION 101 - E260 - DEPARTMENT OF VETERANS' AFFAIRS**  
2

3     **101.1.** (VET: M.J. "Dolly" Cooper Veterans Cemetery Carry Forward) The Department of Veterans' Affairs may carry forward  
4 unexpended funds appropriated and/or authorized for the M.J. "Dolly" Cooper Veterans Cemetery from the prior fiscal year and shall  
5 use such funds for the same purpose. In addition, any unexpended funds in the Department of Veterans' Affairs, including Special  
6 Line Items, shall be carried forward from the prior fiscal year into the current fiscal year and used for operation of the M.J. "Dolly"  
7 Cooper Veterans Cemetery. Funds carried forward in excess of the amount needed for the operation  
8 of the Cemetery may be used for other expenses of the Department of Veterans' Affairs.

9     **101.2.** (VET: Budget Reduction Exemption) Funds appropriated for the Department of Veterans' Affairs shall be excluded from  
10 any across-the-board agency base reductions mandated by the Executive Budget Office or General Assembly.

11     **101.3.** (VET: Base Protection Plan Allocation) Funds appropriated to the department for the Base Protection Plan may be  
12 allocated to items including, but not limited to, land acquisition, recreational purposes, educational purposes, and facilities for  
13 military personnel. Eligible recipients are counties and municipalities with federal military installations.  
14

15     **SECTION 102 - E280 - ELECTION COMMISSION**  
16

17     **102.1.** (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for  
18 "County Boards of Voter Registration and Elections Board Members," shall be disbursed annually to the County Treasurer at the  
19 rate of \$1,500 for each member, not to exceed \$13,500 per county. The County Treasurer shall use these funds only for the  
20 compensation of County Boards of Voter Registration and Elections Board Members. Any funds not used for this purpose shall be  
21 returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any  
22 across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds  
23 appropriated for compensation of County Boards of Voter Registration and Elections Board Members shall be excluded from the  
24 agency's base budget. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries,  
25 runoffs, and elections.

26     **102.2.** (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per  
27 diem of \$75.00 for the day of work and \$60.00 for training and paperwork. Managers shall not be paid for more than two days for  
28 any election and clerks for not more than three days for any election. The commission may adjust the per diem of \$75.00 for the  
29 managers and clerks of the statewide election to a higher level only to the extent that the appropriation for the statewide election is  
30 sufficient to bear the added cost of increasing the per diem and the cost of the statewide election. Up to three additional managers  
31 per county may be appointed to assist county boards of voter registration and elections with the absentee/fail safe voting process  
32 prior to, on Election Day, and immediately following statewide elections. Managers assisting the county boards of voter registration  
33 and elections in the absentee/fail safe process may receive a per diem of \$75.00 per day for not more than a total of fifteen days  
34 regardless of whether one, two, or three additional managers are used.

1       **102.3.** (ELECT: Board of State Canvassers Compensation) \$100.00 additional compensation per day may be paid to each member  
2 of the Board of State Canvassers up to a total of fifteen days that may be required for hearings held by the members of the Board of  
3 State Canvassers.

4       **102.4.** (ELECT: Sale of Lists Revenue Carry Forward) Any revenue generated from the sale of election lists may be retained and  
5 expended by the South Carolina Election Commission to reimburse the Department of Administration, for the printing of such lists  
6 and to pay expenses of postage and shipment of these lists to electors who purchase them. After such reimbursement has been made  
7 an amount, not to exceed \$400,000, shall be used for nonrecurring expenses in conjunction with extraordinary special election and  
8 legal costs and costs for upgrading the Statewide Voter Registration System. Any balance in the Sale of Lists Account on June  
9 thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year.

10       **102.5.** (ELECT: Budget Reduction Exemption) Funds appropriated for recurring and nonrecurring general and primary election  
11 expenses are exempted from mandated across the board reductions. In addition, in the calculation of any across the board agency  
12 base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for recurring  
13 and nonrecurring primary and general election expenses shall be excluded from the agency's base budget.

14       **102.6.** (ELECT: Primary and General Election Carry Forward) Filing fees received from candidates filing to run in statewide or  
15 special primary elections may be retained and expended by the State Election Commission to pay for the conduct of primary elections.  
16 Any balance in the filing fee accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same  
17 purposes during the current fiscal year. In addition, any balance in the Primary and General Election Accounts on June thirtieth, of  
18 the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, the  
19 aforementioned funds may also be utilized to conduct the Presidential Preference Primary elections.

20       **102.7.** (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections  
21 will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration  
22 and elections and electives to promote quality service and professional development. The State Election Commission shall make  
23 these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up  
24 to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina  
25 Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June  
26 thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

27       The State Election Commission is required to withhold the stipend of members who do not complete the training and certification  
28 program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board member completes the  
29 training and certification program, but fails to complete at least one training course per year. The board member and members of  
30 that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member  
31 into compliance with the law. If a board member cannot complete the program or complete the required continuing education due  
32 to extenuating circumstances, the board member must submit a written request to the county legislative delegation for approval or  
33 funds will continue to be withheld as described in this proviso. If a board member does not become compliant with the law within  
34 eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the  
35 board.

1       **102.8.** (ELECT: Penalty for Late Submission of Reimbursable Expenses) In the event that a county submits reimbursable election  
2 expenses to the Commission for payment more than thirty days after the election is held, the Commission may deduct a penalty of  
3 ten percent of the late-submitted amount. The county is responsible for payment of this amount. If the Commission finds good  
4 reason for such late submission, the penalty may be waived. The Election Commission shall be authorized to expend funds  
5 appropriated/authorized in the current fiscal year to pay election expenses incurred by a county in the prior fiscal year. If a county  
6 submits a request for reimbursement of election expenses through any means other than the Voter Registration and Election  
7 Management System (VREMS), the Commission may deduct a penalty of ten percent of the amount submitted.

8       **102.9.** (ELECT: HAVA Carry Forward) The Election Commission shall be authorized to carry forward unexpended Help  
9 America Vote Act funds into the current fiscal year and to use these funds for the same purpose.

10       **102.10.** (ELECT: HAVA Match Funds) Funds appropriated through the General Fund for the purpose of providing a match for  
11 federal funds received through the Help America Vote Act (HAVA) shall be moved to a restricted account in order that the funds  
12 may accrue interest as per Section 254 (b) (1) of the Help America Vote Act. Unexpended funds shall be carried forward from the  
13 prior fiscal year and shall be utilized for special primaries, runoffs, and elections. These funds may also be used to reimburse local  
14 governmental entities for expenses incurred in the prior fiscal year associated with special primaries, runoffs, and general elections.

15       **102.11.** (ELECT: Use of Election Funds) Funds appropriated to the Election Commission for the purpose of conducting elections  
16 shall not be used for any other purpose unless specifically authorized in this act. However, up to \$200,000 may be transferred to  
17 other operating accounts from General Election accounts upon approval from the Executive Budget Office, which shall then notify  
18 the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of such  
19 transfer of funds.

20       **102.12.** (ELECT: Match for Additional HAVA Funds) In the event that additional Help America Vote Act federal funds become  
21 available, the commission shall be authorized to utilize funds appropriated for primary and general elections and for voting system  
22 refurbishment to provide a match for the federal funds.  
23

## 24       **SECTION 103 - E500 - REVENUE AND FISCAL AFFAIRS OFFICE**

25  
26       **103.1.** (RFAO: Geodetic Mapping Program) Funds appropriated or authorized to the Revenue and Fiscal Affairs Office for  
27 Mapping, shall be used to clarify county boundary determinations as directed by Section 27-2-105, of the 1976 Code and resolution  
28 of the boundary between the states of South Carolina and North Carolina.

29       An affected party disagreeing with a county boundary certified by the Revenue and Fiscal Affairs Office may appeal the  
30 certification to the South Carolina Administrative Law Court, which is vested with jurisdiction to hear and decide the case subject to  
31 the provisions of Section 1-23-380 of the 1976 Code, except that the case must be heard 'de novo.' Additionally, for purposes of  
32 determining the timelines of an appeal, notice is deemed to have been provided on the date of the written notice to affected parties.  
33 An affected party has sixty calendar days from the date of a written notice sent to the affected party to file an appeal with the  
34 Administrative Law Court.

35       **103.2.** (RFAO: Election File Merge) In order to assist the County Registration and Election Commissions to ensure that registered  
36 voters are assigned to proper election districts, the Revenue and Fiscal Affairs Office, in conjunction with the South Carolina Election

1 Commission, shall merge the voter registration file with the office's Geocoded Address List and the district boundaries of the  
2 Congress, South Carolina Senate, South Carolina House of Representatives, county councils, and such other districts as the office  
3 possesses official district boundary records in electronic format. The merged systems will allow the Revenue and Fiscal Affairs  
4 Office to provide the respective county officials with a list of potential voters who are possibly assigned to the wrong election district.  
5 File merger is required only for those districts in which elections are scheduled. Counties and municipalities shall release GIS to the  
6 Revenue and Fiscal Affairs Office upon the office's written request. Written request must be sent to the chief administrative officer  
7 of the county or municipality and advise the county or municipality that failure to comply within thirty days of request may result in  
8 the withholding of ten percent of the county's or municipality's state aid. The Executive Director of the Revenue and Fiscal  
9 Affairs Office may grant additional time for good cause and must waive release if the county or municipality does not possess  
10 GIS data. For counties and municipalities that possess GIS data but do not release it, the Executive Director of the Revenue and  
11 Fiscal Affairs Office shall notify the State Treasurer of the failure to comply with this provision after the required notice. Notification  
12 shall result in the withholding of ten percent of subsequent payments of state aid to the entity until the GIS data is provided. Municipal  
13 and county data acquired by the Revenue and Fiscal Affairs Office in the course of performing its responsibilities may be used for  
14 other functions of the office as well as shared with other state agencies. For this provision GIS data includes, but is not limited to,  
15 road centerlines; orthophotography; parcel boundaries; address points; political boundaries; and administrative boundaries.

16 **103.3.** (RFAO: SC Health & Human Services Data Warehouse) There is hereby established within the Revenue and Fiscal Affairs  
17 Office, the South Carolina Health and Human Services Data Warehouse. The purpose of the Warehouse is to ensure that the operation  
18 of health and human services agencies may be enhanced by coordination and integration of client information. Client data is defined  
19 as person-level data that is created, received, and/or maintained by state agencies and other entities required to report client  
20 information to the Revenue and Fiscal Affairs Office under this provision. To integrate client information, client data from health  
21 and human services state agencies will be linked to improve client outcome measures, enabling state agencies to analyze coordination  
22 and continuity of care issues. The addition of these data will enhance existing agency systems by providing client data from other  
23 state agency programs to assist in the provision of client services. Certain client information shall be delivered to the Revenue and  
24 Fiscal Affairs Office in order to assist in the development and maintenance of this Warehouse. The following agencies shall report  
25 client information:

- 26 • Departments of:
- 27 (1) Health and Human Services;
  - 28 (2) Health and Environmental Control;
  - 29 (3) Mental Health;
  - 30 (4) Alcohol and Other Drug Abuse Services;
  - 31 (5) Disabilities and Special Needs;
  - 32 (6) Social Services;
  - 33 (7) Vocational Rehabilitation;
  - 34 (8) Education;
  - 35 (9) Juvenile Justice;
  - 36 (10) Corrections;

- 1 (11) Probation, Parole and Pardon Services;• Department of Children’s Advocacy:  
2 (1) Children’s Foster Care Review Board;  
3 (2) Continuum of Care;  
4 • Department on Aging;  
5 • South Carolina School for the Deaf and the Blind;  
6 • Commission for the Blind; and  
7 • Other entities as deemed necessary by the Revenue and Fiscal Affairs Office.

8 These agencies and departments shall collect and provide client data in formats and schedules to be specified by the Revenue and  
9 Fiscal Affairs Office (Office). The Office shall establish a Memorandum of Agreement with each agency, department, or division.  
10 These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of client information, the conditions for  
11 the release of data that may identify agencies, departments, divisions, programs and services, or clients, any restrictions on the release  
12 of data so as to be compliant with state and federal statutes and regulations on confidentiality of data, conditions under which the  
13 data may be used for research purposes, and any security measures to be taken to insure the confidentiality of client information.

14 To ensure accountability and the coordinated, efficient delivery of health and human services, the Office shall implement, in  
15 consultation with state health and human services agencies and other entities as deemed necessary by the Office, an integrated data  
16 system that includes client data from all participating agencies.

17 In order to provide for inclusion of other entities into the South Carolina Health and Human Services Data Warehouse and other  
18 research and analytic-oriented applications that will assist the state in the efficient and effective provision of services, the Office shall  
19 have the authority to enter into agreements or transactions with any federal, state or municipal agency or other public institution or  
20 with any private individual, partnership, firm, corporation, association or other entity to provide statistical, research and information  
21 dissemination services including, but not limited to, program and outcomes evaluation, program monitoring/surveillance, projects to  
22 determine the feasibility of data collection and/or analyses, information dissemination and research. The confidentiality of data  
23 collected under these initiatives shall comply with applicable state and federal laws governing the privacy of data. The Office shall  
24 have the power to promulgate regulations, policies, and procedures, in consultation with the participating agencies, for the  
25 development, protection and operation of the Data Warehouse, other research and analytic-oriented applications, and their underlying  
26 processes.

27 The Office shall develop internet-accessible secure analytic query tools (such as analytic cubes) using integrated client data from  
28 the Warehouse. All agencies shall cooperate with the Office in the development of these analytic tools. It is the intent of this provision  
29 that the analytic tools developed under this provision shall be made available to members of the South Carolina General Assembly  
30 and their research staff members, state agencies, and researchers. To that end, the Office shall, in consultation with the participating  
31 agencies, promulgate regulations addressing access to and use and release of information generated through use of the query tools.

32 All state agencies participating in the Warehouse shall utilize it and its associated software applications in the day-to-day operation  
33 of their programs and for coordination, collaboration, program evaluation and outcomes analysis. The Department of Health and  
34 Environmental Control shall be exempt from usage of the integrated client management system and the analytic query tools in the  
35 day-to-day operation of their Client Automated Record and Encounter System or other electronic health record system and their  
36 South Carolina Community Assessment Network, but shall provide the Warehouse with client data from the system and network.



1 No state agency shall duplicate any of the responsibilities of this provision.

2 For purposes of this subsection, all state laws, regulations, or any rule of any state agency, department, board, or commission  
3 having the effect or force of law that prohibits or is inconsistent with any provision of this subsection is hereby declared inapplicable  
4 to this subsection.

5 **103.4.** (RFAO: E911 PSAPs) The Revenue and Fiscal Affairs Office, utilizing the funds appropriated and or authorized herein  
6 for the E911 program, must ensure that any new plans or proposed amendments to existing plans maintain comprehensive coverage  
7 for the full Public Safety Answering Points area as well as improve cost effectiveness. No new plans or amendments may be  
8 considered by Revenue and Fiscal Affairs that do not include the written agreement of all jurisdictions affected by the new plan or  
9 proposed change as well as provide cost savings on the state and local level. Local Public Safety Answering Points are encouraged  
10 to cooperate to find ways to continue to improve cost effectiveness and efficiencies for all affected entities.

11 **103.5.** (RFAO: Revenue for Goods and Services) The respective sections of the Revenue and Fiscal Affairs Office are authorized  
12 to provide and receive from other governmental entities, including other divisions, state and local agencies and departments, and the  
13 private sector, goods and services, as will in its opinion promote efficient and economical operations. The sections may charge and  
14 pay the entities for the goods and services, the revenue from which shall be deposited in the state treasury in a special account and  
15 expended only for the costs of providing the goods and services, and such funds may be retained and be expended for the same  
16 purposes.

17 **103.6.** (RFAO: Revenue Forecast) For Fiscal Year ~~2022-23~~ 2023-24, Section 11-9-1130(A) of the 1976 Code shall be suspended.

18

19 **SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY**

20

21 **104.1.** (SFAA: Procurement of Art Objects) Before any governmental body, with the exception of the South Carolina Museum  
22 Commission, the Confederate Relic Room and Military Museum Commission, and the South Carolina Hunley Commission as  
23 defined under the South Carolina Consolidated Procurement Code, procures any art objects such as paintings, antiques, sculptures,  
24 or similar objects above \$1,000, the head of the Purchasing Agency shall prepare a written determination specifying the need for  
25 such objects and benefits to the State. The South Carolina Arts Commission shall review such determination for approval prior to  
26 any acquisition.

27 **104.2.** (SFAA: Public Procurement Unit) For purposes of participation in the Minnesota Multi State Contracting Alliance for  
28 Pharmacy (MMCAP), a private, nonprofit corporation that provides only free medical care may be allowed to participate as a local  
29 public procurement unit in the MMCAP cooperative purchase. The participation of nonprofit corporations in the program is  
30 contingent upon approval of the Minnesota Multi-State Contracting Alliance for Pharmacy. Participating nonprofit corporations  
31 must comply with all applicable federal laws or regulations for participation in the MMCAP cooperative purchase. The state shall  
32 not be liable for any action or inaction of such a nonprofit corporation.

33 **104.3.** (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the  
34 Insurance Reserve Fund, for the current fiscal year, is also authorized to offer insurance coverage to an aging entity and its employees  
35 serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve

1 Fund and the State of South Carolina shall not be liable to any person or entity, including an insured, for any insufficiencies of  
2 coverage provided hereunder.

3 **104.4.** (SFAA: IRF Report) The State Fiscal Accountability Authority shall prepare a report on prior fiscal year utilization of the  
4 Insurance Reserve Fund to include for each transaction the amount, the recipient of the funds, the date of the transfer or payment,  
5 and the action or reason that necessitated the transfer. The report shall be submitted to the President of the Senate, the Chairman of  
6 the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means  
7 Committee by October fifteenth, of the current fiscal year.

8 **104.5.** (SFAA: Second Injury Fund Closure Plan) The State Fiscal Accountability Authority is authorized and empowered to take  
9 all necessary actions to administer the closure plan for the Second Injury Fund, as adopted pursuant to Section 42-7-320(A) of the  
10 1976 Code, as amended, and to use the separate and distinct trust and administrative accounts established for this purpose.

11 **104.6.** (SFAA: IT Planning Transfer) The State Fiscal Accountability Authority shall transfer \$400,000 from revenue generated  
12 from contract administration fees on information technology contracts to the Department of Administration to support the state's  
13 information technology planning program.

14 **104.7.** (SFAA: Attorneys) For the current fiscal year, during the transition of the Insurance Reserve Fund from the Budget and  
15 Control Board to the State Fiscal Accountability Authority, the Insurance Reserve Fund shall continue to approve the attorneys-at-law  
16 retained to defend those it insures. In addition, the authority of the former Budget and Control Board under Section 1-7-170(A) is  
17 devolved upon the State Fiscal Accountability Authority.

18 **104.8.** (SFAA: Compensation - Agency Head Salary) In the event of an agency head or technical college president vacancy, the  
19 governing board of the agency or the Governor, or the appointing authority of a technical college president, must have the prior  
20 favorable recommendation of the Agency Head Salary Commission to set, discuss, offer, or pay a salary for the agency head or  
21 technical college president at a rate that exceeds the minimum of the range established by the Agency Head Salary Commission. No  
22 agency head or technical college president shall be paid a salary higher than that recommended by the commission. Boards and  
23 commissions, or the Governor if he is the appointing authority, of newly created agencies or technical colleges shall not offer or pay  
24 a salary to a prospective agency head until a salary range has been established and the salary approved by the Agency Head Salary  
25 Commission. The funding of the salaries of any agency head or technical college president should come from resources within the  
26 agency. The State Fiscal Accountability Authority shall contract every four years for a study of agency head, technical college  
27 president, and constitutional officer compensation, as required under Sections 8-11-160 and 8-11-165. The cost of the study must  
28 be shared by the participating agencies, technical colleges, and constitutional offices. The staff of the State Fiscal Accountability  
29 Authority shall serve as the support staff to the Agency Head Salary Commission. Limited only by the maximum of the respective  
30 salary range, the General Assembly authorizes the respective appointing authority for an agency head or technical college president  
31 to provide salary increases for an agency head or technical college president not to exceed that recommended by the Agency Head  
32 Salary Commission. No agency head or technical college president shall be paid less than the minimum of the pay range nor receive  
33 an increase that would have the effect of raising the salary above the maximum of the pay range.

34 **104.9.** (SFAA: Continuation of Authority) The respective divisions of the State Fiscal Accountability Authority are authorized  
35 to provide to and receive from other governmental entities, including other divisions and state and local agencies and departments,  
36 goods and services, as will in its opinion promote efficient and economical operations. The divisions may charge and pay the entities

1 for the goods and services, the revenue from which shall be deposited in the state treasury in a special account and expended only  
2 for the costs of providing the goods and services, and such funds may be retained and expended for the same purposes.

3 **104.10.** (SFAA: Revenue Bonding Authority Study) The Executive Director of the State Fiscal Accountability Authority shall  
4 undertake a one-time study of revenue bonding authority by quasi-state agencies. The study must result in a report that (a) identifies  
5 every source of authority for such entities to undertake revenue bonds, and (b) summarizes all outstanding revenue bonds. The report  
6 shall be submitted to the Joint Bond Review Committee, the State Fiscal Accountability Authority, and any relevant legislative  
7 committee. Quasi-state agencies shall provide any assistance requested by the authority's executive director.  
8

9 **SECTION 105 - F270 - SFAA, OFFICE OF STATE AUDITOR**  
10

11 **105.1.** (SFAA-AUD: Annual Audit of Federal Programs) Each state agency receiving federal funds subject to the audit  
12 requirements of the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (C.F.R) Part 200, Uniform  
13 Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) shall remit to the  
14 State Auditor an amount representing an equitable portion of the expense of conducting the audit of the State's federal financial  
15 assistance.

16 Each state agency's equitable portion of the expense will be determined by a schedule developed by the State Auditor. Such  
17 remittance will be based upon invoices provided by the State Auditor. The State Auditor shall retain and expend the funds received  
18 and shall carry forward any unexpended funds from the prior fiscal year into the current fiscal year for the same purpose.

19 **105.2.** (SFAA-AUD: Medical Assistance Audit Carry Forward) The State Auditor's Office shall retain and expend the funds  
20 received from the Department of Health and Human Services for the Medical Assistance Audit Program pursuant to Proviso 33.3 of  
21 this act and shall carry forward any unexpended funds from the prior fiscal year into the current fiscal year for the same purpose.

22 **105.3.** (SFAA-AUD: Coordination with Inspector General) In the event the State Auditor's Office identifies instances of fraud,  
23 waste, and abuse during any state agency audit, the State Auditor shall refer such instances to the State Inspector General for  
24 examination. The State Auditor shall prepare and submit an annual report to the Chairmen of the House Ways and Means Committee  
25 and the Senate Finance Committee and the Governor detailing all written referrals of fraud, waste, and abuse submitted to the State  
26 Inspector General.

27 **105.4.** (SFAA-AUD: Annual Audit of Court Fees and Fines Reports) The State Auditor shall conduct a minimum of fifteen audits  
28 annually of county treasurers, municipal treasurers, county clerks of court, magistrates and/or municipal courts as required by Section  
29 14-1-210 of the 1976 Code and allowed by Section 14-1-240; however, the State Auditor shall not be required to spend more than  
30 the annual amount of \$250,000, received from the State Treasurer to conduct the said audits pursuant to Section 14-1-210 of the 1976  
31 Code. The State Auditor may contract with one or more CPA/accounting firms to conduct the required audits. The State Auditor  
32 shall consult with the State Treasurer to determine the jurisdictions to be audited in the current fiscal year. Jurisdictions may be  
33 selected randomly or based on an instance in the current or previous fiscal year of failing to report, incorrectly reporting or under  
34 remitting amounts owed. The funds transferred to the State Auditor by the State Treasurer shall not be used for any purpose other  
35 than to conduct the described audits and report whether or not the assessments, surcharges, fees, fines, forfeitures, escheatments, or  
36 other monetary penalties imposed and/or mandated are properly collected and remitted to the State. Any unexpended balance on

1 June thirtieth of the prior fiscal year shall be carried forward and must be expended for the same purpose during the current fiscal  
2 year. The State Auditor shall annually report by October first, its findings of the jurisdictions audited to the Senate Finance  
3 Committee and the House Ways and Means Committee.

4 **105.5.** (SFAA-AUD: Special Study of Long-Term Obligations) (A) The State Auditor shall identify certain long-term obligations  
5 by state institutions of higher learning, as defined by Section 59-107-10 of the 1976 Code, and report his findings to the General  
6 Assembly. The intent is to identify those obligations which are long-term debt or tantamount to long-term debt, or those which, if  
7 not honored, might result in a negative rating action on the institution's or the State's credit rating. Such obligations would not  
8 include either general obligation debt or bonded indebtedness issued directly by an institution.

9 (B) "Long-term obligation" means:

10 (1) an arrangement to acquire an interest in or a right to use, or have others use, any type of property if all or a portion of the  
11 money required to pay for the acquisition is secured through fare, toll, or user charges;

12 (2) an arrangement to acquire an interest in or a right to use, or have others use, any type of property if (a) the arrangement is  
13 financed, directly or indirectly, with indebtedness undertaken by another for that purpose; (b) the state institution knows or should  
14 know the acquisition is financed by indebtedness; and, (c) the state institution is obligated to make, or undertakes to have others  
15 make, recurring payments on, or that another will use to make payments on, the indebtedness; or,

16 (3) any of the following arrangements: (a) lease-purchase agreement; (b) leaseback agreement; (c) installment purchase  
17 agreement; (d) lease with an option to purchase for other than the then-current fair market value; (e) lease with option to renew for  
18 nominal or no additional consideration; (f) an agreement involving collateral, such as a mortgage or security interest; (g) a public  
19 private partnership; (h) an agreement structured as either design-build-operate-maintain or design-build-finance-operate-maintain,  
20 as defined in Section 11-35-2910; (i) a finance lease, as defined in Section 36-2A-103(1)(g); (j) a transaction in the form of a lease  
21 that creates a security interest, as addressed in Section 36-1-203(b); or (k) a guaranteed energy, water, or wastewater savings contract,  
22 as authorized by Section 48-52-670(A).

23 (C) The report should include long-term obligations irrespective of the source of funds involved, if any, and whether or not the  
24 obligation is subject to the availability or appropriation of funds. The report should exclude the following: (1) general obligation  
25 debt authorized under Section 13, Article X of the Constitution of South Carolina, 1895, and debt issued by the state institution under  
26 Section 13, Article X of the Constitution of South Carolina, 1895, but not debt issued under Section 13 or 14 of Article X on its  
27 behalf or for its benefit; and (2) an institution's obligation to make payments when the total amount of money needed for the  
28 obligation is committed for that purpose, authorized for expenditure, and in hand.

29 (D) The report should be adequate to catalog the type, extent, and prevalence of long-term obligations by state institutions.  
30 Without limitation, the report should include the following information for each obligation identified, if applicable: (1) the interest  
31 or right acquired; (2) the initial, maximum, and then outstanding amount of indebtedness involved; (3) whether a credit rating was  
32 obtained for such indebtedness; (4) the amount and frequency of payments involved, and who makes the payments; (5) the total  
33 amount of payments remaining to be made; (6) the initial and remaining duration of the obligation; (7) the source of funds used to  
34 make payments; (8) the parties to the arrangement and any associated borrowing, including without limitation, the entity lending the  
35 funds or assets associated with the financed acquisition; and (9) any counterparty or intermediary involved.

1 (E) The State Auditor shall conduct the study and issue a final report no later than one hundred and twenty days after the beginning  
2 of the current fiscal year. State institutions must fully respond within forty-five days to any formal request for information from the  
3 State Auditor. If, in the State Auditor's judgment, a state institution does not timely submit a complete and accurate report, he may  
4 obtain the service of independent professionals to audit the institution's records and charge the institution for the associated cost.  
5 Sections 11-7-30, 11-7-35, and 11-7-45 of the 1976 Code shall apply to this special study as though it were an audit.

6 **105.6.** (SFAA - AUD: Internal Audit Services) The State Auditor's Office is authorized to offer internal audit services to state  
7 agencies under a cost reimbursement, shared services model. Any state agency that does not have an internal audit function may opt  
8 to use the services to conduct such audit. The audit plan will be agreed upon between the State Auditor's Office and the state agency,  
9 and cost will be determined by nature, timing, and extent of the audit work.

#### 10 11 SECTION 106 - F300 - STATEWIDE EMPLOYEE BENEFITS

12  
13 **106.1.** (SEB: SCRS & PORS Allocation) The funds appropriated in the current fiscal year for SCRS Employer Contributions and  
14 PORS Employer Contributions shall be allocated to state agencies and school districts by the Department of Administration,  
15 Executive Budget Office for SCRS and PORS rate increases.

16 **106.2.** (SEB: Suspend SCRS & PORS Employer Contribution Rate Increase) The increase in the employer contribution rate  
17 imposed by Section 9-1-1085 and Section 9-11-225 for Fiscal Year ~~2022-23~~ 2023-24, respectively, are suspended. The employer  
18 contribution rate for the South Carolina Retirement Systems and the Police Officers Retirement Systems during Fiscal Year ~~2022-23~~  
19 2023-24, expressed as a percentage of earnable compensation, shall increase by 1% from Fiscal Year ~~2021-22~~ 2022-23 rates as set  
20 in Act 94 239 of ~~2021~~ 2022.

#### 21 22 SECTION 108 - F500 - PUBLIC EMPLOYEE BENEFIT AUTHORITY

23  
24 **108.1.** (PEBA: Lottery, Infrastructure Bank, and Magistrates Health Insurance) South Carolina Lottery Commissioners and South  
25 Carolina Transportation Infrastructure Bank Board members and their eligible dependents are eligible to participate in the State  
26 Health and Dental Insurance Plan, upon paying the full premium costs as determined by the Public Employee Benefit Authority. If  
27 a county is participating in the State Health and Dental Insurance Plan, magistrates and their eligible dependents are eligible to  
28 participate in the State Health and Dental Insurance Plan, upon the magistrate paying the full premium costs as determined by the  
29 Public Employee Benefit Authority.

30 **108.2.** (PEBA: Adoption Assistance Program) The Employee Adoption Assistance Program is established to provide grants to  
31 eligible employees to assist them with the direct costs of adoption. The program shall be an employee benefit through the Public  
32 Employee Benefit Authority (PEBA) and shall be funded from the appropriation for the State Health Plan as provided in this act.  
33 Total funding for the Adoption Program shall not exceed the amount authorized by the General Assembly in the annual appropriations  
34 act. Employees are eligible for the Adoption Program if they participate in PEBA insurance benefits, have adopted a child during  
35 the prior fiscal year, apply for the grant during the annual application period, and meet any other Adoption Program criteria. The  
36 application period shall be July first through September thirtieth of the current fiscal year for an adoption in the prior fiscal year.

1 The maximum grant amounts shall be \$10,000 in the case of the adoption of a special needs child and \$5,000 for all other child  
2 adoptions. Should the total amount needed to fund grants at the maximum level exceed the amount authorized, the amount of a grant  
3 to an eligible employee shall be determined by dividing the authorized amount evenly among qualified program applicants, with the  
4 adoption of a special needs child qualifying for two times the benefit of a non-special needs child.

5 **108.3.** (PEBA: Health Plan Tobacco User Differential) For health plans adopted under the authority of Section 1-11-710 of the  
6 1976 Code by the Public Employee Benefit Authority during the current fiscal year, the board is authorized to differentiate between  
7 tobacco or e-cigarette users and nonusers regarding rates charged to enrollees in its health plans by imposing a surcharge on enrollee  
8 rates based upon tobacco or e-cigarette use. The surcharge for tobacco or e-cigarette use may not exceed \$40 per month per subscriber  
9 or \$60 per month per subscriber and dependent(s).

10 **108.4.** (PEBA: Funding Abortions Prohibited) No funds appropriated for employer contributions to the State Health Insurance  
11 Plan may be expended to reimburse the expenses of an abortion, except in cases of rape, incest or where the mother's medical  
12 condition is one which, on the basis of the physician's good faith judgment, so complicates the pregnancy as to necessitate an  
13 immediate abortion to avert the risk of her death or for which a delay will create serious risk of substantial and irreversible impairment  
14 of major bodily function, and the State Health Plan may not offer coverage for abortion services, including ancillary services provided  
15 contemporaneously with abortion services. The Public Employee Benefit Authority must determine the amount of the total premium  
16 paid for health coverage necessary to cover the risks associated with reimbursing participants in the plan for obtaining an abortion in  
17 the circumstances covered by this provision. The determination must be based on actuarial data and empirical study in the same  
18 manner and by the same method that other risks are adjusted for in similar circumstances. The plan must report this determination  
19 annually to the respective Chairmen of the Senate Finance Committee and the House Ways and Means Committee.

20 **108.5.** (PEBA: TRICARE Supplement Policy) The Public Employee Benefit Authority (PEBA) shall offer a group TRICARE  
21 Supplement policy or policies to its TRICARE-eligible subscribers through its flexible benefits program to provide that subscribers  
22 may pay premiums for such policies on a pretax basis, in accordance with federal law and regulations. PEBA may charge TRICARE  
23 Supplement subscribers an amount not to exceed \$2 per subscriber per month for any associated administrative costs.

24 **108.6.** (PEBA: State Health Plan) Of the funds authorized for the State Health Plan pursuant to Section 1-11-710(A)(2) of the  
25 1976 Code, an employer premium increase of ~~18.4~~ 3.7 percent and a subscriber premium increase of zero percent will result for the  
26 standard State Health Plan for Plan Year ~~2023~~ 2024. ~~Patient cost sharing for participants of the State Health Plan for Plan Year 2023~~  
27 ~~may be adjusted within the parameters allowed to remain in an ACA grandfathered status.~~ Notwithstanding the foregoing, pursuant  
28 to Section 1-11-710(A)(3), the Public Employee Benefit Authority may adjust the plan, benefits, or contributions of the State Health  
29 Plan during Plan Year ~~2023~~ 2024 to ensure the fiscal stability of the Plan.

30 **108.7.** (PEBA: Exempt National Guard Pension Fund) In the calculation of any across-the-board cut mandated by the Executive  
31 Budget Office or General Assembly, the amount of the appropriation for the National Guard Pension Fund shall be excluded.

32 **108.8.** (PEBA: Inactive SCRS Account Transfer) A current employee or teacher who is an active participant in the State Optional  
33 Retirement Program but who has an inactive account in the South Carolina Retirement Program due to previous service in that  
34 system, shall be allowed to transfer previous contributions to the employee's or teacher's active State Optional Retirement Program  
35 account.

1       **108.9.** (PEBA: Network Pharmacy Publications) All pharmacy publications or lists must include independent retail pharmacies.  
2 Abridged pharmacy lists are prohibited.

3       **108.10.** (PEBA: Covered Contraceptives) For the Plan year beginning in January of the current fiscal year, the State Health Plan  
4 shall not apply patient cost sharing provisions to covered contraceptives. This provision does not alter the current approved list of  
5 contraceptives and complies with the requirements of Proviso 108.4.

6       **108.11.** (PEBA: Former Spouses on the State Health Plan) For the Plan Year beginning in January of the current fiscal year, the  
7 State Health Plan shall cover a subscriber's former spouse, who is eligible to be covered pursuant to a court order, on the former  
8 spouse's own individual policy and at the full amount of the premium for the coverage elected, with such rates, billing, and other  
9 administrative policies to be determined by the Public Employee Benefit Authority. The former spouses may only elect such health,  
10 dental, and vision coverage as required by the court order. The former spouse's individual coverage may continue under the State  
11 Health Plan as long as authorized under the court order and the subscriber remains a participant in the State Health Plan. This proviso  
12 does not affect a subscriber's ability to cover a current spouse on an employee/retiree and spouse or full family policy when the  
13 subscriber's former spouse is covered on a separate policy.

14       **108.12.** (PEBA: COVID-19 Return to Work Extension) For Fiscal Year ~~2022-23~~ 2023-24, the earnings limitation imposed  
15 pursuant to Section 9-1-1790 and Section 9-11-90 of the 1976 Code does not apply to retired members of the South Carolina  
16 Retirement System or the Police Officers Retirement System who return to covered employment to participate in the state's public  
17 health preparedness and response to the COVID-19 virus. This section is not intended to supersede or conflict with Act 102 of 2021,  
18 S. 704 of 2021. In the event of a conflict, the provisions of the Act control.

19       **108.13.** (PEBA: Non-State Agency Furloughs) For the current fiscal year, a participating employer in the South Carolina  
20 Retirement System or Police Officers Retirement System that is not a state agency or institution of higher learning may make  
21 employee and employer contributions for a period of not more than ninety working days during a furlough program that was  
22 implemented as a result of and took place during the COVID-19 Public Health Emergency and if the terms of the furlough program  
23 are consistent with the requirements for an approved mandatory furlough program established by a state agency or institution of  
24 higher learning under state law. The participating employer shall make such contributions in order to ensure that a furloughed  
25 employee's retirement benefits are not interrupted as a result of the furlough, and the period for which such contributions are made  
26 will not be considered a break in consecutive employment.

27       **108.14.** (PEBA: South Carolina Retiree Health Insurance Trust Fund) The provisions of Section 1-11-705(I)(2) of the 1976  
28 Code are suspended for Fiscal Year ~~2022-23~~ 2023-24, and, notwithstanding any other provision of law, during Fiscal Year ~~2022-23~~  
29 2023-24, funds that would otherwise have been transferred to the South Carolina Retiree Health Insurance Trust Fund from the  
30 operating account for the State's employee health insurance program pursuant to Section 1-11-705(I)(2) may remain in the operating  
31 account for the State's employee health insurance program.

32       **108.15.** (PEBA: Fiduciary Audit) For Fiscal Year ~~2022-23~~ 2023-24, Section 9-4-40 of the 1976 Code and solicitation of the bid  
33 for the fiduciary audit are suspended.

34       **108.16.** (PEBA: PORS and SCRS Return to Work) For compensation earnings during the current fiscal year, the earnings  
35 limitation does not apply if a member of the Police Officer Retirement System has not been engaged to perform services for a  
36 participating employer in the system or any other system provided in ~~this title~~ Title 9 for compensation in any capacity, whether as

1 an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least  
2 twelve consecutive months subsequent to retirement. The exemption provided under this provision does not apply unless the member  
3 first certifies to the system that he satisfies the requirements for the exemption. If a member inaccurately certifies that he satisfies  
4 the requirements for the exemption provided in this provision, the member is responsible for reimbursing the system for any benefits  
5 wrongly paid to the member.

6 For compensation earnings during the current fiscal year, the earnings limitation does not apply if compensation received by the  
7 retired member from the covered employer is for employment in a critical needs law enforcement or firefighter position as determined  
8 by the Law Enforcement Training Council. For this provision to apply, the Law Enforcement Training Council must review and  
9 approve, from the documentation provided by the covered employer, that no qualified, nonretired member is available for  
10 employment in the position, and that the member selected for employment meets the requirements of this provision. No later than  
11 January 1st of the current fiscal year, the Law Enforcement Training Council must submit a report to the Chairman of the Senate  
12 Finance Committee and the Chairman of the House Ways and Means Committee of the positions requested for inclusion in the  
13 earnings limitation exception under this provision. The earnings limitation exception in this provision only applies to those positions  
14 approved by action of the General Assembly for the fiscal year in response to the report submitted by the Law Enforcement Training  
15 Council. The Law Enforcement Training Council shall develop guidelines and curriculum for these officers to be recertified.

16 For compensation earnings during the current fiscal year, the earnings limitation does not apply if a member of the South Carolina  
17 Retirement System has not been engaged to perform services for a participating employer in the system or any other system provided  
18 in ~~this title~~ Title 9 for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint  
19 employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement. The  
20 exemption provided under this provision does not apply unless the member first certifies to the system that he satisfies the  
21 requirements for the exemption. If a member inaccurately certifies that he satisfies the requirements for the exemption provided in  
22 this provision, the member is responsible for reimbursing the system for any benefits wrongly paid to the member.

23 **108.17.** (PEBA: PORS Return to Work) If a member of the Police Officer Retirement System chooses to engage in the Return  
24 to Work program, their twelve month period spent not engaging in officer duties shall not cause a member to lose their license or be  
25 unable to perform the duties of a police officer. Officers participating in the Return to Work program shall be required to meet  
26 continuous training and education requirements of the South Carolina Law Enforcement Academy.

## 27 28 SECTION 109 - R440 - DEPARTMENT OF REVENUE

29  
30 **109.1.** (DOR: Subpoenaed Employee Expense Reimbursement) If any employee of the Department of Revenue is subpoenaed to  
31 testify during litigation not involving the Department of Revenue, the party subpoenaing the employee(s) to testify shall reimburse  
32 the State for expenses incurred by the employee(s) requested to testify. Expenses shall include but are not limited to the cost of  
33 materials and the average daily salary of the employee or employees.

34 **109.2.** (DOR: Court Order Funds Carry Forward) Funds awarded to the Department of Revenue by court order shall be retained  
35 in a special account and shall be carried forward from year to year, and expended as needed to accomplish the purposes and conditions  
36 of said order



1 if specified, and if not specified, as may be directed by the Director of the Department of Revenue.

2 **109.3.** (DOR: Rural Infrastructure Fund Transfer) Notwithstanding Section 12-10-85, the Department of Revenue is authorized  
3 to deposit revenues from the Rural Infrastructure Fund in excess of \$12 million dollars to the Rural Infrastructure Fund under the  
4 Rural Infrastructure Authority. Any revenues in excess of \$17 million shall be deposited in the Rural Infrastructure Fund under the  
5 Department of Commerce, Coordinating Council.

6 **109.4.** (DOR: SCBOS Funds) The Department of Revenue shall share equally the collection assistance fees imposed on overdue  
7 tax debt with the South Carolina Business One Stop program. The funds received by the department from this fee shall be used for  
8 continued administration of the revenue laws in a fair and impartial manner. Any unexpended funds generated by the fee shall be  
9 carried forward from the prior fiscal year into the current fiscal year and shall also be shared equally between the Department of  
10 Revenue and the South Carolina Business One Stop program.

11 **109.5.** (DOR: Across the Board Cut Exemption) Whenever the Executive Budget Office or General Assembly implements an  
12 across the board budget reduction, the funds appropriated to the Department of Revenue shall be exempt from any such mandated  
13 budget reduction.

14 **109.6.** (DOR: Candidate Tax Return Programs) (A) From the funds appropriated in this act, the department must develop a  
15 program to process inquiries from a candidate for an office of this State or its political subdivisions or any gubernatorial appointee  
16 concerning whether that candidate or appointee has filed annual state income tax returns that he was required to file during the past  
17 ten years, regardless of the source of income, has paid all income taxes due during that time period, and has satisfied all judgments,  
18 liens, or other penalties for failure to pay income taxes when due. The department may only respond to an inquiry if the inquiry is  
19 made by a candidate or appointee concerning that candidate's or appointee's own income tax returns.

20 (B) Unless a candidate or appointee requests otherwise, the department must post the results of all inquiries from candidates or  
21 appointees in a prominent place on its internet website. The information must be organized in the following manner: (1) the  
22 candidates name as it will appear on the ballot or the appointee's name as it appears on his income tax returns; (2) identify the years  
23 that the candidate or appointee was required to file income tax returns and identify the years, if any, that the candidate or appointee  
24 was not required to file income tax returns; (3) state whether the candidate or appointee filed income tax returns in each year that the  
25 candidate or appointee was required to file income tax returns; (4) state whether the candidate or appointee paid income taxes due  
26 each year that the candidate or appointee was required to file income tax returns; and (5) state whether the candidate or appointee  
27 had a judgment, lien, or other penalty levied against him for failure to pay income taxes when due, the year of the levy, and whether  
28 that judgment, lien, or other penalty has been satisfied. The department may not post a candidate's complete income tax return when  
29 fulfilling its obligations under this proviso.

30 (C)(1) Participation in this program by a candidate or appointee is voluntary.

31 (2) A candidate's or appointee's inquiry constitutes a waiver of confidentiality with the department concerning the information  
32 posted.

33 **109.7.** (DOR: Fraudulent Tax Return Program) The Department of Revenue may establish a Fraudulent Tax Return Detection  
34 Program to prevent payment of fraudulent tax refunds. To implement the program the department may contract with information  
35 and technology entities to provide the necessary detection capabilities. The department shall pay for the program from the savings  
36 realized by implementation.

1       **109.8.** (DOR: Treasury Offset Program) The Department of Revenue is authorized to retain up to \$140,000 of mailing and  
2 associated administrative costs incurred as a result of the State's participation in and the notice requirements of the Federal Treasury  
3 Offset Program. Retained expenses shall be from tax offset revenue received from the federal government. Remaining revenue shall  
4 be deposited in the General Fund.

5       **109.9.** (DOR: Public Safety Events) Of the accommodation tax returned to Horry County or the municipalities therein, excluding  
6 municipalities that have enacted a Tourism Development Fee up to one third of the total allocation may be set aside and used for  
7 direct policing activities, fire safety, and emergency medical services during events held in May and December, or other dates if  
8 rescheduled due to emergency conditions within Horry County that significantly increase the burden of law enforcement and other  
9 first responders and require additional resources to ensure public safety during those events. By October thirty-first, the local  
10 government must inform the Department of Revenue the percentage of accommodation tax to withhold, not to exceed one third of  
11 the estimated yearly return, which will be dedicated to direct policing activities, fire safety, and emergency medical services. These  
12 funds shall be sent by the Department of Revenue to the local governing entity upon request of the local entity. A report on the  
13 expenditure of these funds, which must include the amount and purpose for which the funds were expended shall be submitted by  
14 the county or municipalities to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways  
15 and Means Committee no later than ninety days after the end of the fiscal year in which these funds are expended.

16       **109.10.** (DOR: Tourist Safety) Of the accommodation tax returned to any municipality in Horry County that has a Tourism  
17 Development Fee, up to fifty percent of the allocation designated under Section 6-4-10(3) of the 1976 Code may be set aside and  
18 used for direct policing purposes related to tourism. Direct policing purposes include temporary personnel, equipment, and the  
19 installation and maintenance of infrastructure related thereto. These funds may not exceed sixty-five percent of the total new funds  
20 dedicated to the additional policing purposes implemented. Each municipality utilizing this provision shall include expenditures and  
21 revenue sources in its annual report to the Tourism Expenditure Review Committee and shall submit copies of the report to the  
22 Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

23       **109.11.** (DOR: Notification of Protest) In the current fiscal year and from the funds appropriated, if a taxpayer, other than an  
24 individual, files a written protest pursuant to Section 12-60-2120 of the 1976 Code, the department shall notify any affected county  
25 and school district of the written protest.

26       **109.12.** (DOR: Food Manufacturing Equipment) Clothing required by Current Good Manufacturing Practices pursuant to 21  
27 C.F.R. Section 111.10, as it may be amended, at perishable prepared food manufacturing facilities defined by the North American  
28 Industry Classification System 311991 to prevent health hazards, including outer garments, gloves of an impermeable material,  
29 hairnets, headbands, beard covers, caps, hair covers or other effective hair restraints, and other attire required pursuant to 21 C.F.R.  
30 Section 110.10 for persons working in direct contact with food, food contact services, and food packaging materials to protect against  
31 contamination of food in perishable prepared food manufacturing facilities shall be exempt from all sales and use taxes.

32       **109.13.** (DOR: Renewable Fuel Credit) The date the taxpayer must place property or facility into service that is used for  
33 distribution or dispensing renewable fuel shall be extended to January 1, 2023.

34       **109.14.** (DOR: Electronic Filing) In the current fiscal year, in order to allow certain applications for licenses or permits to be  
35 filed electronically, the Department of Revenue may require a statement subject to penalties of perjury instead of a statement under  
36 oath.

1       **109.15.** (DOR: Referendum Notification) A county or municipal election commission must notify the Department of Revenue  
2 sixty days prior to a referendum on the imposition of a local sales tax or local option permit.  
3

4       **SECTION 110 - R520 - STATE ETHICS COMMISSION**  
5

6       **110.1.** (ETHICS: Ethics Commission Website Changes) In the current fiscal year, prior to approving or adopting any changes to  
7 the State Ethics Commission Public Disclosure and Accountability Reporting System, the State Ethics Commission shall submit the  
8 proposed changes to the Senate Ethics Committee and House of Representatives Ethics Committee for their review and approval.  
9 As third party beneficiaries to any agreement between the State Ethics Commission and a vendor relating to the State Ethics  
10 Commission Public Disclosure and Accountability Reporting System, the General Assembly through its respective Ethics  
11 Committees can submit suggested changes to any proposed agreement or contract relating to the State Ethics Commission Public  
12 Disclosure and Accountability Reporting System and the State Ethics Commission shall be required to incorporate those suggestions  
13 into any contractual negotiation.

14       **110.2.** (ETHICS: Commission Meeting) The Ethics Commission must meet at least one time each month and post notice of  
15 meeting at least twenty-four hours in advance on the agency website.  
16

17       **SECTION 111 - S600 - PROCUREMENT REVIEW PANEL**  
18

19       **111.1.** (PRP: Filing Fee) Requests for administrative review before the South Carolina Procurement Review Panel shall be  
20 accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is  
21 authorized to charge the party requesting an administrative review under the S.C. Code Sections 11-35-4210(6), 11-35-4220(5),  
22 11-35-4230(6), 11-35-4330, and/or 11-35-4410. The funds generated by the filing fee shall be retained by the panel and carried  
23 forward to be used for the operation of the panel. Withdrawal of an appeal will result in the filing fee being forfeited to the panel.  
24 If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed  
25 Request for Filing Fee Waiver form at the same time the request for review is filed. The panel shall make the Request for Filing Fee  
26 Waiver forms available to the chief procurement officers to provide to parties along with notice of right to appeal to the panel. If the  
27 filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the  
28 filing fee. Requests for administrative review will not be accepted unless accompanied by the filing fee or a completed Request for  
29 Filing Fee Waiver form at the time of filing.  
30

31       **SECTION 112 - V040 - DEBT SERVICE**  
32

33       **112.1.** (DS: Ports Authority Loan) Upon receipt of the federal government’s share of the Charleston Harbor Deepening Project,  
34 the State Ports Authority shall reimburse the General Fund the amount of the loan received pursuant to Proviso 112.2 of Act 264 of  
35 2018 for cash flow needs related to the Charleston Harbor Deepening Project, together with interest accrued to the date of  
36 reimbursement, calculated at the rate earned on the General Fund for the period during which the loan remains outstanding.

1       **112.2.** (DS: Excess Debt Service) Excess debt service funds available in Fiscal Year ~~2022-23~~ 2023-24 may be expended in the  
2 fiscal year to pay down general obligation bond debt for which the State (1) is paying the highest rate of interest; (2) will achieve  
3 relief in constrained debt capacity; or (3) reduce the amount of debt issued.  
4

5       **SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE TREASURER**  
6

7       **113.1.** (AS-TREAS: Veterans' Affairs-Aid to Counties) In the allocation of the appropriation in Part IA, Section 113, as adjusted  
8 for "Aid to County Veteran Offices," each county shall receive an effective annual amount equal to one hundred percent of the  
9 amount allocated to it for the prior fiscal year plus an amount equivalent to base pay increases for state employees, less any  
10 adjustments made for budget reductions. This allocation shall be distributed on a quarterly basis to the County Treasurer who will  
11 handle and distribute these monies for the sole benefit and use of the County Veterans' Affairs Offices.

12       **113.2.** (AS-TREAS: Quarterly Distributions) For Fiscal Year ~~2022-23~~ 2023-24, one quarter of the amount appropriated in Part  
13 IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with  
14 the four distributions together totaling the Fiscal Year ~~2022-23~~ 2023-24 Part IA appropriation for the Local Government Fund.

15       **113.3.** (AS-TREAS: Salary Supplements) The amounts appropriated in Part IA, Section 113, for Aid Cnty-Clerks of Court, Aid  
16 Cnty-Probate Judges, Aid Cnty-Coroners, and Aid Cnty-Sheriffs shall be distributed by the State Treasurer to each county treasurer  
17 equally on a quarterly basis, and shall be used as a salary supplement for each clerk of court, probate judge, county coroner, and  
18 county sheriff. The amounts appropriated in Part IA, Section 113 for Aid Cnty-Register of Deeds, shall be equally distributed by  
19 the State Treasurer to the appropriate county treasurer on a quarterly basis, and shall be used as a salary supplement for registers of  
20 deeds.

21       The amount appropriated in Part IA, Section 113, for Aid Cnty-Auditors and Aid Cnty-Treasurers, shall be equally distributed to  
22 each county auditor and county treasurer as a salary supplement in addition to any amounts presently being provided by the county  
23 for these positions. It is the intent of the General Assembly that the amount appropriated by the county as salaries for these positions  
24 shall not be reduced as a result of the appropriation and that such appropriation shall not disqualify each county auditor and each  
25 county treasurer for salary increases that they might otherwise receive from county funds in the future. The salary supplement  
26 for each county auditor and county treasurer shall be paid in accordance with the schedule and method of payment established for  
27 state employees.

28       The amounts appropriated in Part IA, Section 113 for Clerks of Court, Probate Judges, Sheriffs, Register of Deeds, Coroners,  
29 Auditors, and Treasurers shall be exempt from any across the board cut mandated by the Executive Budget Office or General  
30 Assembly. However, the governing body of a county may reduce the expenditures in the operation of the offices of these officials  
31 without any required corresponding reduction in the county's state aid to subdivisions distribution. However, any reduction in these  
32 officials' budgets must be made in consultation with the affected official.

33       **113.4.** (AS-TREAS: Legislative Delegations) In the current fiscal year, a county government must fund its legislative delegation  
34 budget pursuant to Section 3, Act No. 283 of 1975. If a county council does not meet that funding level, the amount of the shortfall  
35 must be deducted from the responsible county's Aid to Subdivisions allocation and forwarded to the legislation delegation of the

1 county. Additionally, the responsible county's remaining Aid to Subdivisions allotment must be reduced by twenty-five percent of  
2 the shortfall amount, which sum must be forwarded to the legislative delegation to be used for its administrative costs.

3 **113.5.** (AS-TREAS: Transparency - Political Subdivision Appropriation of Funds) (A) A political subdivision receiving aid from  
4 the Local Government Fund may not:

5 (1) appropriate money to any entity unless that appropriation appears as a separate and distinct line item in the political  
6 subdivision's budget or in an amendment to the political subdivision's budget;

7 (2) except in cases of emergency or unforeseen circumstances, donate funds to a nonprofit organization unless the amounts  
8 donated are appropriated on a separate and distinct line item in the political subdivision's budget or an amendment to the political  
9 subdivision's budget that includes the names of the entities to which the donations are being made. In the case of an emergency or  
10 unforeseen circumstances, a political subdivision may donate funds to a nonprofit organization if the amount and purpose of the  
11 proposed donation and the nature of the emergency or unforeseen circumstances necessitating the donation are announced in open  
12 session at a public meeting held by the governing body of the political subdivision and the funds are not delivered to the organization  
13 for five days following the announced intent to make the donation; or

14 (3) accept any funds from nongovernmental and inter-governmental organizations as defined in Agenda 21, adopted by the  
15 United Nations in 1992 at its Conference on Environment and Development, accredited and enlisted by the United Nations to assist  
16 in the implementation of its policies relative to Agenda 21 around the world without posting the following on the political  
17 subdivision's website for ten days:

18 (a) a full and detailed list of the funding program, including a designation that the funding program is associated with Agenda  
19 21;

20 (b) the amount of funds involved;

21 (c) every mandate or requirement or action that will result from the grant or funding program's implementation;

22 (d) any and all projected costs to the political subdivision, business, or individual associated with the grant or funding  
23 program; and

24 (e) the stated goals and expected results of the grant or funding program.

25 (B) A political subdivision receiving aid from the Local Government Fund may not appropriate money to any entity without the  
26 requirement that the entity provides at the end of the fiscal year a detailed description of the purposes for which the money was used.

27 **113.6.** (AS-TREAS: Political Subdivision Flexibility) ~~For Fiscal Year 2022-23, a political subdivision receiving aid from the~~  
28 ~~Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the~~  
29 ~~percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be~~  
30 ~~appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of~~  
31 ~~Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters in Equity and their~~  
32 ~~offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and~~  
33 ~~their offices, and assessment for indigent medical care pursuant to Section 44-6-146 of the 1976 Code.~~

34 **113.7.** (AS-TREAS: Agricultural Use Exemption) A county shall have its portion of the Aid to Subdivisions, Local Government  
35 Fund withheld if the county imposes any additional requirements for an agricultural use exemption for a landowner's timberland  
36 beyond what is required by Section 12-43-230(a) and Section 12-43-232 of the 1976 Code.

1       **113.8.** (AS-TREAS: Excess Sales Tax Collections) In the current fiscal year, if a county has capital projects sales tax collections  
2 in excess of the amount necessary to complete all projects for which the tax was imposed and the tax has not yet expired, the county  
3 may pledge and use the excess collections to fund road improvements, intersection improvements, and pedestrian transportation.  
4 However, prior to the expiration of the tax, an eligible county must adopt an ordinance specifying the purposes for which the excess  
5 funds will be used. A county may expend distributions received pursuant to the Aid to Subdivisions, State Treasurer section to meet  
6 the requirements of this provision.

7       **113.9.** (AS-TREAS: Rural County Stabilization Fund) There is created in Aid to Subdivisions-State Treasurer the Rural County  
8 Stabilization Fund. Any county that has population growth, as determined by the 2020 Census, of less than 5.35% since the 2010  
9 census shall be eligible to receive monies from the fund as follows:

10       (1) a baseline of \$300,000 to each eligible county;

11       (2) an additional \$100,000 to eligible counties with a population between 50,000 and 99,999; and

12       (3) an additional \$200,000 to eligible counties with a population of more than 100,000. After disbursement of funds, any monies  
13 remaining shall be distributed to each eligible county on a pro rata basis.

14       In the event the amount of funds in the Rural County Stabilization Fund is not sufficient to provide monies to counties according  
15 to the above formula, the amounts distributed to counties shall be reduced on a pro rata basis.

16       **113.10.** (AS-TREAS: E-Filing System) The governing body of any county that has at least three municipalities within the  
17 county, in whole or in part, with a population of fifty thousand or more shall utilize sufficient funds received from the local  
18 government fund to implement an electronic or e-filing system in the county's Register of Deeds Office to be utilized for the recording  
19 of documents and for payment of associated fees. The Register of Deeds shall assist with the implementation and shall monitor,  
20 utilize, and maintain the system.

21       **113.11.** (AS-TREAS: Short-term Rentals) A political subdivision that receives money pursuant to this act may not expend any  
22 funds, regardless of the source of funds, to enact or enforce an ordinance that prohibits short-term rentals unless the political  
23 subdivision also provides financial incentives for the purchase and rental of affordable housing and zoning allowances in exchange  
24 for an affordable covenant of at least twenty years. The State Treasurer shall withhold the political subdivision's portion of the  
25 Local Government Fund if a political subdivision violates this provision or enacts any such ordinance. For purposes of this  
26 provision, "short-term rental" means any individually or collectively owned residential house or dwelling unit or group of units that  
27 is rented wholly or partially for residential use for any period of time greater than three consecutive days.

## 28

## 29 SECTION 117 - X900 - GENERAL PROVISIONS

## 30

31       **117.1.** (GP: Revenues, Deposits Credited to General Fund) For the current fiscal year, except as hereinafter specifically provided,  
32 all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and  
33 departmental revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income  
34 derived from any other departmental or institutional source of activity, must be remitted to the State Treasurer at least once each  
35 week, when practical, and must be credited, unless otherwise directed by law, to the General Fund of the State. Each institution,  
36 department, or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement,

1 showing in detail the sources itemized according to standard budget classification from which such income was derived, and shall,  
2 at the same time, forward a copy of such report or statement to the Comptroller General and the Executive Budget Office. In order  
3 to facilitate the immediate deposit of collections, refunds of such collections by state institutions where properly approved by the  
4 authorities of same, may be made in accordance with directions from the State Comptroller General and State Treasurer. General  
5 fund appropriations herein made for the support of the public school system of the State must be greater than or equal to the revenues  
6 derived from the General Retail Sales Tax, the Soft Drinks Tax, and the state's portion of the Alcoholic Liquors Tax and Cable  
7 Television Fees as forecasted in the general fund revenue estimate of the Board of Economic Advisors as accounted for in the  
8 Statement of Revenues of this act. Appropriations in this act for the support of the public school system shall include the following:

9 Department of Education;

10 State Board for Technical and Comprehensive Education;

11 Educational Television Commission;

12 Wil Lou Gray Opportunity School;

13 School for the Deaf and the Blind;

14 Governor's School for Agriculture at John de la Howe;

15 Debt Service on Capital Improvement Bonds Applicable to Above Agencies;

16 Debt Service on School Bonds;

17 Other School Purposes. Nothing contained herein shall be construed as diminishing the educational funding requirements of this  
18 section.

19 **117.2.** (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part,  
20 if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways  
21 and Public Transportation Fund, and other applicable funds, to meet the ordinary expenses of the state government for Fiscal Year  
22 ~~2022-23~~ 2023-24, and for other purposes specifically designated.

23 **117.3.** (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, "current fiscal year" means the fiscal  
24 year beginning July 1, ~~2022~~ 2023, and ending June 30, ~~2023~~ 2024, and "prior fiscal year" means the fiscal year beginning July 1,  
25 ~~2021~~ 2022, and ending June 30, ~~2022~~ 2023.

26 **117.4.** (GP: Descriptive Proviso Titles) Descriptive proviso titles listed in this act are for purposes of identification only and are  
27 not to be considered part of the official text.

28 **117.5.** (GP: Judicial & Involuntary Commitment, Defense of Indigents) It is the responsibility of all agencies, departments and  
29 institutions of state government, to provide at no cost and as a part of the regular services of the agency, department or institutions  
30 such services as are necessary to carry out the provisions of Chapter 52, Title 44 (Involuntary Commitment), Article 7, Chapter 17,  
31 Title 44 of the 1976 Code (Judicial Commitment), Chapter 3, Title 17 of the 1976 Code (Defense of Indigents), and Article 1, Chapter  
32 3, Title 16 of the 1976 Code (Death Penalty), as amended, upon request of the Judicial Department and/or the appropriate court. To  
33 this end, state agencies are directed to furnish to the Judicial Department a list of their employees who are competent to serve as  
34 court examiners. The Judicial Department shall forward a copy of this list to the appropriate courts, and the courts shall utilize the  
35 services of such state employees whenever feasible. State employees shall receive no additional compensation for performing such  
36 services. For the purpose of interpreting this section, employees of the Medical University of South Carolina and individuals

1 serving an internship or residency as an academic requirement or employees who are not full-time state employees and who are not  
2 performing duties as state employees are not considered state employees.

3 **117.6.** (GP: Case Service Billing Payments Prior Year) Agencies appropriated case services funds who routinely receive prior  
4 year case service billings after the old fiscal year has been officially closed are authorized to pay these case service obligations with  
5 current funds. This authorization does not apply to billings on hand that have been through a timely agency payment approval  
6 process when the old fiscal year closes.

7 **117.7.** (GP: Fee Increases) (A) No state agency, department, board, committee, commission, or authority, may increase an  
8 existing fee for performing any duty, responsibility, or function unless the fee for performing the particular duty, responsibility, or  
9 function is authorized by statutory law and set by regulation except as provided in this paragraph.

10 (B) This paragraph does not apply to:

- 11 (1) state-supported governmental health care facilities;
- 12 (2) state-supported schools, colleges, and universities;
- 13 (3) educational, entertainment, recreational, cultural, and training programs;
- 14 (4) the State Board of Financial Institutions;
- 15 (5) sales by state agencies of goods or tangible products produced for or by these agencies;
- 16 (6) charges by state agencies for room and board provided on state-owned property;
- 17 (7) application fees for recreational activities sponsored by state agencies and conducted on a draw or lottery basis;
- 18 (8) court fees or fines levied in a judicial or adjudicatory proceeding;
- 19 (9) the South Carolina Public Service Authority or the South Carolina Ports Authority.

20 (C) This paragraph does not prohibit a state agency, department, board, committee, or commission from increasing fees for  
21 services provided to other state agencies, departments, boards, committees, commissions, political subdivisions, or fees for health  
22 care and laboratory services regardless of whether the fee is set by statute.

23 (D) Statutory law for purposes of this paragraph does not include regulations promulgated pursuant to the State Administrative  
24 Procedures Act.

25 **117.8.** (GP: State Institutions - Revenues & Income) The University of South Carolina, Clemson University, the Medical  
26 University of South Carolina (including the Medical University Hospital), The Citadel, Winthrop University, South Carolina State  
27 University, Francis Marion University, University of Charleston, Lander University, Coastal Carolina University, and the Wil Lou  
28 Gray Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according  
29 to the terms of Proviso 117.1 of this act, but all such revenues or income so collected, except fees received as regular term tuition,  
30 matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective  
31 institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 11-3-185 of the 1976 Code, and  
32 expended to fulfill the purpose for which such fees or income were levied, but no part of such income shall be used for permanent  
33 improvements without the express written approval of the State Fiscal Accountability Authority and the Joint Legislative Capital  
34 Bond Review Committee; and it is further required that no such fee or income shall be charged in excess of the amount that is  
35 necessary to supply the service, or fulfill the purpose for which such fee or income was charged. Notwithstanding other provisions  
36 of this act, funds at state institutions of higher learning derived wholly from athletic or other student contests, from the activities of



1 student organizations, and from the operations of canteens and bookstores, and from approved Private Practice plans at institutions  
2 and affiliated agencies may be retained at the institution and expended by the respective institutions only in accord with policies  
3 established by the institution's Board of Trustees. Such funds shall be audited annually by the State but the provisions of this act  
4 concerning unclassified personnel compensation, travel, equipment purchases and other purchasing regulations shall not apply to the  
5 use of these funds.

6 **117.9.** (GP: Transfers of Appropriations) Agencies and institutions shall be authorized to transfer appropriations within programs  
7 and within the agency with notification to the Executive Budget Office and Comptroller General. No such transfer may exceed  
8 twenty percent of the program budget. Upon request, details of such transfers may be provided to members of the General Assembly  
9 on an agency by agency basis. Transfers of appropriations from personal service accounts to other operating accounts or from other  
10 operating accounts to personal service accounts may be restricted to any established standard level set by the State Fiscal  
11 Accountability Authority upon formal approval by a majority of the members of the State Fiscal Accountability Authority.

12 **117.10.** (GP: Federal Funds - DHEC, DSS, DHHS - Disallowances) Amounts appropriated to the Department of Health and  
13 Environmental Control, Department of Social Services and Department of Health and Human Services may be expended to cover  
14 program operations of prior fiscal years where adjustment of such prior years are necessary under federal regulations or audit  
15 exceptions. All disallowances or notices of disallowances by any federal agency of any costs claimed by these agencies shall be  
16 submitted to the State Auditor, the Senate Finance Committee and the House Ways and Means Committee, within five days of receipt  
17 of such actions.

18 **117.11.** (GP: Fixed Student Fees) During the current fiscal year, student fees at the state institutions of higher learning shall be  
19 fixed by the respective Boards of Trustees as follows:

20 (1) Fees applicable to student housing, dining halls, student health service, parking facility, laundries and all other personal  
21 subsistence expenses shall be sufficient to fully cover the total direct operating and capital expenses of providing such facilities and  
22 services over their expected useful life except those operating or capital expenses related to the removal of asbestos.

23 (2) Student activity fees may be fixed at such rates as the respective Boards shall deem reasonable and necessary.

24 **117.12.** (GP: Tech Educ. Colleges Student Activity Fees) Notwithstanding any other provisions of this act, funds at technical  
25 education colleges derived wholly from the activities of student organizations and from the operations of canteens and bookstores  
26 may be retained by the college and expended only in accord with policies established by the respective college's area commission  
27 and approved by the State Board for Technical and Comprehensive Education.

28 **117.13.** (GP: Discrimination Policy) It is the policy of the State of South Carolina to recruit, hire, train, and promote employees  
29 without discrimination because of race, color, sex, national origin, age, religion or physical disability. This policy is to apply to all  
30 levels and phases of personnel within state government, including but not limited to recruiting, hiring, compensation, benefits,  
31 promotions, transfers, layoffs, recalls from layoffs, and educational, social, or recreational programs. It is the policy of the State to  
32 take affirmative action to remove the disparate effects of past discrimination, if any, because of race, color, sex, national origin, age,  
33 religion, or physical disability.

34 Each state agency shall submit to the State Human Affairs Commission employment and filled vacancy data by race and sex by  
35 October thirty-first, of each year.

1 In accordance with Section 1-13-110 of the 1976 Code, as amended, the Human Affairs Commission shall submit a report on the  
2 status of state agencies' Affirmative Action Plans and Programs to the General Assembly by February first each year. This report  
3 shall contain the total number of persons employed in each job group, by race and sex, at the end of the preceding reporting period,  
4 a breakdown by race and sex of those hired or promoted from within the agency during the reporting period, and an indication of  
5 whether affirmative action goals were achieved. For each job group referenced in the Human Affairs report, where the hiring of  
6 personnel does not reflect the percentage goals established in the agency's affirmative action plan for the year in question, the state  
7 agency shall submit a detailed explanation to the Human Affairs Commission by February fifteenth, explaining why goals were not  
8 achieved.

9 The Human Affairs Commission shall review the explanations and notify the Department of Administration of any agency not in  
10 satisfactory compliance with meeting its stated goals.

11 The Department of Administration shall notify any agency not in compliance that their request for additional appropriations for  
12 the current appropriation cycle, may not be processed until such time as the Department of Administration, after consultation with  
13 the Human Affairs Commission, is satisfied that the agency is making a good faith effort to comply with its affirmative action plan,  
14 and that the compliance must be accomplished within a reasonable length of time to be determined by the mission and circumstances  
15 of the agency. This requirement shall not affect additional appropriation requests for public assistance payments or aid to entities.  
16 This section does not apply to those agencies that have been exempted from the reporting requirements of the Human Affairs  
17 Commission.

18 **117.14.** (GP: FTE Management) In order to provide the necessary control over the number of employees, the Executive Budget  
19 Office is hereby directed to maintain close supervision over the number of state employees, and to require specifically the following:

20 (1) That no state agency exceed the total authorized number of full-time equivalent positions and those funded from state sources  
21 as provided in each section of this act except by majority vote of the State Fiscal Accountability Authority.

22 (2) That the Executive Budget Office shall maintain and make, as necessary, periodic adjustments thereto, an official record of  
23 the total number of authorized full-time equivalent positions by agency for state and total funding sources.

24 (a) That within thirty days of the passage of the Appropriation Act or by August first, whichever comes later, each agency of  
25 the State must have established on the Executive Budget Office records all positions authorized in the Act. Each agency may, upon  
26 notification to the Executive Budget Office, change the funding source of state FTE positions established on the Executive Budget  
27 Office records as necessary to expend federal and other sources of personal service funds to conserve or stay within the state  
28 appropriated personal service funds. No agency shall change funding sources that will cause the agency to exceed the authorized  
29 number of state or total full-time equivalent positions. Each agency may transfer FTEs between programs as needed to accomplish  
30 the agency mission.

31 (b) That by September thirtieth, the office shall prepare a FTE analysis, by agency, which shows the number of authorized,  
32 filled, and vacant positions by source of funds for the current and two previously completed fiscal years. The office shall provide a  
33 copy of each agency's FTE analysis to the Senate Finance and House Ways and Means Committees.

34 (3) That full-time equivalent (FTE) positions shall be determined under the following guidelines:

35 (a) The annual work hours for each FTE shall be the agency's full-time standard annual work hours.

- 1 (b) The state FTE shall be derived by multiplying the state percentage of budgeted funds for each position by the FTE for that  
2 position.
- 3 (c) All institutions of higher education shall use a value of 0.75 FTE for each position determined to be full-time faculty with  
4 a duration of nine months.
- 5 The FTE method of accounting shall be utilized for all authorized positions.
- 6 (4) That the number of positions authorized in this act shall be reduced in the following circumstances:
- 7 (a) Upon request by an agency.
- 8 (b) When anticipated federal funds are not made available.
- 9 (c) When the Executive Budget Office, through study or analysis, becomes aware of any unjustifiable excess of positions in  
10 any state agency.
- 11 (5) That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this act but  
12 temporary positions may be so funded.
- 13 (6) That the provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan  
14 under item I of Section 8-11-260 of the 1976 Code.
- 15 The Governor, in making his appropriation recommendations to the Ways and Means Committee, must provide that the level of  
16 personal service appropriation recommended for each agency is at least ninety-seven percent of the funds required to meet one  
17 hundred percent of the funds needed for the full-time equivalents positions recommended by the Governor (exclusive of new  
18 positions).
- 19 **117.15.** (GP: Allowance for Residences & Compensation Restrictions) That salaries paid to officers and employees of the State,  
20 including its several boards, commissions, and institutions shall be in full for all services rendered, and no perquisites of office or of  
21 employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for  
22 at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee. The charge  
23 for these items may be payroll deducted at the discretion of the Comptroller General or the chief financial officer at each agency  
24 maintaining its own payroll system. This shall not apply to the Governor's Mansion, nor to guards at any of the state's penal  
25 institutions and nurses and attendants at the Department of Disabilities and Special Needs, and registered nurses providing clinical  
26 care at the MUSC Medical Center, nor to the Superintendent and staff of the Governor's School for Agriculture at John de la Howe,  
27 nor to the cottage parents and staff of Wil Lou Gray Opportunity School, nor to full-time or part-time staff who work after regular  
28 working hours in the SLED Communications Center or Maintenance Area, nor to adult staff at the Governor's School for Science  
29 and Mathematics and the Governor's School for Arts and Humanities who are required to stay on campus by the institution because  
30 of job requirements or program participation. Any state institution of higher learning may provide complimentary membership  
31 privileges to employees who work at their wellness centers. The presidents of those state institutions of higher learning authorized  
32 to provide on-campus residential facilities for students may be permitted to occupy residences on the grounds of such institutions  
33 without charge.
- 34 Any state institution of higher learning may provide a housing allowance to the president in lieu of a residential facility, the amount  
35 to be approved by the State Fiscal Accountability Authority.

1 That the following may be permitted to occupy residences owned by the respective departments without charge: the Farm Director,  
2 Farm Managers, and Specialists employed at the Wateree River Correctional Institution; the South Carolina State Commission of  
3 Forestry fire tower operators, forestry aides, and caretaker at central headquarters; the Department of Natural Resources' Wildlife  
4 Management Area Personnel, Fish Hatchery Personnel, and Heritage Trust Personnel; Director of Wil Lou Gray Opportunity School;  
5 President of the School for the Deaf and the Blind; houseparents for the Commission for the Blind; South Carolina Department of  
6 Health and Environmental Control personnel at the State Park Health Facility and Camp Burnt Gin; Residence Life Coordinators at  
7 Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at  
8 Winthrop University; Farm Superintendent at Winthrop University; Residence Hall Directors at the College of Charleston; the  
9 Department of Disabilities and Special Needs' physicians and other professionals at Whitten Center, Clemson University  
10 Off-Campus Agricultural Staff and Housing Area Coordinators; and TriCounty Technical College's Bridge to Clemson Resident and  
11 Area Directors; and housing maintenance night supervisors, residence life directors, temporary and transition employees, and  
12 emergency medical personnel occupying residences owned by the University of South Carolina. Except in the case of elected  
13 officials, the fair market rental value of any residence furnished to a state employee shall be reported by the state agency furnishing  
14 the residence to the Agency Head Salary Commission, and the Department of Administration by October first of each fiscal year.

15 All salaries paid by departments and institutions shall be in accord with a uniform classification and compensation plan, approved  
16 by the Department of Administration, applicable to all personnel of the State Government whose compensation is not specifically  
17 fixed in this act. Such plan shall include all employees regardless of the source of funds from which payment for personal service is  
18 drawn. The Department of Administration is authorized to approve temporary salary adjustments for classified and unclassified  
19 employees who perform temporary duties which are limited by time and/or funds. When approved, a temporary salary adjustment  
20 shall not be added to an employee's base salary and shall end when the duties are completed and/or the funds expire. Academic  
21 personnel of the institutions of higher learning and other individual or group of positions that cannot practically be covered by the  
22 plan may be excluded therefrom but their compensations as approved by the Department of Administration shall, nevertheless, be  
23 subject to review by the State Fiscal Accountability Authority. Salary appropriations for employees fixed in this act shall be in full  
24 for all services rendered, and no supplements from other sources shall be permitted or approved by the State Fiscal Accountability  
25 Authority. With the exception of travel and subsistence, legislative study committees shall not compensate any person who is  
26 otherwise employed as a full-time state employee. Salaries of the heads of all agencies of the State Government shall be specifically  
27 fixed in this act and no salary shall be paid any agency head whose salary is not so fixed. As long as there is no impact on appropriated  
28 funds, state agencies and institutions shall be allowed to spend public funds and/or other funds for designated employee award  
29 programs which shall have written criteria approved by the agency governing board or commission. For purposes of this section,  
30 monetary awards, if any, shall not be considered a part of an employee's base salary, a salary supplement, or a perquisite of  
31 employment. The names of all employees receiving monetary awards and the amounts received shall be reported annually to the  
32 Department of Administration.

33 In the case of lodging furnished by certain higher education institutions to employees, the prevailing local rate does not apply if  
34 the institution meets the exceptions for inadequate rent described in the current Internal Revenue Code Section 119(d)(2). To meet  
35 the exception, rental rates must equal the lesser of five percent of the appraised value of the qualified campus lodging, or the average  
36 of the rentals paid by individuals (other than employees or students of the educational institution) during the calendar year for lodging

1 provided by the educational institution which is comparable to the qualified campus lodging provided to the employee, over the rent  
2 paid by the employee for the qualified campus lodging during the calendar year. The appraised value shall be determined as of the  
3 close of the calendar year in which the taxable year begins, or, in the case of a rental period not greater than one year, at any time  
4 during the calendar year in which the period begins.

5 **117.16.** (GP: Universities & Colleges - Allowance for Presidents) Presidents of the University of South Carolina, Clemson  
6 University, the Medical University of South Carolina, The Citadel, Winthrop University, South Carolina State University, Francis  
7 Marion University, University of Charleston, Coastal Carolina University and Lander University must not be paid a fixed allowance  
8 for personal expenses incurred in connection with the performance of their official duties. Reimbursements may be made to the  
9 presidents from funds available to their respective institutions for any personal expenses incurred provided that all requests for  
10 reimbursement are supported by properly documented vouchers processed through the normal accounting procedures of the  
11 institutions.

12 **117.17.** (GP: Replacement of Personal Property) The Department of Juvenile Justice, Department of Corrections, Department  
13 of Probation, Parole and Pardon Services, Department of Mental Health, Department of Disabilities and Special Needs, Continuum  
14 of Care, Department of Social Services and School for the Deaf and the Blind may replace the personal property of an employee  
15 which has been damaged or destroyed by a client while in custody of the agency. The replacement of personal property may be  
16 made only if the loss has resulted from actions by the employee deemed to be appropriate and in the line of duty by the agency head  
17 and if the damaged or destroyed item is found by the agency head to be reasonable in value, and necessary for the employee to carry  
18 out the functions and duties of his employment. Replacement of damaged or destroyed items shall not exceed \$250 per item, per  
19 incident. Each agency must have guidelines to insure the reasonableness of the replacement payments.

20 **117.18.** (GP: Business Expense Reimbursement) Agency heads and deputy commissioners or deputy directors designated by  
21 agency heads may receive reimbursements for business expenses incurred while performing their official duties, provided that  
22 receipts are presented when seeking reimbursement and justification is submitted to document the time, place, and purpose of the  
23 expense as well as the names of the individuals involved. The Department of Administration shall promulgate regulations governing  
24 these expenses.

25 **117.19.** (GP: Per Diem) The per diem allowance of all boards, commissions and committees shall be at the rate of \$50 per day.  
26 No full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions, or  
27 committees.

28 **117.20.** (GP: Travel - Subsistence Expenses & Mileage) Travel and subsistence expenses, whether paid from state appropriated,  
29 federal, local or other funds, shall be allowed in accordance with the following provisions:

30 (A) Unless otherwise provided in paragraphs B through H of this section, all employees of the State of South Carolina or any  
31 agency thereof including employees and members of the governing bodies of each technical college while traveling on the business  
32 of the State shall, upon presentation of a paid receipt, be allowed reimbursement for actual expenses incurred for lodging, not to  
33 exceed the current maximum lodging rates, excluding taxes, established by the U.S. General Services Administration. The lodging  
34 reimbursement for employees of a school district must also conform to these rates when that employee's travel reimbursement is  
35 paid by state funds that are transferred to the school district. Agencies may contract with lodging facilities to pay on behalf of an  
36 employee. Failure to maintain proper control of direct payments for lodging may result in the revocation of the agency's authority

1 by the Comptroller General or the State Auditor. The employee shall also be reimbursed for the actual expenses incurred in the  
2 obtaining of meals except that such costs shall not exceed \$35 per day within the State of South Carolina. For travel outside of South  
3 Carolina the maximum daily reimbursement for meals shall not exceed \$50. Agencies may contract with food or dining facilities to  
4 pay for meals on behalf of employees in accordance with rules and regulations established by the Office of Comptroller General. It  
5 shall be the responsibility of the agency head to monitor the charges for lodging which might be claimed by his employees in order  
6 to determine that such charges are following maximum lodging rates as established by the U.S. General Services Administration.  
7 Any exceptions must have the written approval of the agency head, taking into consideration location, purpose of travel or other  
8 extenuating circumstances. The provisions of this item shall not apply to Section 42-3-40 of the 1976 Code, and when pertaining to  
9 institutions of higher learning, for travel paid with funds other than General Funds.

10 (B) That employees of the State, when traveling outside the United States, Canada, and Puerto Rico upon promotional business  
11 for the State of South Carolina shall be entitled to actual expenses for both food and lodging.

12 (C) The Governor, Lieutenant Governor, Secretary of State, Comptroller General, Attorney General, State Treasurer, Adjutant  
13 General, Superintendent of Education and the Commissioner of Agriculture shall be reimbursed actual expenses for subsistence.

14 (D) Non-legislative members of committees appointed pursuant to Acts and Resolutions of the General Assembly whose  
15 membership consists solely of members of the General Assembly or members of the General Assembly and other personnel who are  
16 not employees of the State of South Carolina shall be allowed subsistence expenses of \$42 per day while traveling on official business,  
17 unless otherwise designated by law. Members of such committees may opt to receive actual expenses incurred for lodging and actual  
18 expenses incurred in the obtaining of meals in lieu of the allowable subsistence expense.

19 (E) Members of the state boards, commissions, or committees whose duties are not full-time and who are paid on a per diem  
20 basis, shall be allowed reimbursement for actual expenses incurred at the rates provided in paragraph A and I of this section while  
21 away from their places of residence on official business of the State. One person accompanying a handicapped member of a state  
22 board, commission, or committee on official business of the State shall be allowed the same reimbursement for actual expenses  
23 incurred at the rates provided in paragraph A through I of this section.

24 (F) No subsistence reimbursement shall be allowed to a Justice of the Supreme Court or Judge of the Court of Appeals while  
25 traveling in the county of his official residence. When traveling on official business of said court within fifty miles outside the county  
26 of his official residence, a Supreme Court Justice and a Judge of the Court of Appeals shall be allowed subsistence expenses in the  
27 amount of \$42 per day plus such mileage allowance for travel as is provided for other employees of the State. When traveling on  
28 official business of said court fifty or more miles outside the county of his official residence, each Justice and Judge of the Court of  
29 Appeals shall be allowed subsistence expenses in the amount as provided in this act for members of the General Assembly plus such  
30 mileage allowance for travel as is provided for other employees of the State. The Chief Justice, or such other person as the Chief  
31 Justice designates, while attending the Conference of Chief Justices and one member of the Supreme Court while attending the  
32 National Convention of Appellate Court Judges, and three Circuit Judges while attending the National Convention of State Trial  
33 Judges shall be allowed actual subsistence and travel expenses.

34 Upon approval of the Chief Justice, Supreme Court Justices, Judges of the Court of Appeals, Circuit Judges, and Family Court  
35 Judges shall be reimbursed for actual expenses incurred for all other official business requiring out-of-state expenses at the rate  
36 provided in paragraph A of this section.

1 (G) No subsistence reimbursements are allowed to a Circuit Judge, a Family Court Judge, or an Administrative Law Judge while  
2 holding court within the county in which he resides. While holding court or on other official business outside the county, within  
3 fifty miles of his residence, a Circuit Court Judge, Family Court Judge, or an Administrative Law Judge is entitled to a subsistence  
4 allowance in the amount of \$42 per day plus such mileage allowance for travel as is provided for other employees of the State. While  
5 holding court or on other official business at a location fifty miles or more from his residence, a Circuit Court, Family Court or  
6 Administrative Law Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General  
7 Assembly plus such mileage allowance for travel as is provided for other employees of the State.

8 (H) Any retired Justice, Circuit Court Judge or Family Court Judge or Master-in-Equity appointed by the Supreme Court to serve  
9 as a Special Circuit Judge, Family Court Judge, Appeals Court Judge, or Acting Associate Justice shall serve without pay but shall  
10 receive the same allowance for subsistence, expenses, and mileage as provided in Part I for Circuit Court Judges.

11 (I) No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by  
12 which he is employed except as provided in paragraph E, of this section. When an employee is assigned to work a particular territory  
13 or district, and such territory or district and his official headquarters are in different localities or sections of the State, expenses may  
14 be allowed for the necessary travel to his official headquarters. The members of the Workers' Compensation Commission may be  
15 reimbursed at the regular mileage rate of one round trip each week from their respective homes to Columbia. No subsistence  
16 reimbursement shall be allowed to a member of the Workers' Compensation Commission while traveling in the county of his official  
17 residence. When traveling on official business of the commission outside the county of his official residence, a member of the  
18 Workers' Compensation Commission shall be allowed subsistence expenses in the amount of \$42 per day. When traveling on official  
19 business of the commission fifty or more miles outside the county of his official residence, each member shall be allowed a  
20 subsistence allowance in the amount as provided in this act for members of the General Assembly. When out-of-state, members of  
21 the Workers' Compensation Commission and the members of the Appellate Panel of the Department of Employment and Workforce  
22 may claim the established amount of per diem, as stated in the General Appropriation Act, or actual expenses as deemed reasonable  
23 by the Comptroller General. The members of the Appellate Panel of the Department of Employment and Workforce may be  
24 reimbursed at the regular mileage rate when the member is on official business fifty miles or more outside of Columbia. The members  
25 of the Appellate Panel of the Department of Employment and Workforce shall be allowed subsistence allowance in the amount as  
26 provided in this act for members of the General Assembly when the member is on official business fifty miles or more outside of  
27 Columbia.

28 (J) When an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge  
29 to equal the standard business mileage rate as established by the Internal Revenue Service will be allowed for the use of such  
30 automobile and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this  
31 calculation shall be the current rate established by the Internal Revenue Service. Whenever state provided motor pool vehicles are  
32 reasonably available and their use is practical and an employee of the State shall request for his own benefit to use his or her personal  
33 vehicle in traveling on necessary official business, a charge of four cents per mile less than the standard business mileage rate as  
34 established by the Internal Revenue Service will be allocated for the use of such vehicle and the employee shall bear the expense of  
35 supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the  
36 Internal Revenue Service. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep

1 thereof but no mileage will be allowed. Agencies and employees are directed to use state fueling facilities to the maximum extent  
2 possible, when such use is cost beneficial to the State. When using commercial fueling facilities, operators of State-owned vehicles  
3 are directed to use self-service pumps. In traveling on the business of the State, employees are required to use the most economical  
4 mode of transportation, due consideration being given to urgency, schedules and like factors.

5 Mileage between an employee's home and his/her place of employment is not subject to reimbursement. However, when an  
6 employee leaves on a business trip directly from his/her home, and does not go by the employee's headquarters, the employee shall  
7 be eligible for reimbursement for actual mileage beginning at his/her residence.

8 (K) That a state agency may advance travel and subsistence expense monies to employees of that agency for the financing of  
9 ordinary and necessary travel required in the conducting of the business of the agency. The Office of Comptroller General is directed  
10 to develop and publish rules and regulations pertaining to the advancing of travel expenses and no state agency shall make such  
11 advances except under the rules and regulations as published. All advances for travel and subsistence monies shall be repaid to the  
12 agency within thirty days after the end of the trip or by July fifteenth, whichever comes first.

13 (L) That the state institutions of higher learning are authorized to reimburse reasonable relocation expenses for new employees  
14 when such reimbursements are considered by the agency head to be essential to successful recruitment of professionally competent  
15 staff members.

16 (M) The Office of Comptroller General is authorized to promulgate and publish rules and regulations governing travel and  
17 subsistence payments.

18 (N) No state funds may be used to purchase first class airline tickets.

19 **117.21.** (GP: Organizations Receiving State Appropriations Report). Each state agency receiving funds that are a direct  
20 appropriation to a non-profit organization, prior to disbursing the funds, shall require from each recipient organization a plan of how  
21 the state funds will be spent and how the expenditures will provide a public benefit. The Executive Budget Office, Department of  
22 Administration shall provide each state agency with a standard form for collecting the information required. After receiving the  
23 funds, non-profit organizations shall provide quarterly spending updates to the respective state agency. After all state funds have  
24 been expended, each organization shall provide an accounting of how the funds were spent. State agencies receiving funds pursuant  
25 to this provision shall report the information collected to the Executive Budget Office, the Chairman of the Senate Finance  
26 Committee, and the Chairman of the House Ways and Means Committee by June 30th. No funds in this act shall be disbursed to  
27 organizations or purposes which practice discrimination against persons by virtue of race, creed, color or national origin.

28 **117.22.** (GP: State-Owned Aircraft - Flight Logs) Each agency having in its custody one or more aircraft shall maintain a  
29 continuing log on all flights, which in order to promote accountability and transparency shall be open for public inspection and shall  
30 also be posted online. Any and all aircraft owned or operated by agencies of the State Government shall be used only for official  
31 business. The Division of Aeronautics and other agencies owning and operating aircraft may furnish transportation to the Governor,  
32 Constitutional Officers, members of the General Assembly, members of state boards, commissions, and agencies and their invitees  
33 for official business only; no member of the General Assembly, no member of a state board, commission, or committee, and no state  
34 official shall use any state-owned or operated aircraft unless the member or official files within twenty-four hours after the completion  
35 of the flight with the agency that provided the flight a sworn statement certifying and describing the official nature of his trip; and  
36 no member of the General Assembly, no member of a state board, commission or committee, and no state official shall be furnished



1 air transportation by a state agency unless such agency prepares and maintains in its files a sworn statement from the highest ranking  
2 official of the agency or its designee certifying that the member's or state official's trip was in conjunction with the official business  
3 of the agency. Official business shall not include routine transportation to and from meetings of the General Assembly or committee  
4 meetings for which mileage is authorized. Official business also does not include attending a press conference, bill signing, or  
5 political function.

6 All logs shall be signed by the parties using the flight and the signatures shall be maintained as part of the permanent record of  
7 any agency. All passengers shall be listed on the flight log by their legal name; passengers flying with an appropriate official of  
8 SLED or the Department of Commerce whose confidentiality must, in the opinion of SLED or the department, be protected shall be  
9 listed in writing on the flight log as "Confidential Passenger SLED or the Department of Commerce (strike one)" and the appropriate  
10 official of SLED or the department shall certify to the agency operating the aircraft the necessity for such confidentiality. The  
11 Division of Aeronautics shall post its flight logs on its website within one working day of completion of trips.

12 Violation of the above provisions of this section is prima facie evidence of a violation of Section 8-13-700(A) of the 1976 Code  
13 and shall subject a violating member of the General Assembly to the ethics procedure of his appropriate house and shall subject a  
14 violating member of a state board, commission or committee, or a state official to the applicable ethics procedure relating to them as  
15 provided by law. The above provisions do not apply to state-owned or operated aircraft when used by the Medical University of  
16 South Carolina, nor to aircraft of the athletic department or the educational foundations of any state-supported institution of higher  
17 education, nor to law enforcement officers when flying on state-owned aircraft in pursuit of fugitives, missing persons, or felons or  
18 for investigation of gang, drug, or other violent crimes.

19 Aircraft owned by agencies of state government shall not be leased to individuals for their personal use.

20 **117.23.** (GP: Carry Forward) Each agency is authorized to carry forward unspent general fund appropriations from the prior  
21 fiscal year into the current fiscal year, up to a maximum of ten percent of its original general fund appropriations less any  
22 appropriation reductions for the current fiscal year. Agencies shall not withhold services in order to carry forward general funds.

23 This provision shall be suspended if necessary to avoid a fiscal year-end general fund deficit. For purposes of this proviso, the  
24 amount of the general fund deficit shall be determined after first applying the Capital Reserve Fund provisions in Section  
25 11-11-320(D) of the 1976 Code, and before any transfers from the General Reserve. The amount of general funds needed to avoid  
26 a year-end deficit shall be reduced proportionately from each agency's carry forward amount.

27 ~~Agencies which have separate general fund carry forward authority must exclude the amount carried forward by such separate~~  
28 ~~authority from their base for purposes of calculating the ten percent carry forward authorized herein. Any funds that are carried~~  
29 ~~forward as a result of this provision are not considered part of the base of appropriations for any succeeding years.~~

30 **117.24.** (GP: TEFRA-Tax Equity and Fiscal Responsibility Act) It is the intent of the General Assembly that the State Medicaid  
31 Plan be amended to provide benefits for disabled children as allowed by the Tax Equity and Fiscal Responsibility Act (TEFRA)  
32 option. State agencies, including but not limited to, the Department of Social Services - the Continuum of Care, the Department of  
33 Health and Environmental Control, the Department of Mental Health, the Department of Disabilities and Special Needs, and the  
34 Department of Health and Human Services shall collectively review and identify existing state appropriations within their respective  
35 budgets that can be used as state match to serve these children. Such funds shall be used effective January 1, 1995 to implement

1 TEFRA option benefits. Agencies providing services under the provisions of this paragraph must not spend less in the current fiscal  
2 year than expended in the previous fiscal year.

3 **117.25.** (GP: Prison Industries) All agencies funded in this act, when procuring goods and services, shall first consider  
4 contracting for services or purchasing goods and services through the Department of Corrections' Prison Industries Program. The  
5 Department of Corrections shall furnish, upon request, to all agencies a catalogue of goods and services provided by Prison Industries.  
6 The department is hereby directed to develop and market a catalogue of Prison Industries products for nationwide circulation.

7 **117.26.** (GP: Travel Report) Annually on November first, the Comptroller General shall issue a report on travel expenditures  
8 for the prior fiscal year which shall be distributed to the Senate Finance Committee, the House Ways and Means Committee, and the  
9 Statehouse Press Room. The Comptroller General may use up to \$500 of general fund appropriations for the purpose of providing  
10 copies to the media or the public upon request. The report must contain a listing for every agency receiving an appropriation in the  
11 annual General Appropriations Act. The listing must show at a minimum the top ten percent of employees for whom travel expenses  
12 and registration fees were paid within each agency, not to exceed twenty-five employees per agency. Agencies should include  
13 position titles for each of the top twenty-five travelers for each agency. Expenditures must include state, federal and other sources  
14 of funds. Expenditures for in-state and out-of-state registration fees (fees to attend conferences, teleconferences, workshops, or  
15 seminars for training on a per person basis) must be shown as a separate subtotal within the grand total for the individual employees  
16 and the agency as a whole. The list for each agency must be in rank order with the largest expenditure first and the name of the  
17 employee must be shown with each amount. Agencies should include a brief summary of the type of travel the agency incurs. The  
18 Comptroller General may provide additional information as deemed appropriate. The Comptroller General shall provide no  
19 exceptions to this report in that the information contained is not considered confidential or restricted for economic development  
20 purposes. However, further disclosure of detailed information shall be restricted as provided for by law.

21 **117.27.** (GP: School Technology Initiative) From the funds appropriated/authorized for the K-12 technology initiative, the  
22 Department of Education, in consultation with the Department of Administration, the State Library, the Educational Television  
23 Commission, and a representative from the Education Oversight Committee, shall administer the K-12 technology initiative funds.  
24 These funds are intended to provide technology, encourage effective use of technology in K-12 public schools throughout the state,  
25 conduct cost/benefit analyses of the various technologies, and should, to the maximum extent possible, involve public-private sector  
26 collaborative efforts. Funds may also be used to establish pilot projects for new technologies with selected school districts as part of  
27 the evaluation process. K-12 technology initiative funds shall be retained and carried forward to be used for the same purpose.

28 **117.28.** (GP: State-Operated Day Care Facilities Fees) Any state agency receiving funding in this act and any higher education  
29 institution, including four-year institutions, two-year institutions, and technical colleges, that operates an early childhood  
30 development center or day care facility shall charge, at a minimum, fees that are comparable to those charged by private day care  
31 facilities in the local community. The institution or agency shall not restrict enrollment in the center solely to the children of faculty,  
32 staff, and students of the institution; nor shall fees be set at a lower level for faculty, staff, or students of the institution or agency.

33 **117.29.** (GP: Base Budget Analysis) Agencies' annual accountability reports for the prior fiscal year, as required in Section  
34 1-1-810, must be accessible to the Governor, Senate Finance Committee, House Ways and Means Committee, and to the public on  
35 or before September fifteenth, for the purpose of a zero-base budget analysis and in order to ensure that the Agency Head Salary  
36 Commission has the accountability reports for use in a timely manner. Accountability Report guidelines shall require agencies to

1 identify key program area descriptions and expenditures and link these to key financial and performance results measures. The  
2 Executive Budget Office is directed to develop a process for training agency leaders on the annual agency accountability report and  
3 its use in financial, organizational, and accountability improvement. Until performance-based funding is fully implemented and  
4 reported annually, the state supported colleges, universities and technical schools shall report in accordance with Section 59-101-350.

5 **117.30.** (GP: Collection on Dishonored Payments) In lieu of any other provision of law, any state agency may collect a service  
6 charge as provided in Section 34-11-70 to cover the costs associated with the processing and collection of dishonored instruments or  
7 electronic payments where any amount is not paid by the drawee due to insufficient funds on deposit with the bank or the person  
8 upon which it was drawn when presented, or the instrument has an incorrect or insufficient signature on it. Such funds shall be  
9 retained and expended by the agency in accordance with this purpose and any unused amount shall carry forward to the following  
10 fiscal year.

11 **117.31.** (GP: State DNA Database) Funds collected by the South Carolina Department of Corrections, the Department of  
12 Probation, Parole and Pardon, and Department of Juvenile Justice to process DNA samples must be remitted to the State Law  
13 Enforcement Division to offset the expenses incurred to operate the State DNA Database program. SLED may retain, expend, and  
14 carry forward these funds. Any carry forward funds resulting from the DNA Database program must be used solely to operate the  
15 DNA Database program.

16 **117.32.** (GP: Voluntary Separation Incentive Program) State agencies may implement, in consultation with the Department of  
17 Administration, a program to realign resources to include provisions for a separation incentive payment for employees which may  
18 include the employer portion of health and dental benefits not to exceed one year. Employees participating in such program shall be  
19 considered to have voluntarily quit their employment without good cause and be subject to the provisions of Section 41-35-120(1)  
20 of the South Carolina Employment Security Law. Any program developed under this provision will involve voluntary participation  
21 from employees and will be funded within existing appropriations. The program must be approved by the agency head and the  
22 Director of the Human Resources Division based on ability to demonstrate recurring cost savings for realignment and/or permanent  
23 downsizing. State agencies shall report the prior year's results to the Department of Administration by August fifteenth, of the  
24 current fiscal year. The Department of Administration, upon request, shall report to the Senate Finance Committee and the House  
25 Ways and Means Committee on these results.

26 **117.33.** (GP: Debt Collection Reports) Each state agency shall provide to the Chairmen of the Senate Finance and House of  
27 Representatives Ways and Means Committees and the Inspector General a report detailing the amount of its outstanding debt and all  
28 methods it has used to collect that debt. This report is due by the last day of February for the previous calendar year. For purposes  
29 of this provision, outstanding debt means a sum remaining due and owed to a state agency by a nongovernmental entity for more  
30 than sixty calendar days.

31 **117.34.** (GP: State-Funded Libraries - Web Filters) (A) A library receiving state funds, directly, indirectly, by grant, or  
32 otherwise, other than a library at an institution of higher learning, that has computers available for use by the public or students, or  
33 both, must equip these computers with software incorporating web-filtering technology designed to eliminate or reduce the ability  
34 of the computer to access sites displaying pornographic pictures or text. However, up to ten percent, and at least one, of the library's  
35 computers must be unfiltered. Each library's governing officials shall determine the physical location of any unfiltered computer(s).

1 The library also must have a written policy providing sanctions against a person who instructs or demonstrates to another person  
2 how to bypass this web-filtering technology.

3 (B) State funds intended for a library not in compliance with subsection (A) must be reduced by fifty percent. Funds resulting  
4 from this reduction must be distributed among other libraries that are in compliance with subsection (A).

5 **117.35.** (GP: Tobacco Settlement Funds Carry Forward) State agencies are hereby authorized to retain and carry forward any  
6 unexpended Tobacco Settlement Agreement funds from the prior fiscal year into the current fiscal year and to expend such funds for  
7 the same purpose.

8 **117.36.** (GP: Use Tax Exemption) For the current fiscal year there is exempt from the use tax imposed pursuant to Chapter 36,  
9 Title 12 of the 1976 Code the sales price of tangible personal property purchased for use in private primary and secondary schools,  
10 including kindergartens and early childhood education programs, which are exempt from income taxes pursuant to Section 501(c)(3)  
11 of the Internal Revenue Code. For the purposes of this item, the Internal Revenue Code means Internal Revenue Code as described  
12 in Section 12-6-40 of the 1976 Code. This exemption applies for sales occurring after 1995. No refund is due any taxpayer of use  
13 tax paid on sales exempted by this paragraph.

14 **117.37.** (GP: Personal Property Tax Relief Fund) If the Personal Property Tax Exemption Sales Tax is imposed in a county and  
15 a sales tax rate of two percent of gross proceeds of sales is insufficient to offset the property tax not collected, sufficient amounts  
16 must be credited to the Trust Fund for Tax Relief established pursuant to Section 11-11-150 of the 1976 Code to provide the  
17 reimbursement to offset such a shortfall in the manner provided in Section 4-10-540(A) of the 1976 Code.

18 **117.38.** (GP: COG Annual Report) Each Council of Government shall submit a report to the Senate Finance Committee and the  
19 House Ways and Means Committee by December first each year describing how the funds which they received from the State in the  
20 prior fiscal year were expended.

21 **117.39.** (GP: South Carolina Recycling Initiative) To protect the public health and safety, protect and preserve the environment  
22 of this State, and to recover resources which have the potential for usefulness in the most environmentally safe, economically feasible  
23 and cost effective manner, state agencies shall purchase recycled iron and steel unless the item cannot be acquired competitively at  
24 a reasonable price.

25 **117.40.** (GP: Life and Palmetto Fellows Scholarships Waiver Exemption) Any provision in permanent law or in Part IB,  
26 Section 117 of this act, except that which is specified for LIFE and Palmetto Fellows Scholarships, that would require general fund  
27 appropriations other than what is specified in Part IA of this act is waived for the current fiscal year.

28 **117.41.** (GP: Sole Source Procurements) The State Fiscal Accountability Authority shall evaluate and determine whether the  
29 written determinations, explanations, and basis for sole source procurements, pursuant to South Carolina Code Section 11-35-1560,  
30 and emergency procurements, pursuant to South Carolina Code Section 11-35-1570, are legitimate and valid reasons for awarding  
31 noncompetitive contracts.

32 **117.42.** (GP: Parking Fees) State agencies shall not impose additional parking fees or increases in current fees for state  
33 employees during the current fiscal year. This provision does not apply to any college or university.

34 **117.43.** (GP: Facility Rental Fee) The Governor's School for the Arts and Humanities, Governor's School for Science and  
35 Mathematics, Wil Lou Gray Opportunity School, and the Governor's School for Agriculture at John de la Howe are authorized to  
36 charge, collect, expend and carry forward fees charged for facility and equipment rental and registration.

1       **117.44.** (GP: Insurance Claims) Any insurance reimbursement to an agency may be used to offset expenses related to the claim.  
2 These funds may be retained, expended, and carried forward.

3       **117.45.** (GP: Organizational Charts) All agencies, departments and institutions of state government shall furnish to the Human  
4 Resources Division (1) a current personnel organizational chart annually no later than September first of the current fiscal year, or  
5 upon the request of the division and (2) notification of any change to the agency's organizational structure which impacts an  
6 employee's grievance rights within thirty days of such change. The organizational chart shall be in a form prescribed by the Human  
7 Resources Division showing all authorized positions, class title, class code, position number and indications as to whether such  
8 positions are filled or vacant. In addition, the organizational chart shall clearly identify those employees who are exempt from the  
9 State Employee Grievance Procedure Act.

10       **117.46.** (GP: Agencies Affected by Restructuring) Upon restructuring of state agencies by the General Assembly the Department  
11 of Administration is directed to work with affected State agencies in order to phase-in operations of restructured organizations during  
12 the current fiscal year. Restructured organizations should be operating entirely under the revised structure no later than December  
13 thirty-first, of the current fiscal year, unless otherwise directed by law. The department is further directed to work with the affected  
14 agencies in order to identify and facilitate the transfer of any portion of their operations, including transfer of funds during the current  
15 fiscal year, which is affected by the restructured organization adopted by the General Assembly, but which has not already been  
16 accomplished herein. Until sufficient changes can be made to the State's accounting system and the appointment of appropriate  
17 agency heads, the Comptroller General and the State Treasurer shall allow those agencies affected by restructuring to continue  
18 processing documents within the account structure existing on June thirtieth, of the prior fiscal year. Restructured agencies shall  
19 make all the necessary accounting adjustments to complete the transition to the new account structure as soon as possible, but no  
20 later than December thirty-first, of the current fiscal year, unless otherwise directed by law. The Executive Budget Office is directed  
21 to prepare the subsequent detail budget to conform Part IA and corresponding provisos in this act to any restructuring changes that  
22 are ratified.

23       **117.47.** (GP: Agency Administrative Support Collaboration) It is the intent of the General Assembly that state agencies continue  
24 to actively pursue cost savings measures through collaborative efforts and where feasible may combine administrative support  
25 functions with other agencies in order to maximize efficiency and effectiveness.

26       **117.48.** (GP: Assessment Audit / Crime Victim Funds) If the State Auditor finds that any county treasurer, municipal treasurer,  
27 county clerk of court, magistrate, or municipal court has not properly allocated revenue generated from court fines, fines, and  
28 assessments to the crime victim funds or has not properly expended crime victim funds, pursuant to Sections 14-1-206(B) and (D),  
29 14-1-207(B) and (D), 14-1-208(B) and (D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Department  
30 of Crime Victim Compensation. The State Department of Crime Victim Compensation is authorized to conduct an audit which shall  
31 include both a programmatic review and financial audit of any entity or nonprofit organization receiving victim assistance funding  
32 based on the referrals from the State Auditor or complaints of a specific nature received by the State Department of Crime Victim  
33 Compensation to ensure that crime victim funds are expended in accordance with the law. Guidelines for the expenditure of these  
34 funds shall be developed by the Victim Services Coordinating Council. The Victim Services Coordinating Council shall develop  
35 these guidelines to ensure any expenditure which meets the parameters of Article 15, Chapter 3, Title 16 is an allowable expenditure.  
36 Any local entity or nonprofit organization that receives funding from revenue generated from crime victim funds is required to submit

1 their budget for the expenditure of these funds to the State Department of Crime Victim Compensation within thirty days of the  
2 budget's approval by the governing body of the entity or nonprofit organization. Failure to comply with this provision shall cause  
3 the State Department of Crime Victim Compensation to initiate a programmatic review and a financial audit of the entity's or  
4 nonprofit organization's expenditures of victim assistance funds. Additionally, the Department of Crime Victim Compensation will  
5 place the name of the noncompliant entity or nonprofit organization on their website where it shall remain until such time as they are  
6 in compliance with the terms of this proviso. Any entity or nonprofit organization receiving victim assistance funding must cooperate  
7 and provide expenditure/program data requested by the State Department of Crime Victim Compensation. If the State Department  
8 of Crime Victim Compensation finds an error, the entity or nonprofit organization has ninety days to rectify the error. An error  
9 constitutes an entity or nonprofit organization spending victim assistance funding on unauthorized items as determined by the State  
10 Department of Crime Victim Compensation. If the entity or nonprofit organization fails to cooperate with the programmatic review  
11 and financial audit or to rectify the error within ninety days, the State Department of Crime Victim Compensation shall assess and  
12 collect a penalty in the amount of the unauthorized expenditure plus \$1,500 against the entity or nonprofit organization for improper  
13 expenditures. This penalty plus \$1,500 must be paid within thirty days of the notification by the State Department of Crime  
14 Victim Compensation to the entity or nonprofit organization that they are in noncompliance with the provisions of this proviso.  
15 All penalties received by the State Department of Crime Victim Compensation shall be credited to the General Fund of the State. If  
16 the penalty is not received by the State Department of Crime Victim Compensation within thirty days of the notification, the political  
17 subdivision will deduct the amount of the penalty from the entity or nonprofit organization's subsequent fiscal year appropriation.

18 **117.49.** (GP: H.L. Hunley Museum Location) The General Assembly approves the Patriots Point Development Authority as the  
19 permanent site of the H.L. Hunley Museum. This approval is contingent upon the negotiation and execution of necessary contracts  
20 between the State of South Carolina and the Patriots Point Development Authority. The Hunley Commission is directed to expend  
21 funds from its account to negotiate and execute contracts on behalf of the State of South Carolina.

22 **117.50.** (GP: Secure Juvenile Confinement) The Attorney General shall review the interpretation of the current policies of the  
23 Department of Public Safety and the Department of Corrections regarding secure juvenile confinement that the departments indicate  
24 may jeopardize federal grant funds. The departments may not implement any changes to the current policies regarding secure juvenile  
25 confinement until the Attorney General considers the departments' interpretation of the federal Juvenile Justice and Delinquency  
26 Prevention Act in regard to the secure holding of juveniles for more than six hours in adult detention facilities that also serve as  
27 forty-eight-hour juvenile holdover facilities. The Attorney General will determine if the departments' interpretation is fair and  
28 equitable and how the local governments and the Department of Juvenile Justice would be impacted, to include any financial  
29 considerations.

30 **117.51.** (GP: ISCEDC Funding Transfer) The departments of Mental Health, Disabilities and Special Needs, and Juvenile Justice  
31 are directed to transfer a total of \$1,199,456 in funds to the Department of Social Services for the support of the Interagency System  
32 for Caring for Emotionally Disturbed Children. Funding transfers shall be in the following amounts: Department of Mental  
33 Health - \$595,000, Department of Disabilities and Special Needs - \$379,456, and Department of Juvenile Justice - \$225,000. The  
34 transfer of funds shall be accomplished by September thirtieth of the current fiscal year.

35 **117.52.** (GP: Employee Bonuses) State agencies and institutions are allowed to spend state, federal, and other sources of revenue  
36 to provide selected employees lump sum bonuses, not to exceed three thousand dollars per year, based on objective guidelines

1 established by the Department of Administration. Payment of these bonuses is not a part of the employee's base salary and is not  
2 earnable compensation for purposes of employee and employer contributions to respective retirement systems. ~~Employees earning~~  
3 ~~\$100,000 or more shall not be eligible to receive bonuses under this provision.~~ The employing agency must report this information  
4 on or before August thirty-first of each year and must include the total amount and source of the bonus received by the employee  
5 during the preceding fiscal year (July first through June thirtieth). The Human Resources Division of the Department of  
6 Administration shall formulate policies and procedures to ensure compliance with the reporting provisions of this proviso. Copies  
7 of the reports shall be made available to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and  
8 Means Committee, upon request.

9 **117.53.** (GP: FEMA Flexibility) Any appropriation designated as the state share for a federally declared disaster may be carried  
10 forward and used for the same purpose by the Emergency Management Division of the Adjutant General's Office in the event of  
11 additional federally declared disasters. Unallocated funds from established state accounts may be used as the state share in any  
12 federally declared disaster. These funds may also be used during a Governor's state of emergency to augment existing state  
13 appropriations of the South Carolina Emergency Management Division (SCEMD). When these funds are used during a Governor's  
14 state of emergency, the allocation of those funds following the event will be determined by the Governor based on the  
15 recommendation of the Adjutant General and the Director of the South Carolina Emergency Management Division.

16 In the event there is a federally declared disaster and state match funds are unavailable, the State Fiscal Accountability Authority  
17 may borrow from any internal account or accounts necessary to maximize federal matching funds through the Emergency  
18 Management Division. Any such borrowing must be reported to the General Assembly within five days. Funds borrowed from  
19 accounts shall be replenished by the General Assembly as soon as practicable.

20 **117.54.** (GP: Respiratory Syncytial Virus Prescription Sales and Use Tax Exemption) The effective date of the exemption from  
21 sales and use tax of prescription medicines used to prevent respiratory syncytial virus shall be January 1, 1999. No refund of sales  
22 and use taxes may be claimed as a result of this provision.

23 **117.55.** (GP: Year-End Financial Statements - Penalties) Agencies, institutions, and other reporting entities required to submit  
24 annual audited financial statements for inclusion in the State's Annual Comprehensive Financial Report must submit final audited  
25 financial statements to the Comptroller General not later than October first for those with fiscal year-end June thirtieth. The South  
26 Carolina Retirement Systems, Insurance Benefits, and Other Post-Employment Benefits Trust Funds administered by the South  
27 Carolina Public Employee Benefit Authority must submit their final audited financial statements no later than October fifteenth. For  
28 institutions and reporting entities with fiscal year-ends other than June thirtieth, final audited financial statements must be submitted  
29 to the Comptroller General within 120 days of that fiscal year-end. The Comptroller General shall provide a written report of each  
30 agency, institution, or other reporting entity not in compliance with this provision to the State Fiscal Accountability Authority by  
31 November thirtieth.

32 **117.56.** (GP: Purchase Card Incentive Rebates) In addition to the Purchase Card Rebate deposited in the general fund, any  
33 incentive rebate premium received by an agency from the Purchase Card Program may be retained and used by the agency to support  
34 its operations.

35 **117.57.** (GP: Sex Offender Monitoring and Supervision) The funds appropriated to the Department of Probation, Parole and  
36 Pardon Services in Part IA, Section 66, Program II.A.2. for the Sex Offender Monitoring Program and to the Department of Juvenile

1 Justice in Part IA, Section 67, Program III.A. Special Item: Sex Offender Monitoring are to be used and expended only for GPS  
2 monitoring programs of the departments. In cases of limited funds, monitoring of “Jessie’s Law” offenders shall take precedence  
3 over all other GPS programs of the departments. Funds appropriated for this program may not be used for any other purpose or  
4 transferred to any other program. Unexpended funds appropriated for Sex Offender Monitoring may be carried forward and used  
5 for the same purpose. The departments are directed to submit a report to the General Assembly by January fifteenth each year  
6 accounting for the expenditure of the funds including any carry-forward funding; the total costs and per-day costs for equipment,  
7 supervision, and monitoring; the total number of staff assigned to the activity and the average agent caseloads; the amount of funds  
8 collected from sex offenders for both intensive supervision and electronic monitoring; and the anticipated fiscal needs for the  
9 upcoming fiscal year. The report shall also include, but not be limited to, data regarding the number of offenders sentenced to  
10 electronic monitoring, including the number sentenced for life; the number of alert notifications received, investigated, and  
11 prosecuted; and the number of offenders returned to prison as a result of electronic monitoring violations.

12 **117.58.** (GP: Viscosupplementation Therapies Sales and Use Tax Exemption) For the current fiscal year only, sales and use  
13 taxes on viscosupplementation therapies shall be suspended. No refund or forgiveness of tax may be claimed as a result of this  
14 provision.

15 **117.59.** (GP: CID & PCC Agency Head Salaries) All hiring salaries and salary increases for the agency heads of the Commission  
16 on Indigent Defense and the Prosecution Coordination Commission shall be subject to all provisions related to agency heads covered  
17 by the Agency Head Salary Commission.

18 **117.60.** (GP: Prosecutors and Defenders Public Service Incentive Program) The Office of Attorney General, the Commission  
19 on Prosecution Coordination, and the Commission on Indigent Defense shall develop and implement a Prosecutors and Defenders  
20 Public Service Incentive Program for attorneys employed by the Office of Attorney General, the Commission on Prosecution  
21 Coordination, the Commission on Indigent Defense, a Circuit Solicitor’s Office or a Circuit Public Defender’s Office.

22 After more than three years of continuous service as a full-time attorney with any of these entities, qualifying attorneys may be  
23 reimbursed up to \$1,000 for payments made in the prior calendar year on outstanding law school loans. Reimbursements for law  
24 school loan payments may be increased by up to \$1,000 for each additional year of continuous service; however, such reimbursements  
25 shall not exceed \$5,000 in any year. The amount of law school loan payment reimbursement in any calendar year shall not exceed  
26 the amount of principal and interest paid on the loan in the prior calendar year. Reimbursements under the program may continue  
27 until all outstanding law school loans are satisfied; however, such reimbursements shall not exceed \$40,000 per qualifying attorney.  
28 Reimbursements shall be adjusted if necessary so as not to exceed appropriations for the program.

29 The Prosecutors and Defenders Public Service Incentive Program must be administered by the Commission on Prosecution  
30 Coordination, which shall pay for the cost of administration within the funds appropriated.

31 The Office of Attorney General, the Commission on Prosecution Coordination, and the Commission on Indigent Defense shall  
32 each compile a report that includes, but is not limited to, the number of applicants and the impact of the program on attracting and  
33 retaining attorneys. The Commission on Prosecution Coordination shall also compile a report that includes, but is not limited to, the  
34 cost of administering the program as well as the amount of reimbursements per agency or entity. Such reports shall be submitted to  
35 the Senate Finance Committee and the House Ways and Means Committee by April first.



1 Unexpended program funds from the prior fiscal year may be carried forward into the current fiscal year to be used for the same  
2 purpose.

3 **117.61.** (GP: Attorney Dues) Agencies and offices of the State of South Carolina that employ attorneys are authorized, if they  
4 so decide, to use other appropriated funds, including General Fund carry forward funds, to pay the costs of mandatory dues owed to  
5 the South Carolina Bar Association.

6 **117.62.** (GP: Critical Employee Recruitment and Retention) State agencies are allowed to spend state, federal, and other sources  
7 of revenue to provide lump sum bonuses to aid in recruiting and retaining workers in critical needs jobs which provide services that  
8 directly impact the health, safety, and welfare of the public. The employee bonus amount shall be approved by the State Human  
9 Resources Director based on State Human Resources guidelines, and shall not exceed \$10,000 per year. Payment of these bonuses  
10 is not a part of the employee's base salary and is not earnable compensation for purposes of employee and employer contributions  
11 to respective retirement systems. These bonuses shall, however, be considered earnings for determining if an employee who has  
12 returned to work after retirement is subject to the earning limitation imposed in either Section 9-1-1790(A)(1) or Section  
13 9-11-(4)(a)(i).

14 These agencies may also provide paid educational leave for any employee in a FTE position deemed critical by the Department of  
15 Administration to attend class while enrolled in degree programs that are related to the agency's mission. All such leave is at the  
16 agency head's discretion.

17 These agencies may enter into an agreement with individuals employed in critical needs positions to repay them for their  
18 outstanding student loans associated with completion of a relevant degree. Agencies may pay these employees up to twenty percent  
19 or \$7,500, whichever is less, of their outstanding student loan each year over a five-year period. Payments will be made directly to  
20 the employee at the end of each year of employment. The agency will be responsible for verifying the principal balance of the  
21 employee's student loan prior to issuing payments.

22 Agencies are also authorized to allow tuition reimbursement from a maximum of ten credit hours per semester; allow probationary  
23 employees to participate in tuition programs; and provide tuition prepayment instead of tuition reimbursement for employees willing  
24 to pursue a degree in a healthcare program. An agency may pay up to fifty percent of an employee's tuition through tuition  
25 prepayment. The remaining tuition could be reimbursed to the employee after successful completion of the class.

26 The Department of Administration shall approve of the designation of critical needs positions applicable to this provision using  
27 guidelines that include, but are not limited to: 1) the difficulty recruiting for the positions as reflected by data such as the vacancy  
28 rate maintained, the average time to fill, the lack of sufficient qualified applicants, and other objective factors; 2) the difficulty  
29 retaining employees in the positions as shown by turnover data; 3) justification by the state agency that the position is critical to the  
30 core mission of the agency and directly impacts the health, safety and welfare of the public; and 4) assurances from the state agency  
31 that there are sufficient existing funds available to pay for items under this provision.

32 Healthcare employees in approved critical needs positions working on a practicum or required clinical experience towards  
33 completion of a healthcare degree may be allowed to complete these requirements at their state agency or another state agency at the  
34 discretion of the agency head. This field placement at another state agency may be considered work time for participating employees.

1 State agencies must report to the Department of Administration by August 31st of each year any expenditure under this provision.  
2 The Department of Administration shall compile a report of the responses and submit them to the Chairman of the Senate Finance  
3 Committee and the Chairman of the House Ways and Means Committee by October 1<sup>st</sup> of each year.

4 **117.63.** (GP: Governor's Budget Certification) The annual Executive Budget proposed by the Governor must be certified by the  
5 Director of the Revenue and Fiscal Affairs Office or his designee in the same manner as the House Ways and Means and Senate  
6 Finance Committee versions of the budget bill are certified.

7 **117.64.** (GP: Voluntary Furlough) Agency heads may institute a voluntary employee furlough program of not more than ninety  
8 days per fiscal year. During this voluntary furlough, the state employees shall be entitled to participate in the same state benefits as  
9 otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee  
10 contributions, the state agencies, institutions and departments will be responsible for making both employer and employee  
11 contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the  
12 employee remains solely responsible for making those contributions. In the event an agency's reduction is due solely to the General  
13 Assembly transferring or deleting a program, this provision does not apply.

14 **117.65.** (GP: Governor's Security Detail) The State Law Enforcement Division, the Department of Public Safety, and the  
15 Department of Natural Resources shall provide a security detail to the Governor in a manner agreed to by the State Law Enforcement  
16 Division, the Department of Public Safety, the Department of Natural Resources, and the Office of Governor. Reimbursement to the  
17 State Law Enforcement Division, the Department of Public Safety, and the Department of Natural Resources to offset the cost of the  
18 security detail for the Governor shall be made in an amount agreed to by the State Law Enforcement Division, the Department of  
19 Public Safety, the Department of Natural Resources, and the Office of Governor from funds appropriated to the Office of Governor  
20 for this purpose. Law enforcement officers assigned to security detail for the Governor shall only perform services related to security  
21 and shall not provide any unrelated service during the assignment.

22 **117.66.** (GP: Reduction in Force Antidiscrimination) In the event of a reduction in force implemented by a state agency or  
23 institution, the state agency or institution must comply with Title VII of the Civil Rights Act of 1964 or any other applicable federal  
24 or state antidiscrimination laws.

25 **117.67.** (GP: Reduction in Force/Agency Head Furlough) ~~In the event a reduction in force is implemented by a state agency or~~  
26 ~~institution of higher learning, the agency head shall be required to take five days furlough in the current fiscal year. If more than one~~  
27 ~~reduction in force plan is implemented in a fiscal year, the mandatory agency head furlough is only required for the initial plan. The~~  
28 ~~agency head will retain all responsibilities and authority during the furlough. All monies saved from this furlough may be retained~~  
29 ~~by that agency and expended at the discretion of the agency head. During this furlough, the agency head shall be entitled to participate~~  
30 ~~in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require~~  
31 ~~employer and employee contributions, the state agency will be responsible for making both employer and employee contributions if~~  
32 ~~coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the agency head~~  
33 ~~remains solely responsible for making those contributions.~~

34 Placement of an agency head on furlough under this provision does not constitute a grievance or appeal under the State Employee  
35 Grievance Procedure Act. In the event the reduction for the state agency or institution of higher learning is due solely to the General  
36 Assembly transferring or deleting a program, this provision does not apply. Agencies may allocate the agency head's reduction in

1 ~~pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. The~~  
2 ~~Department of Administration shall promulgate guidelines and policies, as necessary, to implement the provisions of this proviso.~~  
3 ~~State agencies shall report information regarding furloughs to the Department of Administration.~~

4 ~~For purposes of this provision, agency head includes the president of a technical college as defined by Section 59-103-5 of the~~  
5 ~~1976 Code.~~

6 ~~The agency head of the State Board for Technical and Comprehensive Education shall not be required to take this mandatory~~  
7 ~~furlough based solely on the implementation of a reduction in force plan by a technical college.~~

8 ~~An agency head shall not be required to take this mandatory furlough based solely on reductions in force implemented as a result~~  
9 ~~of federal budget cuts or reorganization to accomplish organizational efficiencies.~~

10 **117.68.** (GP: Printed Report Requirements) (A) For the current fiscal year, state supported institutions of higher learning shall  
11 not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead  
12 only submit the documents electronically.

13 Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived  
14 for the current fiscal year, except institutions of higher learning must continue to report student pass rates on professional  
15 examinations, and data elements otherwise required for the Commission on Higher Education Management Information System.  
16 The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

17 (B) For the current fiscal year, the Department of Agriculture shall not be required to submit printed reports mandated by Section  
18 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12  
19 agricultural education programs.

20 (C) For the current fiscal year, the Department of Health and Human Services shall not be required to provide printed copies of  
21 the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and shall instead only submit the documents  
22 electronically.

23 (D) For the current fiscal year, the Department of Transportation shall not be required to submit printed reports or publications  
24 mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

25 The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability  
26 Report.

27 **117.69.** (GP: IMD Operations) The Department of Health and Human Services shall produce an annual report on  
28 Medicaid-funded out-of-home placements and associated expenditures which shall be provided to the Chairman of the Senate  
29 Finance Committee, Chairman of the House Ways and Means Committee, and the Governor no later than November first each year.

30 **117.70.** (GP: Fines and Fees Report) In order to promote accountability and transparency, each state agency must provide and  
31 release to the public via the agency's website, a report of all aggregate amounts of fines and fees that were charged and collected by  
32 that state agency in the prior fiscal year. The report shall include, but not be limited to: (1) the code section, regulation, or proviso  
33 that authorized the fines and fees to be charged, collected, or received; (2) the amount of the fine or fee; (3) the amount received by  
34 source; (4) the purpose for which the funds were expended by the agency; (5) the amount of funds transferred to the general fund, if  
35 applicable, and the authority by which the transfer took place; and (6) the amount of funds transferred to another entity, if applicable,  
36 and the authority by which the transfer took place, as well as the name of the entity to which the funds were transferred. The report

1 must be posted online by September first. Additionally, the report must be delivered to the Chairman of the Senate Finance  
2 Committee and the Chairman of the House Ways and Means Committee by September first. Funds appropriated to and/or authorized  
3 for use by each state agency shall be used to accomplish this directive.

4 **117.71.** (GP: Mandatory Furlough) In a fiscal year in which the general funds appropriated for a state agency are less than the  
5 general funds appropriated for that agency in the prior fiscal year, or whenever the General Assembly or the Executive Budget Office  
6 implements a midyear across-the-board budget reduction, and agency heads institute a mandatory employee furlough program, in  
7 determining which employees must participate in the program, agency heads should give consideration to furloughs for contract  
8 employees, post-TERI employees, and TERI employees before other employees. During this mandatory furlough, the state  
9 employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries.  
10 As to those benefits which require employer and employee contributions, the state agencies, institutions, and departments will be  
11 responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those  
12 benefits which require only employee contributions, the employee remains solely responsible for making those contributions. In the  
13 event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

14 **117.72.** (GP: Reduction In Force) In a fiscal year in which the general funds appropriated for a state agency are less than the  
15 general funds appropriated for that agency in the prior fiscal year, or whenever the General Assembly or the Executive Budget Office  
16 implements a midyear across-the-board budget reduction, and agency heads must make reductions in force, agency heads should  
17 give consideration to reductions of contract employees, post-TERI employees, and TERI employees before other employees. In the  
18 event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

19 **117.73.** (GP: Cost Savings When Filling Vacancies Created by Retirements) During the current fiscal year, whenever classified  
20 FTEs become vacant because of employee retirements, it is the intent of the General Assembly that state agencies should realize  
21 personnel costs savings of at least twenty-five percent in the aggregate when managing these vacant positions. Prior to filling a  
22 classified FTE which has become vacant because of a retirement, an agency must review and determine the appropriate salary for  
23 the position as well as determine whether the agency can manage without filling the position or by delay in filling the position. Prior  
24 to filling the vacant FTE, agencies must follow all laws and regulations concerning posting and competitive solicitation and  
25 consideration of applicants. No agency shall enter into any agreement with any employee that violates the terms of this proviso.

26 **117.74.** (GP: Information Technology for Health Care) From the funds appropriated and authorized to the Department of Health  
27 and Human Services, the department shall advance the use of health information technology and health information exchange to  
28 improve quality and efficiency of health care and to decrease the costs of health care as follows:

29 (A) In order to facilitate the qualification of Medicare and/or Medicaid eligible providers and hospitals for incentive payments  
30 for meaningful health information technology (HIT) use, a health care organization participating in the South Carolina Health  
31 Information Exchange (SCHIE) or a Regional Health Information Organization (RHIO) or a hospital system health information  
32 exchange (HIE) that participates in SCHIE may release patient records and medical information, including the results of any  
33 laboratory or other tests ordered or requested by an authorized health care provider within the scope of his or her license or practice  
34 act, to another health information organization that requests the information via a HIE for treatment purposes with express written  
35 consent or authorization from the patient. A health information organization that receives or views this information from a patient's  
36 electronic health record or incorporates this information into the health information organization's electronic medical record for the

1 patient in providing treatment is considered an authorized person for purposes of 42 C.F.R. 493.2 and the Clinical Laboratory  
2 Improvement Amendments.

3 (B) The department is authorized to award any grants, contracts, and/or other agreements that it deems to be in furtherance of the  
4 recommendations of the Health Information Exchange Strategy Development Committee established pursuant to Act 94 of 2021 or  
5 other initiative it deems appropriate to facilitate the useful exchange of health information.

6 **117.75.** (GP: Broadband Spectrum Lease) The General Assembly must approve any exercise of the Middle Band Segment  
7 Channel recapture provisions contained in the Educational Broadband Service Spectrum Lease Agreements if the exercise of the  
8 recapture provisions would result in a decrease in payments received by the State. The Educational Television Commission assumes  
9 management and administration of the lease and receives lease payments directly. The Educational Television Commission shall  
10 retain and expend funds received pursuant to the lease for agency operations. The commission shall be authorized to carry forward  
11 unexpended funds from the prior fiscal year into the current fiscal year. In the event of a default by the current lease holder, the  
12 Educational Television Commission is authorized to use contingent funds up until such time as a new lease can be negotiated by the  
13 State and the Educational Television Commission.

14 **117.76.** (GP: Reduction in Compensation) For the current fiscal year, no state agency or political subdivision of this state may  
15 decrease the compensation of an employee, including dismissal, suspension, or demotion, solely because the employee gave sworn  
16 testimony regarding alleged wrongdoing to a standing committee, subcommittee of a standing committee, or study committee of the  
17 Senate or the House of Representatives. This proviso shall apply regardless of when the alleged wrongdoing occurred.

18 **117.77.** (GP: Deficit Monitoring) It is the responsibility of each state agency, department, and institution to operate within the  
19 limits of its authorized appropriations. All agencies, departments, and institutions are to budget, allocate and manage its authorized  
20 appropriations in a way to avoid an operating deficit for the fiscal year.

21 If at the end of each quarterly deficit monitoring review by the Executive Budget Office, it is determined by either the Executive  
22 Budget Office or a state agency, department, or institution that the likelihood of a deficit for the current fiscal year exists, the state  
23 agency shall notify the General Assembly within fifteen days of this determination and shall further request the Executive Budget  
24 Office to work with it to develop a plan to avoid the deficit. Within fifteen days of the deficit avoidance plan being completed, the  
25 Executive Budget Office shall either request the General Assembly to recognize the deficit if it determines the deficit avoidance plan  
26 will not be sufficient to avoid a deficit or notify the General Assembly of how the deficit will be avoided based on the deficit  
27 avoidance plan if the Executive Budget Office determines the plan will be sufficient to avoid a deficit.

28 Upon notification from the Executive Budget Office that an agency will run a deficit and requesting that it be recognized, the  
29 General Assembly, by joint resolution, may make a finding that the cause of, or likelihood of, a deficit is unavoidable due to factors  
30 which are outside the control of the state agency, department, or institution, and recognize the deficit. Any legislation to recognize  
31 a deficit must be in a separate joint resolution enacted for the sole purpose of recognizing the deficit of a particular state agency,  
32 department, or institution. A deficit may only be recognized by an affirmative vote of each branch of the General Assembly.

33 If the General Assembly recognizes the deficit, then the actual deficit at the close of the fiscal year must be reduced as necessary  
34 from surplus revenues or surplus funds available at the close of the fiscal year in which the deficit occurs and from funds available  
35 in the General Reserve Fund and the Capital Reserve Fund, as required by the Constitution of this State.

1 Once a deficit has been recognized by the General Assembly, the state agency, department, or institution shall limit travel and  
2 conference attendance to that which is deemed essential by the director of the agency, department, or institution. In addition, the  
3 General Assembly, when recognizing a deficit may direct that any pay increases and purchases of equipment and vehicles must be  
4 approved by the Executive Budget Office.

5 **117.78.** (GP: Commuting Costs) State government employees who use a permanently assigned agency or state-owned vehicle  
6 to commute from their permanently assigned work location to and from the employee's home must reimburse the agency in which  
7 they are employed for commuting use in accordance with IRS regulations based on guidance from the Office of Comptroller General  
8 which must use the Cents per mile Rule, unless they are exempted from such reimbursement by applicable IRS regulations. These  
9 permanently assigned vehicles must be clearly marked as a state or agency vehicle through the use of permanent state-government  
10 license plates and either state or agency seal decals unless the vehicle is used primarily in undercover operations. This requirement  
11 does not apply to a vehicle used by an employee for the purpose of a special travel assignment, for active certified law enforcement  
12 officers authorized to carry firearms, execute warrants, and make arrests, for Constitutional Officers, or for Department of  
13 Transportation employees on call for emergency maintenance.

14 **117.79.** (GP: Bank Account Transparency and Accountability) Each state agency, except state institutions of higher learning,  
15 which has composite reservoir bank accounts or any other accounts containing public funds which are not included in the Comptroller  
16 General's South Carolina Enterprise Information System shall prepare a report for each account disclosing every transaction of the  
17 account in the prior fiscal year. The report shall be submitted to the State Fiscal Accountability Authority by October first of each  
18 fiscal year. The report shall include the name(s) and title(s) of each person authorized to sign checks or make withdrawals from each  
19 account, the name and title of each person responsible for reconciling each account, the beginning and year-end balance of funds in  
20 each account, and data related to both deposits and expenditures of each account. The report shall include, but not be limited to, the  
21 date, amount, and source of each deposit transaction and the date, name of the payee, the transaction amount, and a description of  
22 the goods or services purchased for each expenditure transaction. To facilitate review, the State Fiscal Accountability Authority  
23 shall prescribe a common format for the report which agencies must use. In order to promote accountability and transparency, a link  
24 to the report shall be posted on the Comptroller General's website as well as the agency's homepage.

25 When the State Auditor conducts or contracts for an audit of a state agency, accounts of the agency subject to this proviso must be  
26 included as part of the review.

27 If an agency determines that the release of the information required in this provision would be detrimental to the state or the  
28 agency, the agency may petition the State Fiscal Accountability Authority to grant the agency an exemption from the reporting  
29 requirements for the detrimental portion. The meeting to determine whether an exemption should be granted shall be closed.  
30 However, the exemption may only be granted upon a majority vote of the State Fiscal Accountability Authority in a public meeting.

31 **117.80.** (GP: Websites) All agencies, departments, and institutions of state government shall be responsible for providing on its  
32 Internet website a link to the Internet website of any agency, other than the individual agency, department, or institution, that posts  
33 on its Internet website that agency, department, or institution's monthly state procurement card statements or monthly reports  
34 containing all or substantially all the same information contained in the monthly state procurement card statements. The link must  
35 be to the specific webpage or section on the website of the agency where the state procurement card information for the state agency,  
36 department, or institution can be found. The information posted may not contain the state procurement card number. Any

1 information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting  
2 required by this section.

3 **117.81.** (GP: Regulations) For the current fiscal year, if a state agency proposes a regulation that levies or increases a fee, fine,  
4 or that otherwise generates revenues, the title to the Joint Resolution which proposes the regulation must indicate that a fee, fine, or  
5 revenue source is being proposed.

6 **117.82.** (GP: Joint Children's Committee) For the current fiscal year, the Department of Revenue is directed to reduce the rate  
7 of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, \$300,000 shall be  
8 transferred to the Senate for the Joint Citizens and Legislative Committee on Children to provide the report, research, and other  
9 operating expenses as directed in Section 63-1-50 of the 1976 Code. Funds transferred to the University of South Carolina for the  
10 Joint Citizens and Legislative Committee on Children shall be maintained in a separate and distinct account. A detailed report of all  
11 expenditures shall be made to the Executive Budget Office within thirty days of the close each fiscal quarter, and the Executive  
12 Budget Office shall distribute this information to the Chairman of the Senate Finance Committee and the Chairman of the House  
13 Ways and Means Committee. The remaining revenue resulting from this reduction shall be transferred to the Department of Juvenile  
14 Justice to be used for mentoring or alternatives to incarceration programs. Unexpended funds authorized by this provision may be  
15 retained and carried forward by the Senate or the Department of Juvenile Justice, respectively, and used for the same purposes. The  
16 rate of reduction authorized in this provision shall be in addition to the reduction authorized in Proviso 41.2.

17 **117.83.** (GP: Civil Conspiracy Defense Costs) For the current fiscal year, for any claim that has not reached a judgment, if a  
18 state or local government employee or former state or local government employee ("government employee") is personally sued for  
19 civil conspiracy based in part upon a personnel or employment action or decision regarding an employee, the court must, prior to  
20 trial, make a final determination whether the action or decision giving rise to the suit was made by the government employee within  
21 the scope of their official duty. If the court finds that the government employee was acting outside the scope of the employee's  
22 official duties, the government shall not thereafter expend any funds to pay or defend the claim. If the court finds the government  
23 employee was acting within the scope of their official duties, the employee is immune from suit, liability, and damages with respect  
24 to the civil conspiracy claim. The government may only expend funds to defend the claim if the determination is that the employee  
25 was acting within the scope of their official duties. Nothing in this proviso prevents an insurance provider from defending and  
26 paying, respectively, any claims that the provider has contractually agreed to defend and pay.

27 **117.84.** (GP: Recovery Audits) The State Fiscal Accountability Authority shall contract with one or more firms to conduct  
28 recovery audits of payments made by all state agencies to vendors for goods and services. The audits must be designed to detect,  
29 document, and recover overpayments and erroneous payments to the vendors and to recommend improved financial and operational  
30 practices and procedures. A state agency shall pay, from recovered monies received, the recovery audit firm responsible for obtaining  
31 for the agency a reimbursement or payment from a vendor a negotiated fee not to exceed twenty percent of the funds recovered by  
32 that firm.

33 Unless otherwise restricted by law, funds recovered, less the cost of recovery, shall be remitted to a special fund subject to  
34 appropriation by the General Assembly. Agencies may recover costs that are documented to be directly related to implementation  
35 of this provision.

1 Recovery audits apply only to payments made more than one hundred eighty days prior to the date the audit is initiated and shall  
2 cover at least three complete fiscal years.

3 All information provided under a contract must be treated as confidential by the recovery audit firm. A violation of this provision  
4 shall result in the forfeiture by the firm of all compensation under the contract and to the same sanctions and penalties that would  
5 apply to that disclosure.

6 Each state agency shall participate in this recovery audit program and shall cooperate and provide the recovery audit firm with all  
7 information necessary for the audit in a timely manner. All vendors that provide goods or services to a state agency shall cooperate  
8 with the recovery audit firm in its audit.

9 A state agency shall expend or return to the federal government any federal money that is recovered through a recovery audit  
10 conducted under this provision. Payments to the recovery audit firm from the federal share of recovered funds shall be solely from  
11 the federal portion as allowed by the federal agency.

12 In addition to performing the recovery audits, the recovery audit firm may conduct an analysis of contracts and pricing structures,  
13 as determined and directed by the Executive Director of the State Fiscal Accountability Authority or her or his designee, to identify  
14 and recommend future cost-savings and improved state agency financial operations going forward. A state agency shall pay the  
15 recovery audit firm responsible for obtaining the agency actual cost-savings a fee as authorized by the contract with the recovery  
16 audit firm.

17 The recovery audit firm shall provide reports to the State Fiscal Accountability Authority detailing its findings, the causes for the  
18 overpayments and erroneous payments, future cost-savings opportunities and its recommendations for strengthening state operations  
19 and/or state contracts to prevent improper payments in the future.

20 For purposes of this proviso, the term “vendor” or “vendors” includes, but is not limited to, sellers, suppliers, service providers,  
21 other providers, contractors and third party administrators; the term “overpayments and erroneous payments” includes, but is not  
22 limited to, overpayments, duplicate payments, erroneous payments, and rebates, discounts and credits not received; and the term  
23 “state agency” or “state agencies” includes all state agencies, boards, commissions, institutions and institutions of higher education.

24 The State Fiscal Accountability Authority shall provide copies, including electronic form copies, of final reports received from a  
25 firm under contract to: the Governor; the Chairman of the Senate Finance Committee; the Chairman of the House Ways and Means  
26 Committee; and the state auditor’s office. Not later than January first of each year, the board shall issue a report to the General  
27 Assembly summarizing the contents of all reports received under this provision during the prior fiscal year.

28 **117.85.** (GP: Means Test) All agencies providing Healthcare Services are directed to identify standards and criteria for means  
29 testing on all programs provided, where allowed by Federal guidelines. Once a consistent criteria has been established within an  
30 agency, they shall implement their respective plans. Each agency shall report all criteria and fiscal data to the Chairman of the Senate  
31 Finance Committee and to the Chairman of the House Ways and Means Committee no later than January first.

32 **117.86.** (GP: Agency Reduction Management) The General Assembly encourages state agencies, in the event agencies are  
33 assessed a base reduction, to endeavor to realize savings through: (1) payroll management, including, but not limited to, furloughs,  
34 reductions in employee compensation, and instituting a hiring freeze; (2) eliminate administrative overhead cost that does not directly  
35 impact the agency’s mission; and as a final option (3) reductions to programmatic funding.



1       **117.87.** (GP: WIOA Service Advertising) For the current fiscal year, the Workforce Development Boards may promote outreach  
2 for their services via billboard, bus placard, newspapers, or radio in all workforce development areas. This outreach may not be  
3 limited to e-mail, online, or other internet-based outreach, publicity, or other promotions. Workforce development boards must  
4 adhere to all state procurement policies and procedures when utilizing outreach for the services provided by the Workforce Innovation  
5 and Opportunity Act.

6       **117.88.** (GP: WIOA Training Marketability Evaluation) (A) For the current fiscal year, the Department of Employment and  
7 Workforce shall submit a report that demonstrates how funds were expended in the prior fiscal year to provide marketable work  
8 skills training. The report shall include, but not be limited to the total number of local training recipients, a description of the training  
9 area in which each recipient participated, and the number and percentage of participants in each training area that, upon completion  
10 of training, have become employed in the field in which they were trained. The report shall be submitted to the Chairman of the  
11 Senate Finance Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, the Chairman of the House Ways  
12 and Means Committee, and the Chairman of the House Labor, Commerce and Industry Committee on or before December sixteenth.

13       (B) Also, the report must specifically describe any restructuring or realignment of agency functions, and any changes in staffing  
14 levels or service. The report must detail information on employees terminated, hired, re-hired, reassigned, or reclassified by program  
15 area and location. Further, the report must describe efforts made by the agency to reassign or retrain employees who were terminated  
16 for positions for which the department hired new employees.

17       **117.89.** (GP: Victims Assistance Transfer) The Department of Corrections shall transfer \$20,500 each month to the Office of  
18 Attorney General for distribution through the State Victims Assistance Program.

19       **117.90.** (GP: DOC & PPP Potential Consolidation Plan) From the funds appropriated to the Department of Corrections and the  
20 Department of Probation, Parole and Pardon Services, the directors of the departments may collaborate and develop a plan to  
21 consolidate the functions of the departments.

22       **117.91.** (GP: USC Greenville Medical School) It is the intent of the General Assembly that during the current fiscal year, no  
23 general funds shall be appropriated for the new medical school at the University of South Carolina in Greenville. In addition, no  
24 state funds may be transferred from state earmarked or restricted funds held by the University of South Carolina to the medical school  
25 except for grants, contributions, contractual payments, and tuition and required fees for students attending the new medical school at  
26 the University of South Carolina in Greenville that are specifically designated for the medical school at the University of South  
27 Carolina in Greenville.

28       **117.92.** (GP: BabyNet Quarterly Reports) The School for the Deaf and Blind, the Department of Disabilities and Special Needs,  
29 the Department of Health and Human Services, and the Department of Mental Health shall each provide on a common template, a  
30 quarterly report to the Chairman of the House Ways and Means Committee and the Chairman of Senate Finance outlining all  
31 programs provided by them for BabyNet; all federal funds received and expended on BabyNet and all state funds expended on  
32 BabyNet. Each entity and agency shall report on its share of the state's ongoing maintenance of effort as defined by the US  
33 Department of Education under IDEA Part C.

34       **117.93.** (GP: Single Audit Schedule of Federal Expenditures) To ensure timely completion of the of the Statewide Single Audit,  
35 state agencies which do not receive a separate audit of federal expenditures, must submit to the Office of the State Auditor a schedule  
36 of federal program expenditures in a format prescribed by the Office of the State Auditor, no later than August fifteenth of each year.

1       **117.94.** (GP: Prohibits Local Government Fund Public Funded Lobbyists) All local governmental entities including, but not  
2 limited to, counties, municipalities, and associations are prohibited from using taxpayer funds received from the Local Government  
3 Fund to compensate employees for lobbying activities engaged in on behalf of such governmental entity.

4       **117.95.** (GP: Prohibit Use of State Aircraft for Athletic Recruitment) Institutions of higher learning may use the state aircraft  
5 operated by the Division of Aeronautics for the purpose of athletic recruiting, provided that they reimburse the Division of  
6 Aeronautics for all flight hours on an at cost basis, using non-general funds.

7       To ensure availability of the aircraft for purposes of ~~economic development~~ official state business, the State Law Enforcement  
8 Division, the Department of Commerce, the Office of the Governor, the House of Representatives, and the Senate shall have first  
9 right of refusal in the event of scheduling conflicts with athletic recruiting flights.

10       **117.96.** (GP: Recreational Activities) Two counties that receive an allocation from the Local Government Fund may enter into  
11 a Memorandum of Understanding in order to provide recreational activities and projects that benefit the citizens of both counties.

12       **117.97.** (GP: Technology and Remediation) The funds appropriated to the Department of Administration for the Division of  
13 Information Security shall be used to develop and implement a statewide information security program. A portion of the nonrecurring  
14 funds may be used for enterprise technology and remediation, and distributed to state agencies to address the State's most serious  
15 information security vulnerabilities as determined by the Division of Information Security and the Division of Technology  
16 Operations. Funds appropriated for Enterprise Technology and Remediation shall be excluded from the Department of  
17 Administration's base budget calculation of any across-the-board agency base reduction mandated by the Executive Budget Office  
18 or the General Assembly. Unexpended Enterprise Technology and Remediation funds may be carried forward from the prior fiscal  
19 year and used for the same purpose.

20       **117.98.** (GP: Data Breach Notification) (A) An agency of this State owning or licensing computerized data or other data that  
21 includes personal identifying information shall disclose any breach of the security of the system following discovery or notification  
22 of the breach in the security of the data to any resident of this State whose personal identifying information was, or is reasonably  
23 believed to have been, acquired by an unauthorized person. In determining whether information has been acquired, or is reasonably  
24 believed to have been acquired, by an unauthorized person or a person without valid authorization, the agency may consider the  
25 following factors, among others:

26       (1) indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen  
27 computer or other device containing information;

28       (2) indications that the information has been viewed, downloaded, or copied; or

29       (3) indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of  
30 reported identity theft.

31       (B) An agency maintaining computerized data or other data that includes personal identifying information that the agency does  
32 not own shall notify the owner or licensee of the information of a breach of the security of the data immediately following discovery,  
33 if the personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person.

34       (C) The disclosure requirements of subsections (A) and (B) must be made in the most expedient time possible and without  
35 unreasonable delay; however, the notification required by this section may be delayed if a law enforcement agency determines that  
36 the notification impedes a criminal investigation and must be made after the law enforcement agency determines that it no longer

1 compromises the investigation. A delay in notification shall not exceed seventy-two hours after discovery, unless the agency requests  
2 and the attorney general grants, in writing, additional delays of up to seventy-two hours each upon a determination that such  
3 notification impedes a criminal investigation.

4 (D) For purposes of this section:

5 (1) "Agency" means any agency, department, board, commission, committee, or institution of higher learning of the State or  
6 a political subdivision of it.

7 (2) "Breach of the security of the system" means unauthorized access to and acquisition of computerized data that was not  
8 rendered unusable through encryption, redaction, or other methods that compromise the security, confidentiality, or integrity of  
9 personal identifying information maintained by the agency, when illegal use of the information has occurred or is reasonably likely  
10 to occur or use of the information creates a material risk of harm to the consumer. Good faith acquisition of personal identifying  
11 information by an employee or agent of the agency for the purposes of the agency is not a breach of the security of the system if the  
12 personal identifying information is not used or subject to further unauthorized disclosure.

13 (3) "Consumer reporting agency" means any person which, for monetary fees, dues, or on a cooperative nonprofit basis,  
14 regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information  
15 on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate  
16 commerce for the purpose of preparing or furnishing consumer reports. A list of consumer reporting agencies shall be compiled by  
17 the Department of Consumer Affairs and furnished upon request to the agency required to make a notification under this section.

18 (4) "Personal identifying information" means the first name or first initial and last name in combination with and linked to any  
19 one or more of the following data elements that relate to a resident of this State, when the data elements are neither encrypted nor  
20 redacted or when the data elements are encrypted with an encryption key and the encryption key that has also been acquired:

21 (a) social security number;

22 (b) driver's license number or state identification card number issued instead of a driver's license;

23 (c) financial account number, or credit card or debit card number in combination with any required security code, access  
24 code, or password that would permit access to a resident's financial account; or

25 (d) other numbers or information which may be used to access a person's financial accounts or numbers or information  
26 issued by a governmental or regulatory entity that uniquely will identify an individual.

27 The term does not include information that is lawfully obtained from publicly available information, or from federal, state, or local  
28 government records lawfully made available to the general public.

29 (E) The notice required by this section may be provided by:

30 (1) written notice;

31 (2) electronic notice, if the agency's primary method of communication with the individual is by electronic means, the person  
32 to whom notice is required has expressly consented to receiving said notice in electronic form, or is consistent with the provisions  
33 regarding electronic records and signatures set forth in Section 7001 of Title 15 USC and Chapter 6, Title 26 of the 1976 Code;

34 (3) telephonic notice; or

1 (4) substitute notice, if the agency demonstrates that the cost of providing notice exceeds two hundred fifty thousand dollars  
2 or that the affected class of subject persons to be notified exceeds five hundred thousand or the agency has insufficient contact  
3 information. Substitute notice consists of:

- 4 (a) e-mail notice when the agency has an e-mail address for the subject persons;  
5 (b) conspicuous posting of the notice on the agency's website page, if the agency maintains one; or  
6 (c) notification to major statewide media.

7 Regardless of the method by which notice is provided, such notice shall include contact information for the agency making the  
8 notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person  
9 without valid authorization, including specification of which of the elements of personal information and private information were,  
10 or are reasonably believed to have been, so acquired.

11 (F) A resident of this State who is injured by a violation of this section, in addition to and cumulative of all other rights and  
12 remedies available at law, may:

- 13 (1) institute a civil action to recover damages;  
14 (2) seek an injunction to enforce compliance; and  
15 (3) recover attorney's fees and court costs, if successful.

16 (G) An agency that knowingly and willfully violates this section is subject to an administrative fine up to one thousand dollars  
17 for each resident whose information was accessible by reason of the breach, the amount to be decided by the Department of Consumer  
18 Affairs.

19 (H) If the agency provides notice to more than one thousand persons at one time pursuant to this section, the agency shall notify,  
20 without unreasonable delay, the Consumer Protection Division of the Department of Consumer Affairs and all consumer reporting  
21 agencies that compile and maintain files on a nationwide basis, as defined in 15 USC Section 1681a(p), of the timing, distribution,  
22 and content of the notice.

23 ~~**117.99.** (GP: State Ports Authority Property) If the State Ports Authority has not completed the sale of its real property on Daniel  
24 Island, except for the dredge disposal cells that are needed in connection with the construction of the North Charleston terminal on  
25 the Charleston Naval Complex and for harbor deepening and for channel and berth maintenance, by June 30, 2023, the authority  
26 must transfer the property to the Department of Administration. The authority shall sell the real property under terms and conditions  
27 it considers most advantageous to the authority and the State of South Carolina.~~

28 **117.100** (GP: Remittance of Court Fee and Fine Money) County and city treasurers are required to remit to the State Treasurer  
29 set percentages of revenues generated by assessments imposed by 14-1-206(A), 14-1-207(A), 14-1-208(A). This remittance is  
30 required on a monthly basis by the 15th day of each month.

31 Should a county and/or city treasurer fail to make the required remittance, the SC Criminal Justice Academy shall cease providing  
32 services to all law enforcement officers of all law enforcement agencies encompassed within the political subdivision if they have  
33 failed to make remittance for two consecutive months in a fiscal year. The finance director shall certify by July first, under oath, that  
34 the county and/or city has remitted all funds or the SC Criminal Justice Academy shall withhold services until such time as remittance  
35 is made.

1       **117.101.** (GP: Detailed Expenditure/Revenue Reports PCC/CID) The Prosecution Coordination Commission and the Commission  
2 on Indigent Defense shall provide detailed expenditure reports and associated revenue streams for each individual circuit, revenue  
3 streams shall include, but not be limited to, state funds, local funds, Federal funds, and also nongovernmental sources of funds, by  
4 no later than September first, on the prior fiscal year, to the appropriate commission. The commissions shall then provide the  
5 Chairman of the House Ways and Means Committee and Chairman of the Senate Finance Committee with a combined report by  
6 September fifteenth of the current fiscal year.

7       **117.102.** (GP: South Carolina Welcome Centers) The Department of Parks, Recreation and Tourism and the Department of  
8 Transportation shall maintain a Memorandum of Understanding (MOU) that provides that the Department of Parks, Recreation and  
9 Tourism shall control operations of all South Carolina Welcome Centers. The MOU shall include replacement, renovation and  
10 maintenance of the facilities, daily operations, and grounds maintenance and upkeep and shall clearly define responsibility for  
11 additional portions of Welcome Centers to include paving and sidewalks. The Department of Transportation shall transfer to the  
12 Department of Parks, Recreation and Tourism the amount of ~~\$3,563,560~~ *stated in the Memorandum of Understanding* less any state  
13 funds appropriated by the General Assembly for the same purpose. The Department of Parks, Recreation and Tourism assumes  
14 responsibility for this amount and the timing of the transfer of these funds shall be defined as part of the MOU. The funds transferred  
15 to the Department of Parks, Recreation and Tourism shall be placed in a separate and distinct fund and these funds shall be carried  
16 forward from the prior fiscal year into the current fiscal year and be expended for the same purposes.

17       **117.103.** (GP: Continuation of Teen Pregnancy Prevention Project Accountability) Qualifying organizations applying for General  
18 Funds provided as a special item in this act and titled Continuation of Teen Pregnancy Prevention must include in its application a  
19 proposed annual budget and agreement to provide quarterly reports to the grantor state agency detailing the expenditure of funds and  
20 the project's accomplishments which shall include:

21       (1) Financial:

22       (a) Personnel costs, including employer contributions, by position for each of the following areas: administration, training,  
23 and education, as well as for other positions as identified;

24       (b) Operational costs identified in the application;

25       (c) One-time costs over \$500 for such items as supplies;

26       Administration costs may not exceed ten percent of the total project budget. For purposes of this provision, "Administration" is  
27 defined as expenses other than educational.

28       (2) Description of program and curriculum to be used;

29       (3) Description of training;

30       (4) Schedule and brief description of project activities for each quarter;

31       (5) Participation reports on the following:

32       (a) Number of persons who participated;

33       (b) Total number of hours provided;

34       (c) Number of train the trainer events;

35       (d) Other data regarding the activities of the project;

36       (6) Description of the project evaluation to be used;

- 1 (7) Copy of latest completed independent financial audit and agency's response to any audit exceptions;
- 2 (8) Qualifications of project personnel;
- 3 (9) Best Practices to be used; and
- 4 (10) Evidence Based Curriculum.

5 An organization awarded a grant must provide these quarterly reports to the grantor state agency within fifteen days of the end of  
6 each quarter. Grantees failing to submit reports with thirty days of the end of each quarter shall have their grant terminated.

7 Unexpended funds for Continuation of Teen Pregnancy Prevention projects under the Department of Social Services or under the  
8 Department of Health and Environmental Control shall be carried forward for the purpose of fulfilling the department's contractual  
9 agreement.

10 **117.104.** (GP: Information Technology and Information Security Plans) (A) By August first of the current fiscal year, all state  
11 agencies must submit an information technology plan and an information security plan to the Department of Administration. State  
12 agencies must submit updates to their plans if there are changes following initial submission. Changes that would necessitate an  
13 updated plan include, but are not limited to, changes in response to technological advancements, changes in legislation, regulation  
14 or compliance requirements, newly identified funding sources, or new issues relating to information technology management or  
15 business requirements.

16 The information technology plans required by this section shall be in the form and level of detail required by the department and  
17 shall include at least: (1) the information technology objectives of the state agency; (2) an inventory of the state agency's information  
18 technology; (3) any performance measures used by the state agency for implementing its information technology objectives; (4) how  
19 the state agency's development of information technology coordinates with other governmental entities; (5) the state agency's budget  
20 plans for information technology for the coming fiscal year which must include: (a) all fixed, recurring information technology  
21 costs, regardless of funding sources; (b) new information technology expenditures for services, hardware upgrades/replacements and  
22 software purchases, regardless of funding sources; (c) new information technology projects, regardless of funding sources; and (d)  
23 FTE counts, temporary personnel counts, and salary information and position descriptions for all information technology personnel,  
24 regardless of funding sources; and (6) the state agency's need for appropriations for information technology.

25 The information security plans required by this section shall be in the form and level of detail required by the division and shall  
26 include at least: (1) the information security objectives of the state agency; (2) an inventory of the state agency's information security  
27 technology; (3) a profile of the state agency's compliance with security policies established by the division; (4) a profile of the state  
28 agency's sensitive data and a description of applicable state and federal privacy requirements; (5) a profile of risk management and  
29 other measures taken by the state agency to protect its data from unauthorized access and disclosure; (6) the state agency's budget  
30 plans for information security for the coming fiscal year which must include: (a) all fixed, recurring information security technology  
31 costs, regardless of funding sources; (b) new information security expenditures for services hardware upgrades/replacements and  
32 software purchases, regardless of funding sources; (c) new information security projects, regardless of funding sources; and (d) FTE  
33 counts, temporary personnel counts, and salary information and position descriptions for all information security personnel,  
34 regardless of funding sources; and (7) the state agency's need for appropriations for information security.

35 (B) The director of the Department of Administration should seek advice from private and public sector resources on the efficient  
36 use of information technology and best practices.

1 (C) The Judicial Department, Legislative Department, public institutions of higher learning, technical colleges, political  
2 subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this proviso.

3 **117.105.** (GP: SCOIS Transfer) For the current fiscal year, the South Carolina Occupational Information System, its authority  
4 and responsibilities, to include the collections of user fees that must be used to operate the program, shall continue to be transferred  
5 from the Department of Employment and Workforce to the Department of Education.

6 **117.106.** (GP: Child Fatality Review) The agencies specified shall implement the following recommendations contained in the  
7 Legislative Audit Council's October 2014 report "A Review of Child Welfare Services at the Department of Social Services":

8 (1) Annually, the Department of Social Services and the State Child Fatality Advisory Committee shall jointly report statistics  
9 on child deaths from maltreatment and the number of those with prior Department of Social Services involvement;

10 (2) The Department of Social Services and the State Child Fatality Advisory Committee shall use their child fatality review  
11 findings to make recommendations to revise Department of Social Services policy or practice where appropriate;

12 (3) The Department of Social Services shall ensure that it includes child fatality statistics from all relevant sources when reporting  
13 to the National Child Abuse and Neglect Data System. These sources shall include, but not be limited to, law enforcement agencies  
14 and the Department of Health and Environmental Control;

15 (4) The State Law Enforcement Division and the Department of Health and Environmental Control shall establish a system for  
16 cross checking child fatalities in the state to ensure that all fatalities are being properly reported to the State Law Enforcement  
17 Division;

18 (5) The State Law Enforcement Division and the State Child Fatality Advisory Committee shall review the training provided to  
19 coroners on the reporting of child fatalities to ensure that information is provided on which fatalities are to be reported and what  
20 procedure is to be followed for reporting the fatalities;

21 (6) The Department of Public Safety shall report statistics on all child fatalities to the State Child Fatality Advisory Committee;  
22 and

23 (7) The State Child Fatality Advisory Committee shall evaluate the feasibility of adopting the Child Death Review Case  
24 Reporting System developed by the National Center for the Review and Prevention of Child Deaths and shall submit a report on their  
25 findings to the General Assembly by December 1, 2016.

26 Pursuant to Section 63-11-1930(E) of the 1976 Code, the director of each agency specified in this provision shall ensure that  
27 sufficient staff and administrative support is provided to the State Child Fatality Advisory Committee to accomplish the requirements  
28 of this provision.

29 **117.107.** (GP: Refugee Resettlement Program) No state funds shall be expended to assist in the United States Refugee  
30 Resettlement Program unless the county council of the county where the resettlement is to occur approves the relocation.

31 **117.108.** (GP: Family Planning Funds) (A) Notwithstanding any other law, federal family planning funds and state family  
32 planning funds shall be awarded to eligible individuals, organizations, or entities applying to be family planning contractors in the  
33 following order of descending priority:

34 (1) public entities that provide family planning services, including state, county, and local community health clinics and  
35 federally qualified health centers;

1 (2) nonpublic entities that provide comprehensive primary and preventive health services, as described in 42 U.S.C.  
2 254b(b)(1)(A), in addition to family planning services; and

3 (3) nonpublic entities that provide family planning services but do not provide comprehensive primary and preventive health  
4 services.

5 (B) Family planning funds must be distributed in compliance with federal law to ensure distribution in a manner that does not  
6 severely limit or eliminate access to family planning services in any region of the State.

7 (C) Any department, agency, board, commission, office, or other instrumentality of the State that distributes family planning  
8 funds shall submit an annual report to the General Assembly listing any family planning contractors that fall under item (A)(3), and  
9 the amount of federal or state family planning funds they received. The report shall provide a detailed explanation of how it was  
10 determined that there were an insufficient number of eligible individuals, organizations, or entities in items (A)(1) and (A)(2) to  
11 prevent a significant reduction in family planning services in each region of the State where (A)(3) contractors are located.

12 **117.109.** (GP: Statewide Strategic Information Technology Plan Implementation) To ensure the uniform implementation of the  
13 Statewide Strategic Information Technology Plan developed pursuant to the Restructuring Act of 2014 and designed to improve the  
14 State's ability to provide reliable, secure, cost-efficient, and innovative information technology services and infrastructure, state  
15 agencies are directed as follows:

16 (1) Agencies shall use the shared services from the Department of Administration, Division of Technology Operations as those  
17 services become available and in a sequence to be determined by the division. Agencies shall coordinate with the division to  
18 accomplish a strategic transition to the shared services environment. Shared services include, but are not limited to, mainframe  
19 services, application hosting, servers, storage, network services, desktop services, and disaster recovery services. The State Chief  
20 Information Officer may grant an exception, to be revisited on a periodic basis, if the division determines that it cannot immediately  
21 satisfy the technical or security capabilities required to support the agency in question;

22 (2) With regard to information technology governance, standards, and enterprise architecture, agencies shall comply with the  
23 rules, standards, plans, policies, and directives of the Division of Technology Operations;

24 (3) With regard to information technology governance, standards, and enterprise architecture, agencies shall participate and  
25 comply with decisions determined by the information technology governance advisory groups.

26 (4) With regard to the annual Appropriations Act budget submission, agencies shall submit all information technology budget  
27 requests to the Executive Budget Office and the Division of Technology Operations. The Executive Budget Office and the Division  
28 of Technology Operations shall jointly review the budget requests and recommend for funding consideration only those proposals  
29 that fit into the overall Statewide Strategic Information Technology Plan.

30 (5) With the consultation and approval of the Division of Technology Operations, agencies must create an information technology  
31 plan for purchases that exceed \$50,000 to ensure compliance with the Statewide Strategic Information Technology Plan and the  
32 standards defined by the division.

33 (6) Agencies shall develop a three-year strategic plan for information technology, updated annually, for the Division of  
34 Technology Operations, that shall be approved by the Chief Information Officer, that sets forth: (a) operational and project priorities;  
35 (b) budget summaries; (c) planned projects and procurements; (d) staffing plans; (e) security initiatives; and (f) risks, issues, and  
36 concerns with the agency's information technology.



1 (7) Agencies shall enter information technology costs into the South Carolina Enterprise Information System (SCEIS) as directed  
2 by the Division of Technology Operations and SCEIS.

3 The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of  
4 the House Ways and Means Committee regarding agency compliance no later than December thirty-first of each calendar year.

5 The Legislative Branch, the Judicial Branch, public institutions of higher learning, technical colleges, political subdivisions and  
6 quasi-governmental bodies are specifically exempt from the requirements as provided in this provision.

7 **117.110.** (GP: Sentencing Reform Oversight Committee Reauthorization) There is established for the current fiscal year the South  
8 Carolina Sentencing Reform Oversight Committee. The oversight committee shall be composed of eleven members, two of whom  
9 shall be members of the Senate, both appointed by the Chair of the Senate Judiciary Committee and one being the Chair of the Senate  
10 Judiciary Committee or his designee; two of whom shall be members of the Senate, one appointed by the President of the Senate and  
11 one appointed by the Chairman of the Senate Finance Committee; two of whom shall be members of the House of Representatives,  
12 both appointed by the Chair of the House Judiciary Committee and one being the Chair of the House Judiciary Committee or his  
13 designee; two of whom shall be members of the House of Representatives, one appointed by the Speaker of the House and one  
14 appointed by the Chairman of the House Ways and Means Committee; one of whom shall be appointed by the Chair of the Senate  
15 Judiciary Committee from the general public at large; one of whom shall be appointed by the Chair of the House Judiciary Committee  
16 from the general public at large; and one of whom shall be appointed by the Governor. Provided, however, that in making  
17 appointments to the oversight committee, race, gender, and other demographic factors should be considered to assure  
18 nondiscrimination, inclusion, and representation to the greatest extent of all segments of the population of the State. The members  
19 of the general public appointed by the chairs of the House and Senate Judiciary Committees must be representative of all citizens of  
20 this State and must not be members of the General Assembly.

21 The oversight committee must meet as soon as practicable after appointment and organize itself by electing one of its members as  
22 chair and such other officers as the oversight committee may consider necessary. Thereafter, the oversight committee must meet at  
23 the call of the chair or by a majority of the members. A quorum consists of seven members.

24 The oversight committee shall have the following powers and duties:

25 (1) to review the implementation of the recommendations made in the Sentencing Reform Commission report of February 2010,  
26 including, but not limited to:

27 (a) the plan required from the Department of Probation, Parole and Pardon Services on the parole board training and other  
28 goals identified in Section 24-21-10;

29 (b) the report from the Department of Probation, Parole and Pardon Services on its goals and the development of assessment  
30 tools consistent with evidence-based practices;

31 (c) the report from the Office of Pretrial Intervention Coordinator in the Commission on Prosecution Coordination on diversion  
32 programs required by the provisions of Article 11, Chapter 22, Title 17; and

33 (d) the report from the Department of Probation, Parole and Pardon Services on:

34 (i) the number and percentage of individuals placed on administrative sanctions and the number and percentage of  
35 individuals who have earned compliance credits; and

- 1 (ii) the number and percentage of probationers and parolees whose supervision has been revoked for violations of conditions  
2 or for convictions of new offenses;
- 3 (2) to request data similar to the information contained in the report required by Section 17-22-1120 from private organizations  
4 for which programs are operated through a court and that divert individuals from prosecution, incarceration, or confinement, such as  
5 diversion from incarceration for failure to pay child support, and for which programs are sanctioned by, coordinated with, or funded  
6 by federal, state, or local governmental agencies;
- 7 (3)(a) to calculate:
- 8 (i) any state expenditures that have been avoided by reductions in the revocation rate as calculated by the Department of  
9 Probation, Parole and Pardon Services and reported under Sections 24-21-450 and 24-21-680; and
- 10 (ii) any state expenditures that have been avoided by reductions in the new felony offense conviction rate as calculated by  
11 the Department of Probation, Parole and Pardon Services and reported under Sections 24-21-450 and 24-21-680;
- 12 (b) to develop rules and regulations for calculating the savings in item (3)(a), which shall account at a minimum for the variable  
13 costs averted, such as food and medical expenses, and also to consider fixed expenditures that are avoided if larger numbers of  
14 potential inmates are avoided;
- 15 (c) on or before December first, to report the calculations made pursuant to item (3)(a) to the President of the Senate, the  
16 Speaker of the House of Representatives, the Chief Justice of the South Carolina Supreme Court, and the Governor. The report also  
17 shall recommend whether or not to appropriate up to thirty-five percent of any state expenditures that are avoided as calculated in  
18 item (3)(a) to the Department of Probation, Parole and Pardon Services. With respect to the recommended appropriations in this item  
19 (c), none of the calculated savings shall be recommended for appropriation for that fiscal year if there is an increase in the percentage  
20 of individuals supervised by the Department of Probation, Parole and Pardon Services who are convicted of a new felony offense as  
21 calculated in subitem (3)(a)(ii);
- 22 (d) any funds appropriated during this fiscal year pursuant to the recommendations in item (c) shall be used to supplement, not  
23 replace, any other state appropriations to the Department of Probation, Parole and Pardon Services;
- 24 (e) funds received through appropriations pursuant to this item shall be used by the Department of Probation, Parole and  
25 Pardon Services for the following purposes:
- 26 (i) implementation of evidence-based practices;
- 27 (ii) increasing the availability of risk reduction programs and interventions, including substance abuse treatment programs,  
28 for supervised individuals; or
- 29 (iii) grants to nonprofit victim services organizations to partner with the Department of Probation, Parole and Pardon Services  
30 and courts to assist victims and increase the amount of restitution collected from offenders;
- 31 (4) to submit to the General Assembly, on an annual basis, the oversight committee's evaluation of the implementation of the  
32 recommendations of the Sentencing Reform Commission report of February 2010;
- 33 (5) to make reports and recommendations to the General Assembly on matters relating to the powers and duties set forth in this  
34 section, including recommendations on transfers of funding based on the success or failure of implementation of the  
35 recommendations; and

1 (6) to undertake such additional studies or evaluations as the oversight committee considers necessary to provide sentencing  
2 reform information and analysis.

3 The oversight committee members are entitled to such mileage, subsistence, and per diem as authorized by law for members of  
4 boards, committees, and commissions while in the performance of the duties for which appointed. These expenses shall be paid  
5 from the general fund of the State on warrants duly signed by the chair of the oversight committee and payable by the authorities  
6 from which a member is appointed.

7 The oversight committee is encouraged to apply for and may expend grants, gifts, or federal funds it receives from other sources  
8 to carry out its duties and responsibilities.

9 The oversight committee must use clerical and professional employees of the General Assembly for its staff, who must be made  
10 available to the oversight committee.

11 The oversight committee may employ or retain other professional staff, upon the determination of the necessity for other staff by  
12 the oversight committee.

13 The oversight committee may employ consultants to assist in the evaluations and, when necessary, the implementation of the  
14 recommendations of the Sentencing Reform Commission report of February 2010.

15 **117.111.** (GP: State Employee Leave Donation) In the event of a medical emergency, a state employee may make a written  
16 request to the employing agency that a specified number of hours of his accrued annual and/or sick leave be transferred from his  
17 annual and/or sick leave account to a specific leave recipient rather than to a leave pool account, subject to the approval of the agency  
18 director. An employee with less than fifteen days in his sick leave account may not transfer any sick leave to the recipient, and an  
19 employee with more than fifteen days in his sick leave account may transfer sick leave to the recipient if he retains a minimum of  
20 fifteen days in his own sick leave account. Once leave of an employee has been transferred to the recipient, it may not be restored  
21 or returned to the leave donor. For purposes of this provision, a medical emergency is defined under IRS Revenue Ruling 90-29 as  
22 a medical condition of the employee or a family member that will require the prolonged absence of the employee from duty and will  
23 result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available apart from  
24 the leave-sharing plan.

25 **117.112.** (GP: State Engineer) The State Engineer is an office located within the State Fiscal Accountability Authority, all  
26 references to the contrary notwithstanding.

27 **117.113.** (GP: Retail Facilities Revitalization Act Repeal Suspension) The repeal of Chapter 34, Title 6 of the 1976 Code as  
28 specified in Act 285 of 2006 as to sites for which written notification of election of mode of credit has been provided to the  
29 Department of Revenue prior to July 1, 2016 and for which a building permit has been issued prior to July 1, 2016, is suspended for  
30 Fiscal Year ~~2022-23~~ 2023-24.

31 **117.114.** (GP: Funds Exempt from Budget Reduction Calculations) The funds designated in F310, Section 107, Capital Reserve  
32 Fund, funds designated in V040, Section 112, Debt service, funds designated in X220, Section 113, Aid to Subdivisions - State  
33 Treasurer for the Local Government Fund, and funds designated in X500, Section 115, Tax Relief Trust Fund shall be excluded from  
34 the calculation of any across-the-board base reduction mandated by the Department of Administration, Executive Budget Office or  
35 the General Assembly and shall not be subject to any such reduction.

1       **117.115.** (GP: South Carolina Telemedicine Network) From the funds appropriated to the Medical University of South Carolina  
2 for the MUSC Hospital Authority for Telemedicine and the funds appropriated and authorized for the Department of Health and  
3 Human Services, the agencies must continue the development of the South Carolina Statewide Telemedicine Network. The South  
4 Carolina Telehealth Alliance shall submit a proposal to the MUSC Hospital Authority and the Department of Health and Human  
5 Services to determine which hospitals, clinics, schools or other entities are best suited for Telemedicine partnerships.

6       (A) The Department of Health and Human Services shall develop or continue a program to leverage the use of teaching hospitals  
7 to provide rural physician coverage by expanding the use of Telemedicine, to include new applications such as School Based  
8 Telehealth, and Tele-ICU. The department shall also amend its policy related to reimbursement for telemedicine to add Act 301  
9 Behavioral Health Centers as a referring site for covered telemedicine services.

10       (B) During the current fiscal year the Department of Health and Human Services shall contract with the MUSC Hospital Authority  
11 in the amount of \$5,000,000 to lead the development and operation of a statewide, open access South Carolina Telemedicine  
12 Network. At the request of the department, MUSC shall provide the department with all information and materials necessary to seek  
13 federal medical assistance for this contract. The MUSC Hospital Authority shall contract with each Regional Support Hub to ensure  
14 funding and support of strategic plans submitted by the Regional Support Hubs and approved by both the MUSC Hospital Authority  
15 and the Department of Health and Human Services. Institutions and other entities participating in the network must be afforded the  
16 opportunity to meaningfully participate in the development of any annual refining to the initiative's strategic plan. Working with  
17 the department, the MUSC Hospital Authority shall collaborate with Palmetto Care Connections to pursue this goal. No less than  
18 \$1,000,000 of these funds shall be allocated toward support of Palmetto Care Connections and other hospitals in South Carolina.  
19 The MUSC Hospital Authority must provide the department with quarterly reports regarding the funds allocation and progress of  
20 telemedicine transformation efforts and networks. These reports must include an itemization of the ultimate recipients of these funds,  
21 whether vendors, grantees, specific participating institutions, or the Medical University of South Carolina, and must distinguish  
22 between funds allocation to the university as a participating institution as opposed to those retained and used by the university in its  
23 capacity as the administering entity for the network.

24       (C) The Department of Health and Human Services shall continue to identify and implement telehealth benefits and policies that  
25 are evidence-based, cost efficient, and aligned with the needs of the Medicaid population. The department must also continue to  
26 review the temporary telephonic and telehealth flexibilities it has adopted to address the COVID-19 public health emergency and  
27 make permanent those that are suitable for inclusion in the Medicaid benefit. No later than October 1, the department shall submit a  
28 report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee  
29 on policy and benefit changes it has introduced in the furtherance of this goal and as part of its ongoing effort to improve the  
30 sustainability of telehealth services.

31       **117.116.** (GP: Prohibited Funding for Aborted Fetus Research) Notwithstanding any other provision of this act, general funds  
32 appropriated in this act may not be used to purchase fetal tissue obtained from an abortion to perform scientific or laboratory research  
33 or other kinds of investigation conducted on fetal tissue.

34       **117.117.** (GP: SCRS & PORS Trust Fund) Unless otherwise provided in Paragraphs A through D of this provision, the funds  
35 appropriated to the Public Employee Benefit Authority (PEBA) for the South Carolina Retirement System Trust Fund and the Police  
36 Officers' Retirement System Trust Fund in Part IA, Section 108 of this act shall be credited toward the contributions due from

1 participating employers in SCRS and PORS for Fiscal Year ~~2022-23~~ 2023-24. Each employer's credit shall be determined at the  
2 same rate as calculated by PEBA for the pension funding allocation credit for Fiscal Year 2017-18. A participating employer shall  
3 not receive a credit that exceeds the employer contributions due from the employer.

4 (A) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of special  
5 purpose districts, joint authorities, or non-profit corporations; however, this provision does not apply to the South Carolina State  
6 Ports Authority and the South Carolina Public Service Authority.

7 (B) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of  
8 hospitals; however this provision does not apply to the Medical University Hospital Authority.

9 (C) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of  
10 participating associations or service organizations as defined in Section 9-1-10(11)(e) of the 1976 Code.

11 (D) From the funds available for allocation pursuant to this provision, no credits shall be issued for state employees who are  
12 funded with federal funds. The Public Employee Benefits Authority shall collaborate with the Department of Administration,  
13 Executive Budget Office and the Revenue and Fiscal Affairs Office to determine the amount of credit exclusion for federally-funded  
14 employees of state agencies.

15 **117.118.** (GP: Retirement System Assets and Custodial Banking Relationship Transfer) In order to facilitate the transfer of  
16 custodianship of the assets of the Retirement System to the Public Employee Benefit Authority and governance of the custodial  
17 banking relationship to the Retirement System Investment Commission, all portions of contracts, agreements, and exemptions from  
18 the Consolidated Procurement Code providing for and relating to custodial banking, general banking, accounting, or any other  
19 ancillary services are transferred to, and devolved upon, the Public Employee Benefit Authority and the Retirement System  
20 Investment Commission in accordance with the authority transferred to the respective agency.

21 **117.119.** (GP: Opioid Abuse Prevention and Treatment Plan) From the funds appropriated and authorized to the Department of  
22 Alcohol and Other Drug Abuse Services and the Department of Health and Human Services in the current fiscal year, the agencies  
23 shall establish a coalition of state agencies, providers and other related entities to combat the opioid epidemic in a collaborative  
24 manner and ensure that appropriate services and treatments are made available statewide. This initiative should include efforts to  
25 coordinate funding for the provision of treatment with an assessment of current programs and funding levels, to enhance available  
26 prevention, treatment and recovery services; expand provider capacity; and enable workforce development for substance use disorder  
27 services. General Funds appropriated to any state agency for Opioid Abuse Prevention and Treatment may be carried forward and  
28 expended for the same purpose.

29 (A) The Department of Alcohol and Other Drug Abuse Services, the State Law Enforcement Division, and the Department of  
30 Health and Human Services shall establish an advisory board with representation from both agencies, to provide both oversight and  
31 administrative direction to the coalition. The advisory board may also include representation from the Department of Health and  
32 Environmental Control, the Department of Mental Health, the Medical University of South Carolina, the University of South  
33 Carolina's School of Medicine, the Department of Labor Licensing and Regulation, the Department of Corrections, state and local  
34 law enforcement agencies, the judicial branch, the South Carolina Hospital Association, the South Carolina Medical Association, the  
35 South Carolina Primary Health Care Association, Behavioral Health Centers and other related entities. The advisory board must  
36 consider recommendations made in the 2018 report by the South Carolina House of Representatives Opioid Abuse Prevention Study

1 Committee, as well as any recommendations made by the South Carolina Behavioral Health Coalition related to substance use  
2 disorders and create a plan to ensure implementation of appropriate recommendations.

3 (B) The Department of Health and Human Services may leverage any and all available federal funds to implement enhanced  
4 treatment services and resources for this coalition.

5 (C) In consultation with the Department of Alcohol and Other Drug Abuse Services and the Medical University of South Carolina  
6 Hospital Authority, the Department of Health and Human Services shall review and evaluate outcomes data from the program for  
7 MAT services for prescription opioid dependency and addiction established by Act 97 of 2017 and expanded by Act 264 of 2018.  
8 Based on the success rate and ability to continue expansion of this model, the department may provide funding not to exceed  
9 \$2,500,000 to continue and expand the program to additional providers that are necessary to ensure greater impact in geographical  
10 areas of critical need. All medications proven to be effective in treating opioid addiction shall be considered as viable options on a  
11 case by case basis to ensure the greatest level of success for individuals in the program.

12 (D) The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall assist  
13 the Department of Health and Environmental Control with any funding required to implement necessary programmatic enhancements  
14 to the Prescription Monitoring Program. The departments must consider changes to strengthen risk assessments and patient support  
15 tools, as well as the potential integration of Electronic Health Record systems. To the extent possible, the program must be expanded  
16 to include the administration of naloxone and other opioid overdose antidotes.

17 (E) In order to provide comprehensive treatment, from the point of incarceration, to individuals charged with criminal offenses  
18 who suffer from any substance use disorder that is treatable with medication, the Department of Alcohol and Other Drug Abuse  
19 Services must solicit potential cooperation from law enforcement, the state's solicitors, Magistrate Courts and Circuit Courts, to  
20 establish a diversion program in at least one judicial circuit. This program shall provide both behavioral and medical treatment,  
21 consultations with peer support specialists, and continued supervision of participants who are released, which may include electronic  
22 monitoring.

23 (F) The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall also  
24 coordinate with at least one four-year college or university and one two-year technical college with on-campus dormitories to  
25 establish pilot programs for Collegiate Recovery Programs to target intervention and the retention of students. These programs must  
26 offer academic support in designated spaces that provide for group meetings, clinical support, technology access, and academic  
27 advising, to assist students in recovery.

28 **117.120.** (GP: SCEIS Data Entry Compliance) The Department of Administration shall develop and issue written SCEIS data  
29 entry standards and guidelines for agency compliance. To ensure uniform compliance with these standards and guidelines, state  
30 agencies shall comply with all SCEIS data entry rules, standards, plans, policies, directives, and guidelines established by the  
31 Department of Administration.

32 The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of  
33 the House Ways and Means Committee regarding agency compliance no later than December thirty-first of each calendar year.

34 **117.121.** (GP: Statewide Real Estate Plan Implementation) Pursuant to legislative intent expressed in Proviso 118.2 (Titling of  
35 Real Property) of this act to establish a comprehensive central real property and office facility management process to plan for the

1 needs of state government agencies; and to achieve maximum efficiency and economy in the use of state-owned, state-leased, and  
2 commercial leased facilities, all state agencies are directed as follows:

3 (1) In the current occupation of state-owned and commercial facilities or prior to incurring an obligation to expend funds through  
4 entering or renewing a lease for state-owned or commercial facilities, state agencies shall work in conjunction with the Department  
5 of Administration to achieve uniform space standards in state-owned, state-leased, and commercial leased facilities resulting over  
6 time in an overall target density of 210 square feet per person unless otherwise approved by the department.

7 (2) Prior to entering or renewing any contract for leasing real property, state agencies shall comply with the Department of  
8 Administration's site selection criteria for state-owned, state-leased, or commercial leased space,

9 (3) State agencies shall record into the South Carolina Enterprise Information System (SCEIS) all maintenance and operations  
10 expenditures for state-owned and state-leased facilities in the manner prescribed by the Department of Administration.

11 (4) State agencies shall provide to the Department of Administration a list of all contracts related to facilities management,  
12 maintenance, and support, and shall not renew or enter into any new contracts related to facilities management, maintenance or  
13 support without prior approval from the Department of Administration.

14 (5) Under guidance and direction of the Department of Administration, state agencies shall annually report on and submit plans  
15 to address ongoing and deferred maintenance for all state-owned real property.

16 (6) State agencies shall annually update and submit an inventory of state-owned facilities and land to the Department of  
17 Administration by June 30 of each fiscal year in the manner prescribed by the department. Each submission shall include a portfolio  
18 assessment with recommendations for any dispositions.

19 The Legislative Branch, the Judicial Branch, public institutions of higher learning, technical colleges, political subdivisions and  
20 quasi-governmental bodies are generally exempt from the requirements of this proviso; provided, however, that public institutions  
21 of higher learning and technical colleges shall be subject to the provisions of paragraph (6) in its entirety, and the provisions of  
22 paragraph (1) with respect to any facility or portion thereof used for administrative and office space.

23 The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of  
24 the House Ways and Means Committee regarding compliance with this proviso no later than December 31 of each calendar year,  
25 beginning December 31, 2018.

26 **117.122.** (GP: Statewide Administrative Services) The Department of Administration may provide consolidated administrative  
27 services to all agencies to promote cost savings, process integrity and other efficiencies, and to reduce duplication, overlap and  
28 redundancies, or any combination thereof and to provide for consistency in transactions and processes and to advance a statewide  
29 approach to agency administration. Consolidated administrative services may include, but are not limited to: 1) financial and  
30 accounting support, such as accounts payable and receivable processing, procurement processing, journal entry processing and  
31 financial reporting assistance; 2) human resources administrative support, such as transaction processing and reporting, payroll  
32 processing, and human resources training; and 3) budget support, such as budget transaction processing and budget reporting  
33 assistance.

34 Agencies that receive twenty million dollars or less in total appropriations in the current fiscal year shall consult with the  
35 Department of Administration to determine whether the use of consolidated administrative services offered by the department would

1 be beneficial to the agency. The Legislative Branch, the Judicial Branch, public institutions of higher learning and technical colleges  
2 shall be exempt from the requirements of this provision.

3 The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of  
4 the House Ways and Means Committee regarding agency utilization of administrative services offered by the department no later  
5 than December 31 of the current fiscal year.

6 **117.123.** (GP: Mobile Device Protection Plan) With funds appropriated and authorized in the current fiscal year, the Department  
7 of Administration in the current fiscal year, shall implement updated policies for protecting mobile devices including, but not limited  
8 to, cellular phones, tablets and laptops. The department must also consider the potential consolidation of existing protection plans  
9 as established by other state agencies, to ensure an effective and efficient statewide approach to a protection plan that covers all state  
10 owned devices.

11 (A) The following factors shall be considered by the department as it reviews options for providing this protection, and to the  
12 extent possible, the following components must be included in the updated plan:

- 13 (1) protective cases and screens available for all devices;
- 14 (2) multi-year underwritten insurance coverage for both the device and the protective case;
- 15 (3) zero deductible if possible to ensure cost savings to the department;
- 16 (4) multiple claims per device should be allowable;
- 17 (5) replacement policy if devices cannot be repaired;
- 18 (6) local pickup and delivery service for efficient repair and replacement where possible; and
- 19 (7) chain of custody notifications with real time progress and repair status updates.

20 (B) Upon development of these policies and to follow the new mobile device purchasing policy for state agencies, the State Fiscal  
21 Accountability Authority must establish a statewide contract for protecting all state-owned, mobile devices that can be included in  
22 one combined contract.

23 (C) The State Fiscal Accountability Authority must ensure that any contract developed for this purpose is awarded utilizing a  
24 competitive approach in accordance with the South Carolina Procurement Code.

25 **117.124.** (PSA: Board Meeting Coverage) The South Carolina Public Service Authority must provide live-streamed coverage  
26 whenever practicable of all meetings of the Board of Directors to ensure transparency and access for the public. The board meetings  
27 shall be recorded and archived and made available on the South Carolina Public Service Authority's website. If a meeting cannot be  
28 live-streamed, then the authority must make transcripts available on the authority's website within three business days.

29 **117.125.** (GP: Criminal History Investigations) (A) State agencies, state institutions and political subdivisions of the state are  
30 authorized, as necessary to comply with internal revenue service Publication 1075, including amendments thereto and publications  
31 replacing Publication 1075, to obtain state and national criminal history background checks and investigations performed by the  
32 State Law Enforcement Division and the Federal Bureau of Investigation on all employees and contractors with access to federal tax  
33 information. The State Law Enforcement Division is authorized to conduct fingerprint-based state and national background checks  
34 for state agencies, state institutions and political subdivisions of the state which have access to federal tax information in order to  
35 comply with Publication 1075.



1 (B) An employee or contractor of a state agency, state institution and political subdivision of the state with access to or that uses  
2 federal tax information must:

3 (1) agree to a national background check and the release of all investigative records to the state agency, state institution or  
4 political subdivision of the state for the purpose of verifying criminal history information for non-criminal justice purposes; and

5 (2) supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by  
6 the State Law Enforcement Division, and then submit to a national criminal history background check to be conducted by the Federal  
7 Bureau of Investigation.

8 (C) Except as otherwise provided in this section, a state agency, state institution or political subdivision of the state shall pay any  
9 costs incurred to conduct background checks and investigations requested by the state agency. The state agency, state institution or  
10 political subdivision of the state may require a person or entity contracting with the agency to pay the costs associated with the  
11 background investigations for all employees of the contractor. The requirement may be a condition of the contract with the agency,  
12 state institution or political subdivision of the state.

13 (D) Each state agency, state institution or political subdivision of the state required to conduct background checks and  
14 investigations pursuant to this provision shall establish written policies concerning the implementation and use of the background  
15 checks and investigations conducted pursuant to this provision.

16 **117.126.** (GP: Medical Marijuana Research) With funds provided in this fiscal year, the University of South Carolina College of  
17 Pharmacy and the Medical University of South Carolina are authorized, to the extent permitted by and in accordance with federal  
18 laws and regulations, to undertake the following actions: acquire pharmaceutical grade marijuana, marijuana extracts, semi-pure  
19 isolates, and purified compounds, including, but not limited to, THC, CBD, CBO, cannabitol, and cannabigerol for use in research  
20 and clinical trials to develop potential therapeutic agents for epilepsy, Dravet's Syndrome, chronic pain, cancer, reduction of nausea,  
21 and vomiting induced by chemotherapy, glaucoma, obesity, multiple sclerosis, drug abuse, inflammation, and autoimmune disorders,  
22 including encephalomyelitis.

23 The University of South Carolina and the Medical University of the South Carolina are further authorized to form collaborations,  
24 agreements, and partnerships with other public and private entities in order to conduct this research and clinical trials, to the extent  
25 permitted by and in accordance with federal laws and regulations, as well as to pursue both public and private funding. Further, the  
26 University of South Carolina and the Medical University of South Carolina are directed to provide to the members of the South  
27 Carolina General Assembly, on or before the first day of the ~~2024~~ 2024 legislative session, with a written summary of the actions  
28 they have undertaken pursuant to this proviso and the material findings, if any, resulting from such activities.

29 **117.127.** (GP: Immigration Compliance Report) From the funds appropriated to the South Carolina Law Enforcement Division  
30 (SLED), the agency shall publish the Immigration Compliance Report (ICR). SLED may conduct investigations necessary to ensure  
31 the accuracy of information provided by counties and municipal governments within the ICR. Every agency of this State, and  
32 political subdivisions thereof, shall provide documentation that SLED considers necessary for the publication of the ICR. The ICR  
33 shall contain a list of county and municipal governments that SLED has certified to be compliant with Sections 17-13-170(E) and  
34 23-3-1100 of the 1976 Code as well as compliance with any federal laws related to the presence of an unlawful person in the United  
35 States in the previous fiscal year. The ICR must be provided to the General Assembly, the Governor, and the State Treasurer by  
36 December thirty-first of the current fiscal year.

1 The State Treasurer shall withhold any remaining disbursement from the Local Government Fund to any county or municipality  
2 that is not certified as “compliant” in the ICR; however, this requirement may not be imposed until the first publication of the ICR.

3 **117.128.** (GP: School Resource Officer Critical Needs) Any Class 1 law enforcement officer who retired under the Police Officers  
4 Retirement System on or before December 31, 2017, may return to employment with a public school district as a critical needs  
5 School Resource Officer without affecting the monthly retirement allowance that they are receiving from the Police Officers  
6 Retirement System. The Law Enforcement Training Council must develop guidelines and curriculum for these officers to be  
7 recertified and must not require recertification through basic training for those that have been inactive for a year or more.

8 **117.129.** (GP: Secure Area Duty Officers Program) The Office of Adjutant General, the State Law Enforcement Division, and  
9 other law enforcement authorities are authorized to conduct security-related activities as prescribed by the Governor in Executive  
10 Order 2015-18. Activities carried out under this program shall be considered state or federal training for purposes of Section  
11 15-78-60(19) of the 1976 Code and the agency and its personnel shall be exempt from liability as described therein. State agencies  
12 involved in the Secure Area Duty Officers Program (SADOP) may expend state and federal funds in support of the program.

13 **117.130.** (GP: Magistrates Compensation) Notwithstanding Proviso 117.144 (Employee Compensation), in the current fiscal  
14 year, the salary for each magistrate must be calculated using the same schedule and same circuit judge salary, at a minimum, as was  
15 in effect in Fiscal Year 2018-19.

16 **117.131.** (GP: New Savannah Bluff Lock and Dam) The Department of Health and Environmental Control is prohibited from  
17 using any appropriated funds to process and approve any license, permit, authorization, or certification related to the New Savannah  
18 Bluff Lock and Dam inconsistent with the State’s policy and the General Assembly’s intent of maintaining the existing water quality  
19 and navigability conditions of that portion of the Savannah River in and around the New Savannah Bluff Lock and Dam. Consistency  
20 may occur by including conditions on any proposed project for the maintenance of the New Savannah Bluff Lock and Dam pool at  
21 elevation 114.5 NAVD88 for the preservation of adequate and sufficient water quality, navigation, water supply, and recreational  
22 activities.

23 **117.132.** (GP: Diverse Student Recruitment and Retention) Institutions of higher learning shall utilize a portion of the funds  
24 appropriated to or authorized for the institution to develop enrollment and retention programs to promote diversity in their student  
25 population, to include African Americans, Hispanics and other underrepresented minorities. Institutions are directed to report the  
26 effectiveness of these enrollment and retention programs to the Commission on Higher Education for inclusion in their annual report.

27 **117.133.** (GP: Offshore Oil) For the current fiscal year, no funds appropriated or authorized to the Department of Health and  
28 Environmental Control, or to local governmental entities, including but not limited to counties, municipalities and special purpose  
29 districts, may be expended to approve a plan, permit, license application or other authorization for:

30 (1) the construction or use of infrastructure for which the principal purpose is to facilitate the transportation of unrefined or  
31 unprocessed oil or gas into the territorial waters of South Carolina, or onto the lands of South Carolina, from offshore oil and gas  
32 production platforms and related infrastructure in the Atlantic Ocean;

33 (2) activities for which the principal purpose is the exploration, development, or production of unrefined or unprocessed oil or  
34 gas from within the territorial waters of South Carolina; or

35 (3) activities for which the principal purpose is the exploration, development, or production of unrefined or unprocessed oil or  
36 gas in the Atlantic Ocean.

1 For purposes of this proviso:

2 (1) "Development" means the design, planning, permitting, licensing, authorization or construction of infrastructure for which  
3 the principal purpose is the production of oil or gas.

4 (2) "Exploration" means any activity for which the principal purpose is to define, characterize, test for or evaluate oil or gas  
5 resources for possible commercial development or production.

6 (3) "Production" means any activity for which the principal purpose is to engage in, monitor, or conduct operations or  
7 maintenance related to the active extraction of unrefined or unprocessed oil or gas.

8 (4) "Territorial waters of South Carolina" means waters located within the state of South Carolina and waters of the Atlantic  
9 Ocean extending out to three nautical miles from the mean low-water mark of South Carolina's naturally occurring coastline.

10 **117.134.** (GP: PSA Contracts for Contributions) In the current fiscal year, the South Carolina Public Service Authority may not  
11 enter into any new contracts for contributions to the Executive Defined Benefit Plan or the Executive Retention Defined Contribution  
12 Plan.

13 **117.135.** (GP: Transfer Student Credits) ~~The Commission on Higher Education shall continue to work with the State Board for~~  
14 ~~Technical and Comprehensive Education and the public institutions of higher learning to develop policies, to guarantee students~~  
15 ~~who have earned an Associate of Arts or Associate of Science degree from a public two-year institution of higher learning shall~~  
16 ~~receive a minimum of sixty transfer credit hours at a public four-year college or university and shall be given a junior status at the~~  
17 ~~college or university. Course prerequisites and minimum credit requirements for awarding degrees shall still apply. The Commission~~  
18 ~~shall report on the implementation of these policies to the Chairmen of the Senate Finance Committee, House Ways and Means~~  
19 ~~Committee, Senate Education Committee, and House Education and Public Works Committee by April 30, 2023.~~

20 **117.136.** (GP: Permanent Improvement Projects) For the current fiscal year, permanent improvement projects, as defined in Title  
21 2, Chapter 47 of the 1976 Code, where the cost is at least one million dollars but not greater than five million dollars for public  
22 research universities and not greater than two million dollars for all other public institutions of higher learning shall be exempt from  
23 the requirements of Section 2-47-50, except that a project shall not be considered approved without an institution's governing board  
24 having first voted to approve the project in a public session. Institutions shall provide a report of projects approved by their governing  
25 boards pursuant to this provision to the Chairman of the Commission on Higher Education, the Joint Bond Review Committee, and  
26 the State Fiscal Accountability Authority by November 15th of the current fiscal year.

27 **117.137.** (GP: Fixed Rate Compensation) The South Carolina public higher education institutions are authorized to compensate  
28 nonpermanent, non-FTE adjunct, temporary, or part-time instructors/faculty on a fixed rate basis. These individuals shall provide  
29 classroom and related instructional activities on an as needed basis depending on student enrollment per semester or academic term.  
30 Institutions may pay exempt or non-exempt employees as defined by the Fair Labor Standards Act only when they are needed to  
31 work. Adjunct, temporary, or part-time instructors/faculty employed in this category are non-covered employees who may exceed  
32 twelve months, but are not eligible for State benefits except for the option of contributing to the State Retirement System or Health  
33 Care Plan if eligible under the Affordable Care Act guidelines.

34 **117.138.** (GP: Sickle Cell Disease) From the funds appropriated to the Department of Health and Human Services, the department  
35 shall transfer ~~\$1,000,000~~ \$2,000,000 to the Medical University of South Carolina Hospital Authority to develop a comprehensive  
36 approach to advancing the awareness, detection, treatment, and scientific knowledge of sickle cell disease and trait within South

1 Carolina. The Medical University of South Carolina Hospital Authority shall be authorized to partner with independent research  
2 entities to advance curative therapies for sickle cell disease and trait and shall be authorized to endow one or more nationally leading  
3 academic research centers with a research chair named the “Rena N. Grant Endowed Chair for Hematology” in furtherance of this  
4 goal. Additionally, to improve the quality of care provided to sickle cell patients, the authority shall perform statewide cultural  
5 competency training in all hospitals, including urgent care centers, in this State using its preexisting training model in order to educate  
6 and increase the awareness of health care professionals that are most likely to treat sickle cell patients on the symptoms and stigma  
7 associated with sickle cell disease and trait, especially pain relief.

8 For purposes of this proviso:

9 (1) “Health care professional” has the meaning as in Section 44-66-20 of the 1976 Code.

10 (2) “Hospital” means a facility organized and administered to provide overnight medical or surgical care or nursing care of  
11 illness, injury, or infirmity and may provide obstetrical care, and in which all diagnoses, treatment, or care is administered by or  
12 under the direction of persons currently licensed to practice medicine, surgery, or osteopathy.

13 In developing and implementing the South Carolina Statewide Telemedicine Network, the department and the authority shall  
14 include the goals set forth in this provision to bring better care to individuals with sickle cell disease or trait.

15 The Department of Health and Human Services shall be authorized to pursue a Health Services Initiative through the Children’s  
16 Health Insurance Program for the purposes of improving child and maternal health when either or both exhibit the sickle cell disease  
17 or trait, and improve outreach, access to crisis stabilization, and coping resources for children with sickle cell disease.

18 By January fifteenth of the current fiscal year, the department and the authority shall each submit a report to the Chairman of the  
19 Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor outlining their progress on  
20 these initiatives.

21 **117.139.** (GP: Statewide Strategic Personnel Budgeting) (A) To encourage consistency in human resources compensation  
22 decisions, support data driven decisions regarding expenditure of funds for personnel in state government, and improve the state’s  
23 ability to recruit and retain top talent, all state agencies are directed as follows:

24 With regard to the annual Appropriations Act budget plan submission, agencies shall submit all human resources and personnel  
25 related budget requests to the Department of Administration’s Executive Budget Office and Division of State Human Resources on  
26 or before September 1 of the current fiscal year. The Executive Budget Office and the Division of State Human Resources shall  
27 jointly review the budget requests and make recommendations for funding consideration. These funding recommendations shall be  
28 submitted to the Governor, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance  
29 Committee.

30 Agencies shall comply with all human resources rules, regulations, standards, plans, policies, and directives of the Division of  
31 State Human Resources.

32 (B) The Judicial Department, Legislative Department, political subdivisions, and quasi-governmental bodies are exempt from the  
33 requirements of this provision.

34 **117.140.** (GP: COVID-19 Proof of Vaccination Restriction - Institutions) For the current fiscal year, state-supported institutions  
35 of higher learning that directly or indirectly receive funds appropriated or authorized through the general appropriations act shall be  
36 restricted from requiring proof of COVID-19 vaccination for any student as a condition of enrollment, attendance at on campus

1 instruction, or residence on campus. In instances of off-campus learning events for which third party program providers require  
2 proof of vaccination, the third party requirements shall apply.

3 **117.141.** (GP: Agribusiness Processor) For the current fiscal year, local and state sales tax collection for material handling and  
4 construction materials on agribusiness facilities that invest at least \$100 million in the state are exempt.

5 **117.142.** (GP: Federal Gun Law) For the current fiscal year, no law enforcement agency that receives state or local funds shall  
6 enforce a federal law, regulation, statute, executive order, or procedure related to firearms put into effect after January 1, 2021, if  
7 any such federal action requires the seizure of a firearm, firearm part, or firearm component solely because of its classification or  
8 type of weapon.

9 **117.143.** (GP: National Guard College Assistance Program) For Fiscal Year ~~2022-23~~ 2023-24, a member of the SC National  
10 Guard may qualify for college assistance program grants for more than one hundred thirty semester hours or related quarter hours.  
11 Additionally, service members may receive a total of twenty-two thousand dollars in total grants to cover one hundred percent of  
12 college tuition and fees for the academic year. Service members shall be required to meet all other requirements.

13 **117.144.** (GP: Employee Compensation) The amounts appropriated to F300-Statewide Employee Benefits for Employee Pay  
14 Increases must be allocated by the Department of Administration, Executive Budget Office to the various state agencies to provide  
15 for employee pay increases in accordance with the following plan:

16 (1) With respect to classified and non-judge judicial classified employees, effective on the first pay date that occurs on or after  
17 July first of the current fiscal year, the compensation of all classified employees shall be increased by \$2,500 for FTEs making  
18 \$83,000 and under and three percent for FTEs making over \$83,000.

19 (2) With respect to unclassified and non-judge judicial unclassified employees or unclassified executive compensation system  
20 employees not elsewhere covered in this act, effective on the first pay date that occurs on or after July first of the current fiscal year  
21 the compensation of all unclassified employees shall be increased by \$2,500 for FTEs making \$83,000 and under and three percent  
22 for FTEs making over \$83,000. Any employee subject to the provisions of this paragraph shall not be eligible for compensation  
23 increases provided in paragraphs 1, 3, 4, 5, or 6.

24 (3) With respect to unclassified employees of institutions of higher education and technical colleges eligible in this item,  
25 institutions and technical colleges are authorized to allot the total funds for compensation increases among individual employees  
26 without uniformity. The funds provided for compensation increases for any employee subject to the provisions of this item are based  
27 on an annual average \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000 increase and may  
28 be based on performance.

29 (4) Effective on the first pay date that occurs on or after July first of the current fiscal year, agency heads not covered by the  
30 Agency Head Salary Commission, shall receive an annualized base pay increase of \$2,500 for FTEs making \$83,000 and under and  
31 three percent for FTEs making over \$83,000.

32 (5) With respect to local health care providers, compensation increases shall be \$2,500 for FTEs making \$83,000 and under and  
33 three percent for FTEs making over \$83,000 effective on the first pay date that occurs on or after July first of the current fiscal year.  
34 School Bus Driver salary and fringe funding to school districts shall be increased by \$2,500 for FTEs making \$83,000 and under  
35 and three percent for FTEs making over \$83,000.

1 (6) Effective on the first pay date that occurs on or after July first of the current fiscal year, the Chief Justice and other judicial  
2 officers shall receive an annualized base pay increase of \$2,500 for FTEs making \$83,000 and under and three percent for FTEs  
3 making over \$83,000.

4 (7) Effective on the first pay date that occurs on or after July first of the current fiscal year, county auditors and county treasurers  
5 shall receive an annualized base pay increase of \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over  
6 \$83,000.

7 For Fiscal Year ~~2022-23~~ 2023-24, the Executive Budget Office is directed to review Executive Branch agencies to determine  
8 whether their budgets warrant an other fund authorization increase due to the \$2,500 for FTEs making \$83,000 and under and three  
9 percent for FTEs making over \$83,000 compensation increase for all full-time employees. If so warranted, the Executive Budget  
10 Office shall work with the Office of the Comptroller General to increase such authorization for the affected agencies.

11 The Department of Administration shall allocate associated compensation increases for retirement employer contributions based  
12 on the retirement rate of the retirement system in which individual employees participate.

13 The Executive Director of the State Fiscal Accountability Authority is authorized to use excess appropriations for the current fiscal  
14 year designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the  
15 State Fiscal Accountability Authority, such action may be considered a permanent transfer into the receiving agency's base budget.

16 Funds appropriated in Part IA, F300, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year  
17 into the current fiscal year.

18 **117.145.** (GP: Fetal Remains) No funds appropriated or authorized by this act may be used by the State's public colleges or  
19 universities to purchase fetal remains resulting from an abortion for the purpose of research or experimentation. The State's public  
20 colleges and universities are further prohibited from accepting donated fetal remains resulting from an abortion for the purpose of  
21 research or experimentation. A public college or university that purchases or accepts donated fetal remains in violation of this proviso  
22 shall return to the General Fund an amount equal to ten percent of the funds appropriated to the college or university under Part 1A  
23 of this act.

24 **117.146.** (GP: Behavioral Health Capacity) (A) The Department of Health and Human Services, in coordination with the  
25 Department of Mental Health, the Department of Health and Environmental Control, the Department of Alcohol and Other Drug  
26 Abuse Services, and all other relevant agencies shall examine and analyze the existing statewide system for the delivery of Medicaid  
27 and non-Medicaid behavioral health services to assess the system's effectiveness in:

28 (1) providing a range and supply of treatment options and settings that are appropriate to meet the varying needs of individual  
29 patients;

30 (2) being responsive to changes in federal law, regulation, or policy that improve access to care and/or associated  
31 reimbursement, particularly where related to the treatment of patients in Institutions for Mental Disease (IMDs);

32 (3) being economical in its approach, so as to obtain the greatest value possible for each state taxpayer dollar; and

33 (4) ensuring that the statewide system for the delivery of behavioral health services complies with the requirements of Section  
34 44-9-90(7) of the 1976 Code.

35 (B) With the support of the Department of Mental Health, the Department of Health and Human Services shall undertake an effort  
36 to assess existing gaps in coverage for or the supply of inpatient psychiatric care, crisis stabilization, and other inpatient or outpatient

- 1 behavioral health services. Based upon this assessment, the Department of Health and Human Services shall establish, or with the  
2 full cooperation of any other requested state agency, request the establishment of coverage and reimbursement policies that it deems  
3 necessary to address existing deficiencies and bring about a more comprehensive and effective continuum of behavioral health care  
4 in South Carolina. Priorities for this effort may be piloted on a regional basis and shall include, but not be limited to:
- 5 (1) increasing the number of beds available to provide inpatient psychiatric care, with emphasis on communities with the  
6 greatest current need, and using the appropriate combination of new construction, augmentation or reconfiguration of existing  
7 facilities, or contracting with psychiatric or acute care hospitals to obtain short-term capacity;
  - 8 (2) establishing crisis stabilization beds and services to provide needed short-term medication, counseling, and other support in  
9 previously unserved areas of the State, working toward the goal of having such services available within a 90-minute drive of each  
10 South Carolinian, and with coverage and reimbursement being funded through Medicaid for its beneficiaries or through the  
11 Department of Mental Health for indigent care, regardless of the provider of these services;
  - 12 (3) formalizing and expanding the coverage of claims-based mobile crisis stabilization services that offer rapid and intensive  
13 interventions intended to stabilize individuals at the sites of behavioral health crises;
  - 14 (4) developing one or more regional dedicated psychiatric emergency departments, operating twenty-four hours per day, seven  
15 days per week to effectively evaluate and triage patients experiencing acute behavioral health emergencies;
  - 16 (5) developing effective referral and discharge strategies and engaging with existing community providers to ensure that  
17 sufficient outpatient services, case management services, and standards of care are in place;
  - 18 (6) leveraging and building upon existing telehealth capacity to support and extend outpatient services; and
  - 19 (7) promoting the development of in-state treatment options for specific behavioral health conditions for which patients are  
20 routinely placed out-of-state due to an insufficiency of treatment options or settings in South Carolina.
- 21 (C) The Executive Director of the Public Employee Benefit Authority shall be encouraged to consult with the Director of the  
22 Department of Health and Human Services to make appropriate coverage and reimbursement policy changes to ensure proper access  
23 to behavioral health services for covered beneficiaries.
- 24 (D) The Data Oversight Council, established pursuant to Section 44-6-170 of the 1976 Code, shall undertake whatever rulemaking  
25 is necessary to ensure that the data on the utilization of crisis stabilization units are collected in a manner generally consistent with  
26 the requirements for general acute care hospitals and specialized hospitals, so that the effectiveness of these services may be properly  
27 evaluated. The Data Oversight Council, Department of Health and Environmental Control, and any other state agency shall, upon  
28 the request of and in the format specified by the Department of Health and Human Services, furnish information on behavioral health  
29 service demand, utilization, or financing needed to facilitate the implementation of this provision.
- 30 (E) With the support of the Director of the Department of Mental Health, the Director of the Department of Alcohol and Other  
31 Drug Abuse Services, and any other identified agency head, the Director of the Department of Health and Human Services shall  
32 evaluate opportunities to improve and/or coordinate treatment capacity for individuals diagnosed with substance use disorder and/or  
33 serious mental illness including, but not limited to, options established pursuant to Sections 1115, 1915(l), and/or 1947 of the Social  
34 Security Act or made available to states by the Centers for Medicare and Medicaid Services through State Medicaid Director Letters  
35 17-003, 18-011, or 19-0003.

1 (F) In consultation with the Department of Juvenile Justice and the Department of Mental Health, the Department of Health and  
2 Human Services shall ensure that access to “no eject, no reject” services is restored for children and adolescents requiring care in a  
3 private residential treatment facility.

4 (G) To ensure that individuals requiring behavioral health services are protected from unexpected or excessive billings, the  
5 Department of Mental Health shall examine ways to convert state-funded or DSH-funded indigent care to a sustainable  
6 reimbursement model that improves access to behavioral health treatment while potentially reducing uncompensated care levels and  
7 the department’s reliance on state funds. In the current fiscal year, the department shall report to the Chairmen of the Senate Finance  
8 Committee and the House Ways and Means Committee on the results of this examination and the actions taken to address any  
9 findings. The department also shall:

10 (1) contract for an exhaustive independent review of its entire revenue cycle, to eliminate inefficiencies and improve business  
11 processes, ensure that bills are produced on a timely and accurate basis, and assess and maximize the proportion of the time during  
12 which the department’s clinicians and providers are rendering chargeable treatment services to the State’s citizens; and

13 (2) ensure its immediate and ongoing compliance with the hospital price transparency rules established at 45 C.F.R. Part 180,  
14 and also meet its obligation to provide certain patients with good faith estimates as required by the No Surprises Act, P.L. 116-260,  
15 and subsequent regulation.

16 (H) With the support and participation of the Department of Education and the Department of Mental Health, and with the intent  
17 of assuring access to behavioral health services to every student in the State through either a public or private provider, the  
18 Department of Health and Human Services must lead a comprehensive effort to improve access to and the quality of school-based  
19 behavioral health services in South Carolina, while identifying and taking steps to address community-level disparities in the  
20 availability of this care. This effort shall include, but not be limited to:

21 (1) the performance of a comprehensive review of Medicaid and non-Medicaid school-based behavioral health services in  
22 South Carolina, including an assessment of the availability of such services and the identification of any barriers to access, such as  
23 coverage and reimbursement rules, billing practices, other insurer policies, state agency, school district rules or procedures, or  
24 provider shortages;

25 (2) a revisitation of existing coverage policies for medically necessary services provided to children, including those with or  
26 without a disability determination, and whether those services are or are not required by a child’s individualized education plan or  
27 individualized family services plan, whether they do or do not arise from a referral under the Early and Periodic Screening,  
28 Diagnostic, and Treatment program, and in the context of State Medicaid Director Letter 14-006;

29 (3) the rescission of any Medicaid or PEBA policies that deny coverage, solely on the basis that those services are being  
30 provided within a school or through a telehealth encounter that originates in a school, of medically necessary outpatient services that  
31 have been furnished to eligible children by enrolled and qualified providers;

32 (4) the issuance of any new Medicaid policies needed to durably enshrine any appropriate telehealth coverage that had been  
33 authorized on a temporary basis during the public health emergency;

34 (5) a review of statewide and school district-level policies and practices relating to suicide risk referral protocols and behavioral  
35 health training for student-facing personnel in schools; and



1 (6) reporting to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee  
2 on any other relevant potential policy changes that the Director of the Department of Health and Human Services believes would  
3 advance the intent of this provision, but which would have a fiscal impact that is sufficiently substantial to require the General  
4 Assembly's direct consideration in the future.

5 (I) The Department of Health and Human Services is authorized to establish programs and/or fund in whole or in part, including  
6 through the potential use of CHIP Health Services Initiatives, various pilot projects or other initiatives that are intended to develop  
7 the health care workforce in South Carolina. Such efforts must be targeted toward current or future providers who demonstrate, by  
8 whatever means is selected by the department, commitments to remaining in-state and including Medicaid beneficiaries among their  
9 patients. The development of the behavioral health workforce shall be prioritized, although the department may also address other  
10 provider classes, such as respiratory therapists, for which shortages have been highlighted and/or exacerbated by the public health  
11 emergency. Further consideration also should be given to attracting additional qualified preceptors and increasing opportunities for  
12 clinical rotations. The department may partner with or enlist the support of the Technical College System, Area Health Education  
13 Centers, and/or Student Loan Corporation in designing or administering these programs and, where appropriate, is encouraged to  
14 structure them as public-private partnerships in conjunction with the state's hospital and health systems and other key employers of  
15 health providers.

16 (J) If either the Director of the Department of Mental Health or the Director of the Department of Health and Human Services  
17 finds that state personnel and/or procurement rules are limiting his ability to fulfill the intent of this provision, he shall notify the  
18 State Fiscal Accountability Authority of this in writing and request whatever exemptions are necessary to ensure that clinical staff  
19 may be recruited, retained, and/or contracted for so as to provide greater access to behavioral health treatment.

20 (K) In consultation with the Department of Mental Health, the Department of Health and Human Services shall assess the  
21 feasibility of, and if warranted, take steps to establish or obtain through grant, contract, subscription, or other procurement, a statewide  
22 system for the near-real time tracking of in-patient psychiatric hospital beds and crisis stabilization beds. This system should be  
23 generally designed to draw data from providers' existing electronic medical record systems and make summary-level data available  
24 to authorized users within state agencies, participating provider organizations, and any others to be specified by the Department of  
25 Health and Human Services, for the purposes of managing critical resources and ensuring that patients may be promptly treated in  
26 the most effective and clinically appropriate setting. To protect patient privacy and ensure HIPAA compliance, the system may only  
27 collect information on the types, counts, and availability of beds, or other categorical or aggregated information, as opposed to  
28 individually identifying patient details. In partnership with the following named agencies, the Department of Health and Human  
29 Services may also explore and pursue the use of such a system:

30 (1) to meet the emergency preparedness and disaster recovery requirements of the Department of Health and Environmental  
31 Control and the Emergency Management Division that are currently met by the Bed Availability Report Tracking system; and/or

32 (2) to augment or replace the capabilities of the Department on Aging's GetCareSC website.

33 (L) From the funds appropriated to or otherwise made available to it, the Department of Health and Human Services is authorized  
34 to procure, enter into contracts and agreements, offer grants, and otherwise expend funds as well as establish demonstration projects  
35 in one or more areas of the state to encourage and promote necessary infrastructure and investment to achieve the objectives set out  
36 in this provision. The department shall develop policies and procedures as necessary to assure accountability in the expenditure of

1 these funds and apply for federal matching funds when appropriate and available. The department shall report annually to the Senate  
2 Finance Committee and the House Ways and Means Committee on all expenditures made under this provision.

3 (M) Crisis stabilization unit facilities established or funded pursuant to this provision shall be eligible for licensure under  
4 Regulation 61-125 without being owned or operated by the Department of Mental Health.

5 (N) Funds appropriated for Behavioral Health Capacity may be retained by the Department of Health and Human Services and  
6 carried forward to be expended for any purpose specified in this provision.

7 **117.147.** (GP: Mental Health Transportation) (A) Funds appropriated to the Department of Mental Health for the Alternative  
8 Transportation Program shall exclusively be used to support the transportation of individuals pursuant to Article 5, Chapter 17, Title  
9 44 of the 1976 Code and as defined herein. These funds may be carried forward and expended for the same purpose.

10 (B) As soon as practicable within the current fiscal year, the Director of the Department of Mental Health shall cooperate with  
11 the Division of Procurement Services of the State Fiscal Accountability Authority in the development and issuance of a Request for  
12 Proposals (RFP) for an Alternative Transportation Program that provides transportation services for nonviolent individuals requiring  
13 immediate hospitalization as described in Article 5, Chapter 17, Title 44 of the 1976 Code. The purpose of the RFP shall be to seek  
14 proposals from qualified private providers to provide timely, safe, and secure transportation for such individuals. Before finalizing  
15 the RFP, the Division of Procurement Services shall provide relevant stakeholders with an opportunity to provide recommendations  
16 on the scope and structure of the Alternative Transportation Program, subject to the following provisions:

17 (1) The program shall initially be made available within a pilot region to be identified by the authority in consultation with the  
18 Department of Mental Health. Subject to the authority's judgment, the RFP shall be structured so as to accommodate subsequent  
19 awards and/or contract amendments to serve other regions of the State, in which case, only one vendor shall be selected in each  
20 region, but a single vendor may be selected to provide services in multiple or all regions.

21 (2) In structuring the initial pilot, the authority shall endeavor to provide the availability of the Alternate Transportation  
22 Program in an optimal service area at an annualized cost that does not exceed the amount appropriated for this purpose.

23 (3) The RFP shall be conducted as provided for under the South Carolina Consolidated Procurement Code.

24 (4) Upon implementation, the Alternative Transportation Program must be available on a 24-hour basis every day of the year.

25 (5) Drivers must pass a criminal background check and complete relevant and appropriate training prior to furnishing services.

26 (6) Transportation vehicles must be secure but nondescript and drivers must be clothed in professional attire that does not  
27 resemble a law enforcement uniform.

28 (C) When transportation is provided through this Alternative Transportation Program, the written agreement described in Section  
29 44-17-440(A) of the 1976 Code shall not be required.

30 (D) No later than January 15, ~~2023~~ 2024, the authority shall provide the Governor, the Chairman of the House Ways and Means  
31 Committee, and the Chairman of the Senate Finance Committee with a report on the implementation of this program. The report  
32 shall include a projection of the annualized amount by which the cost of a statewide Alternative Transportation Program might, at  
33 full implementation, exceed the amount appropriated for the program in the current fiscal year.

34 **117.148.** (GP: Rare Disease Advisory Council) (A) For the current fiscal year, there shall be established the South Carolina Rare  
35 Disease Council, to be housed within the Medical University of South Carolina. The council shall advise the Governor, the General

- 1 Assembly, and other stakeholders on research, diagnosis, treatment, and education related to rare diseases as defined by 21 U.S.C.  
2 Section 360bb.
- 3 (B) The council shall be composed of fifteen members and shall be appointed as follows:
- 4 (1) one member appointed by the Director of the Department of Health and Environmental Control;
  - 5 (2) one member appointed by the Director of the Department of Health and Human Services;
  - 6 (3) one member from the Medical University of South Carolina as appointed by the President;
  - 7 (4) one member from the University of South Carolina School of Medicine as appointed by the Dean;
  - 8 (5) one member appointed by the Executive Director of the South Carolina Hospital Association;
  - 9 (6) one member appointed by the Executive Director of the South Carolina Primary Healthcare Association;
  - 10 (7) one member representing the biopharma industry as appointed by the President of the Medical University of South  
11 Carolina;
  - 12 (8) three members with experience in the research and treatment of rare disease, one of whom must specialize in pediatrics, as  
13 appointed by the President of the Medical University of South Carolina;
  - 14 (9) two members who are patients diagnosed with a rare disease as appointed by the President of the Medical University of  
15 South Carolina;
  - 16 (10) one member from a rare disease organization operating in the state as appointed by the President of the Medical University  
17 of South Carolina;
  - 18 (11) one caregiver of a person with a rare disease as appointed by the President of the Medical University of South Carolina;  
19 and
  - 20 (12) one member representing the state health plan as appointed by the Executive Director of the State Public Benefit Authority.
- 21 (C) The council shall convene its first meeting by October 31 and hold public meetings at least quarterly throughout the year.  
22 The council shall, at a minimum, conduct the following activities to benefit rare disease patients in South Carolina:
- 23 (1) solicit comments from stakeholders, including patients and patient caregivers in South Carolina impacted by rare diseases,  
24 to assess the needs of rare-disease patients, caregivers, and providers in the State;
  - 25 (2) consult with experts on rare diseases to develop recommendations to improve patient access to and quality of rare-disease  
26 specialists, affordable and comprehensive health care coverage, relevant diagnostics, timely treatment, and other needed services;
  - 27 (3) research and identify priorities related to treatments and services provided to persons with rare diseases in South Carolina  
28 and develop recommendations that include safeguards against discrimination for these populations on such issues, including disaster  
29 and public health emergency-related planning;
  - 30 (4) publish a list of existing, publicly accessible resources on research, diagnosis, treatment, and education relating to the rare  
31 diseases in South Carolina;
  - 32 (5) identify and distribute educational resources to foster recognition and optimize treatment of rare diseases in South Carolina;  
33 and
  - 34 (6) identify best practices to reduce health disparities and achieve health equity in the research, diagnosis, and treatment of  
35 rare diseases in South Carolina.

1 (D) The council shall provide an annual report no later than June 30 to the Governor, the Chairman of the Senate Finance  
2 Committee, the Chairman of the Senate Medical Affairs Committee, the Chairman of the House Ways and Means Committee, and  
3 the Chairman of the House Medical, Military, Public and Municipal Affairs Committee. The annual report shall describe the activities  
4 and progress of the council and provide recommendations to the Governor and General Assembly on ways to address the needs of  
5 people living with rare diseases in the state of South Carolina.

6 (E) ~~The Medical University of South Carolina shall~~ Of the funding appropriated to the Department of Health and Human  
7 Services, up to \$250,000 shall be used to contract with MUSC Hospital Authority to provide staff support to the council and set up  
8 maintain a public website that shall include the annual reports, meeting notices and minutes, and the resources developed as part of  
9 section (C). Members of the council shall serve without compensation or per diem.

10 **117.149.** (GP: Public Health Officer Liability) From the funds available to the respective departments, state agencies established  
11 pursuant to Title 44 of the 1976 Code shall have the same obligations to defend and indemnify as if these agencies were subject to  
12 Section 1-11-440 or Section 12-4-325.

13 **117.150.** (GP: Electricity Market Reform) The Electricity Market Reform Measures Study Committee shall issue a report on its  
14 work no later than January 31, 2023; however, nothing in this provision prohibits the committee from continuing to meet past January  
15 31, 2023 and issue additional reports pursuant to Act 187 of 2020.

16 **117.151.** (GP: Homestead Exemption Fund) For Fiscal Year ~~2022-23~~ 2023-24, Section 11-11-156(C) of the 1976 Code is  
17 suspended.

18 **117.152.** (GP: Actions on Election Law) (A) The President of the Senate, on behalf of the Senate, and the Speaker of the House  
19 of Representatives, on behalf of the House of Representatives, have an unconditional right to intervene on behalf of their respective  
20 bodies in a state court action that challenges the validity of an election law, an election policy, or the manner in which an election is  
21 conducted.

22 (B) In a federal court action that challenges the validity of an election law, an election policy, or the manner in which an election  
23 is conducted, the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the  
24 House of Representatives, have standing to intervene as a party on behalf of their respective bodies, to file an amicus brief, or to  
25 provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other  
26 officer of the State has appeared in the action.

27 (C) A federal court presiding over an action that challenges the validity of an election law, an election policy, or the manner in  
28 which an election is conducted is requested to allow the President, on behalf of the Senate, and the Speaker of the House of  
29 Representatives, on behalf of the House of Representatives, to intervene in any such action as a party.

30 (D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the  
31 House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of an election  
32 law, an election policy, or the manner in which an election is conducted.

33 (E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this proviso, the  
34 Senate and the House of Representatives must function independently from each other in the representation of their respective bodies,  
35 unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

1 (F) The Senate and House of Representatives may expend funds appropriated in this act to exercise the unconditional right set  
2 forth in subsection (A) and to sustain any other action set forth in this proviso. No county election commission may accept or expend  
3 any funds other than public funds to prepare for or to conduct elections.

4 **117.153.** (GP: Retained Counsel) In the current fiscal year, from the funds appropriated, public colleges and universities,  
5 including public technical schools, shall revise or adopt policies to allow a student facing disciplinary or honor code violations as a  
6 result of a criminal charge the right to retain counsel, at the student's expense, to provide full legal representation in all proceedings  
7 including, but not limited to, allowing counsel to appear on behalf of the student, speak on behalf of the student, question witnesses,  
8 protect the statutory and constitutional rights of the student, and to otherwise fully participate in all proceedings on behalf of the  
9 student.

10 **117.154.** (GP: Disinfection and Cleaning) Of the funds appropriated or authorized herein, agencies and political subdivisions,  
11 including public school districts, may implement or procure cleaning, sanitization, and disinfection services and products that, at a  
12 minimum, meet the most current requirements and guidelines issued by the Department of Health and Environmental Control to  
13 mitigate the impact of any COVID-19 strains, as well as other communicable diseases. All cleaning, disinfection, and sanitization  
14 products should be able to be safely used on a daily, weekly, or monthly basis and meet the following qualifications, as aligned with  
15 current DHEC guidelines:

- 16 (1) be on the EPA approved disinfectant list;
- 17 (2) be a broad-spectrum disinfectant that kills 99.9% of bacteria and viruses, including COVID-19, norovirus, influenza, e-coli,  
18 mold, fungi, and odor causing bacteria;
- 19 (3) be safe for use on multiple solid surfaces without leaving a residue; and
- 20 (4) be recognized by the Environmental Protection Agency and the United States Department of Agriculture as safe for use  
21 around food, including for use in cafeterias, kitchens, and other areas where food is prepared or consumed.

22 The preferred method for widespread disinfection and sanitization of public spaces, after all necessary and recommended cleaning,  
23 may include the use of a residual antimicrobial, electrostatic spraying application on surfaces and utilize ultraviolet (UV-C)  
24 technology for indoor air quality (IAQ) pursuant to CDC guidelines. All related products and services require independent lab testing  
25 for verification of claims, and an Underwriters Lab (UL) listing for any electrical products. When vendors are procured to provide  
26 such services the vendor must have evidence of industry experience and expertise.

27 **117.155.** (GP: Job Order Contracting Pilot Program) For the current fiscal year, the Division of Procurement Services of the State  
28 Fiscal Accountability Authority may pilot test a job order contracting method at the request and on behalf of up to six governmental  
29 bodies or public procurement units consisting of two state agencies and four school districts by entering into job order contracts to  
30 acquire construction services when the exact time or exact quantities of future jobs are not known at the time of contract award. The  
31 State Engineer must approve, in his sole discretion, which governmental bodies and public procurement units may participate in the  
32 pilot project. Procurement Services may enter into job order contracts with up to four businesses for each governmental body or  
33 public procurement unit for each licensing classification and sub-classification for construction. The job order contracts must  
34 terminate twenty-four months after award.

35 For purposes of this provision, the term "job order contract" means a contract that provides for the issuance of job orders for the  
36 performance of construction, renovation, and repair work, where contractors propose an adjustment factor or factors to be applied to

1 a catalog of preset unit prices calculated using local prevailing wage rates, local equipment, and local material costs, and where  
 2 individual job orders are issued to the awarded contractors on an as-needed basis and the price paid for the work is a lump sum of  
 3 the preset unit prices needed to complete the job order multiplied by the quantity required multiplied by the adjustment factor.

4 For purposes of the pilot project, an individual project using job orders may not exceed five hundred thousand dollars and the sum  
 5 of all individual job orders may not exceed four million dollars per contract. Work may not be divided artificially in order to avoid  
 6 these limits. A single project must not be performed using job order contracts in combination with contracts awarded pursuant to  
 7 Section 11-35-1550 of the 1976 Code.

8 For purposes of the pilot project, a job order must clearly specify all tasks to be performed or property to be delivered under the  
 9 order so the full price for the performance of the work can be established when the order is placed. All job orders must be issued on  
 10 a fixed-price basis. All job orders must be issued within the period of the contract and must be within the scope and maximum value  
 11 of the contract. Each job order shall provide an itemized list of each construction tasks required to complete the work with the task's  
 12 associated unit price and applied adjustment factor. Each job order proposal shall be certified as contract compliant by a reviewer  
 13 independent of the contractor.

14 Any solicitation for a job order contract must include the following: (1) the period of the contract; (2) the maximum dollar value  
 15 of the services to be procured under the contract; (3) the maximum dollar value of the services to be procured under a single job  
 16 order; (4) a description that reasonably describes the licensing classification and the general scope, nature, complexity, and purposes  
 17 of the services to be procured under the contract in a manner that will enable a prospective bidder to decide whether to submit a bid;  
 18 (5) the procedures that the governmental body will use for issuing job orders for the pilot program; (6) if applicable, the geographic  
 19 area to which the job order contract applies; ordinarily, a geographically contiguous area should not be subdivided; and (7) the  
 20 number of job order contracts to be awarded.

21 **117.156.** (GP: In-State Tuition Mitigation) The following recurring funds have been appropriated in Part IA to institutions of  
 22 higher learning to mitigate tuition and fee increases for in-state undergraduate students:

23	(1) The Citadel	\$ <del>1,189,367</del> <u>1,429,457</u> ;
24	(2) Clemson University	\$ <del>9,963,485</del> <u>13,033,600</u> ;
25	(3) University of Charleston	\$ <del>4,108,313</del> <u>5,091,738</u> ;
26	(4) Coastal Carolina University	\$ <del>3,442,628</del> <u>3,906,954</u> ;
27	(5) Francis Marion University	\$ <del>2,495,943</del> <u>3,372,678</u> ;
28	(6) Lander University	\$ <del>2,441,095</del> <u>3,122,633</u> ;
29	(7) South Carolina State University	\$ <del>1,371,942</del> <u>1,933,942</u> ;
30	(8) University of South Carolina-Columbia	\$ <del>11,669,772</del> <u>15,508,655</u> ;
31	(9) University of South Carolina-Aiken	\$ <del>2,021,849</del> <u>2,708,496</u> ;
32	(10) University of South Carolina-Upstate	\$ <del>3,480,946</del> <u>4,104,256</u> ;
33	(11) University of South Carolina-Beaufort	\$ <del>1,287,792</del> <u>1,714,176</u> ;
34	(12) University of South Carolina-Lancaster	\$ <del>1,269,009</del> <u>1,610,642</u> ;
35	(13) University of South Carolina-Salkehatchie	\$ <del>558,244</del> <u>655,392</u> ;
36	(14) University of South Carolina-Sumter	\$ <del>995,522</del> <u>1,397,713</u> ;

- 1 (15) University of South Carolina-Union \$ ~~842,249~~ 967,948;
- 2 (16) Winthrop University \$ ~~2,684,528~~ 3,277,935; and
- 3 (17) Medical University of South Carolina \$ ~~5,485,000~~ 5,143,930.

4 In order to retain the above appropriations, each institution of higher learning listed above must certify to the Commission on  
 5 Higher Education by August 15, ~~2022~~ 2023, there is no in-state undergraduate tuition or in-state undergraduate mandatory fee  
 6 increase, excluding increases in auxiliary fees, for the ~~2022-2023~~ 2023-2024 academic year.

7 The Commission on Higher Education shall develop the process by which institutions provide the certification. Any institution  
 8 unable to provide such certification to the commission shall remit their respective above recurring allocation to the General Fund by  
 9 September 15, ~~2022~~ 2023.

10 By November 1, ~~2022~~ 2023, the Commission on Higher Education shall report to the House Ways and Means Committee, the  
 11 Senate Finance Committee, and the Executive Budget Office the institutions that failed to certify that the in-state undergraduate  
 12 tuition or in-state undergraduate mandatory fee increase met the guidelines outlined in this provision. The Executive Budget Office  
 13 is directed to reduce the recurring appropriation of any institution found to be non-compliant with the certification.

14 **117.157.** (GP: Historic Preservation Certification Fee) For the current fiscal year, the requirements of Section 12-6-3535(G) are  
 15 suspended.

16 **117.158.** (GP: Name Image Likeness) For Fiscal Year ~~2022-23~~ 2023-24, Act 35 of 2021 in its entirety pertaining to intercollegiate  
 17 athlete (NIL) name, image, or likeness is suspended.

18 **117.159.** (GP: In-state Tuition Payment) For the current fiscal year, an individual enrolled in a public institution of higher learning  
 19 who receives educational assistance under Chapter 35, Title 38 of the United States Code is entitled to pay in-state tuition and fees,  
 20 while living in the State, without regard to the length of time the individual has resided in the State.

21 **117.160.** (GP: Human Affairs Commission and Commission for Minority Affairs Merger Study) ~~The Human Affairs Commission  
 22 and Commission for Minority Affairs shall each work with the Department of Administration, Executive Budget Office, and Division  
 23 of State Human Resources to study the feasibility of a merger of the two agencies. The Human Affairs Commission and Commission  
 24 for Minority Affairs shall develop a plan that includes, but is not limited to, proposed organizational structure, proposed program  
 25 structure, and proposed budgetary and human resources changes to perform the functions of the two existing agencies in the event  
 26 of a merger of the two agencies. The plan shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the  
 27 House Ways and Means Committee, and the Governor by December 1, 2022.~~

28 **117.161.** (GP: Statewide Mobile Health Units) For Fiscal Year ~~2022-23~~ 2023-24, the South Carolina Center for Rural and Primary  
 29 Healthcare may provide coordination and requested technical assistance to mobile health units in South Carolina, in order to  
 30 coordinate statewide delivery of services to increase access to preventative and diagnostic health care, and reduce health inequities  
 31 for rural, vulnerable, underserved, and displaced populations in South Carolina. To support this goal, the South Carolina Center for  
 32 Rural and Primary Healthcare shall: 1) be authorized to identify and maintain a directory of currently operating mobile health units,  
 33 the areas of the state in which they serve, and the scope of services they provide, and the populations served by the mobile health  
 34 unit; 2) offer technical assistance to these units, and any established in the future, in the form of operational, technical, or logistical  
 35 guidance and consultation as requested; 3) provide collaborative learning and development opportunities for mobile health units to  
 36 engage in best practices and increase access to underserved populations or communities; 4) partner with the University of South

1 Carolina Salkehatchie and Denmark Technical College, other public institutions of higher education, state serving healthcare  
2 organization and other state serving agencies, including the Department of Health and Human Services and the Department of Health  
3 and Environmental Control to develop coordinating systems, support, training and health education services to meet the workforce  
4 needs of mobile health units and the communities that they serve; and also to develop competencies related to providing high impact  
5 mobile health services; and 5) initiate analyses and evaluation on the impact of services delivered through mobile health units. The  
6 center shall be available to assist and support implementation strategies driven by local, regional, and state data and research and  
7 aligned efforts, and may provide organization and collaboration among mobile health units and any units that may begin operating  
8 in the future.

9 **117.162.** (GP: Palmetto Autism Study Committee) (A) ~~For Fiscal Year 2022-23, there shall be established~~ The Palmetto Autism  
10 Study Committee ~~to~~ *shall* be housed in the South Carolina Department of Health and Human Services. The study committee shall  
11 address, but is not limited to, the following issues:

12 (1) the best ways to ensure the timely evaluation, diagnosis, and treatment of autism for individuals aged eighteen and under  
13 and their families;

14 (2) the need for and viability of development of statewide autism centers of excellence that engage in the training of  
15 practitioners and advanced treatment practices and research related to autism;

16 (3) reviewing and evaluating the accessibility to initial autism evaluations and Medicaid eligibility to identify any barriers to  
17 diagnosis and enrollment; and

18 (4) methods by which financial assistance can be provided to families in order to obtain needed autism services.

19 (B) The study committee shall be composed of members appointed as follows:

20 (1) two appointees by the Governor, one of which may be a parent of an autistic child;

21 (2) three appointees by the Chairman of the House Ways and Means Committee, one of which may be a House member, one  
22 of which may be a practitioner, and one of which may be a parent of an autistic child;

23 (3) three appointees by the Chairman of the Senate Finance Committee, one of which may be a Senate member, one of which  
24 may be a practitioner, and one of which may be a parent of an autistic child;

25 (4) the director of the Department of Health and Human Services or his designee; and

26 (5) the director of the Department of Disabilities and Special Needs or his designee.

27 No member of the study committee shall be entitled to any compensation or reimbursement, and no three members of the study  
28 committee shall reside in the same public health region of the State.

29 (C) Any administrative services or support for the study committee shall be provided by the Department of Health and Human  
30 Services.

31 (D) No later than January 15, ~~2023~~ *2024*, the study committee shall provide the Governor, the Chairman of the House Ways and  
32 Means Committee, and the Chairman of the Senate Finance Committee with a report on its findings and recommendations on the  
33 issues contained in this provision.

34 **117.163.** (GP: COVID-19 Research) From the funds held in the COVID-19 Response Reserve Account established pursuant to  
35 Act 135 of 2020, an amount not to exceed \$27,650,000 may be transferred to the Medical University of South Carolina to conduct a  
36 clinical trial for an investigational drug to be used in the treatment of COVID-19. Funding is to be made in two phases, Phase I of



1 which must be limited to an amount not to exceed \$13,063,639, and Phase II of which must be limited to an amount not to exceed  
2 \$14,586,361. These transfers are subject to direction by the Governor, and review and comment by the Joint Bond Review  
3 Committee, for each phase of the clinical trial. Without limitation, funding for Phase I of the clinical trial is contingent upon  
4 establishment of outcome measures against which efficacy of the treatment will be assessed, and which must be included in the  
5 University's request to the Governor for consideration of the proposed expenditure. Without limitation, funding for Phase II of the  
6 clinical trial is contingent upon outcomes clearly demonstrating success of Phase I of the clinical trial. The University may collaborate  
7 with other public and private entities in conducting the clinical trial; provided, however, that the University must reserve its sole  
8 accountability and responsibility for conduct of the clinical trial and management of the funding to ensure that funds are expended  
9 only for the public purpose of promoting the health, safety, and welfare of the citizens of this State. The University must establish a  
10 schedule of expenditure projections for each phase of the clinical trial, and must provide periodic reports to the Governor and the  
11 Joint Bond Review Committee in such form and at such times as each may prescribe. In addition to the foregoing, the University  
12 must provide to the Governor and the Joint Bond Review Committee an accounting of the expenditures for each phase of the clinical  
13 trial as soon as practicable following the earlier of conclusion of each phase of the clinical trial or exhaustion of the funding applicable  
14 thereto. In the event that any funds remain unexpended at the conclusion of either phase of the clinical trial, this authorization must  
15 lapse to the extent of the unexpended funds, and such unexpended funds must revert to their original funding source, with availability  
16 for expenditure in accordance with their original statutory purpose.

17 **117.164.** (GP: Licensure of Residential Treatment Facilities) From the funds appropriated in this act, the Department of Health  
18 and Environmental Control shall collaborate with the Department of Health and Human Services to determine the number of  
19 Residential Treatment Facility (RTF) beds needed to ensure availability of in-state services for South Carolina residents. In  
20 accordance with this determination, DHEC shall use RTF license application and renewal fees to issue and renew licenses only in a  
21 manner that specifies the percentage of beds each RTF must staff and reserve for South Carolina residents.

22 **117.165.** (GP: *Lead Apprenticeship Agency*) In the current fiscal year, the State Board for Technical and Comprehensive  
23 Education (SCTCS) shall be recognized as the lead agency for facilitating United States Department of Labor Registered  
24 Apprenticeships (USDOL) in South Carolina. All state agencies, public K-12 school districts, and other entities receiving state funds  
25 shall coordinate all USDOL Registered Apprenticeships and registered apprenticeship activities through SCTCS and its division  
26 Apprenticeship Carolina. SCTCS shall lead the creation and implementation of policies and coordinating efforts to foster the growth  
27 of Registered Apprenticeships in South Carolina. For the purposes of this provision, "Registered Apprenticeship" is defined as an  
28 industry-driven, high-quality career pathway where employers can develop and prepare their future workforce, and individuals can  
29 obtain paid work experience, receive progressive wage increases, classroom instruction, and a portable, nationally-recognized  
30 credential. Registered Apprenticeships are industry-vetted and approved and validated by the U.S. Department of Labor.

31 **117.166.** (GP: *Transfer Student Credits*) The Commission on Higher Education shall work in consultation with the State Board  
32 for Technical and Comprehensive Education and the public institutions of higher learning to implement policies to guarantee  
33 students who have earned an Associate of Arts or Associate of Science degree from a public two-year institution of higher learning  
34 shall receive a minimum of sixty transfer credit hours at a public four-year college or university and shall be given a junior status  
35 at the college or university.

36 Graduates covered under this agreement are defined as students who have:

1 (1) earned an Associate in Arts (AA) or Associate in Science (AS) degree from one of the 16 colleges within the South Carolina  
2 Technical College System (SCTCS);

3 (2) earned a grade of "C" or better in each course applicable to the AA or AS degree; and

4 (3) expressed intent to transfer to a public four-year institution.

5 Graduates from a South Carolina technical college will be granted admission to the public four-year institution and shall expect  
6 the following:

7 (1) students who have completed the AA or AS degree shall enter the public four-year institution with Junior academic standing  
8 and will have satisfied the public four-year institution's general education program requirements;

9 (2) all transfer courses that are accepted by the public four-year institution will be applied to the attainment of the  
10 baccalaureate degree as appropriate to the student's major; and

11 (3) all transfer students must meet specific admission requirements for their desired major and must take junior and senior  
12 seminar courses.

13 The public four-year institution shall facilitate a reverse transfer option for South Carolina technical college students who enroll  
14 in their institution without completing the Associate of Arts or Associate of Science degree. Upon successful completion of  
15 coursework and hours at the public four-year institution, credits earned at the institution may be transferred back to the originating  
16 South Carolina technical college and applied toward an associate degree. Course prerequisites and minimum credit requirements  
17 for awarding degrees shall still apply. Implementation of the provisions shall be effective no later than April 30, 2024.

18 **117.167. (GP: Third Party Processors)** In the current fiscal year, an agency that has contracted with a third-party payment  
19 processor to accept debit cards, credit cards, and other electronic forms of payment may charge and collect a processing fee not  
20 more than the contract rate charged to the agency for electronic transactions.

21 **117.168. (GP: Millage Calculation)** For Fiscal Year 2023-2024, a municipality is allowed an additional and permanent  
22 adjustment to its general operating millage rate increase limitation for population growth, calculated pursuant to Section 6-1-320,  
23 for any increase that would have been allowed in Fiscal Year 2021-2022 but was not known because of the delayed release of the  
24 2020 Census. This adjustment must be calculated using the July 1, 2020 census population estimates, as originally published based  
25 on the 2020 Census, instead of the July 1, 2019 population estimates based on the 2010 Census.

26 **117.169. (GP: Coverage for Contraceptives)** For the plan year beginning in January of the current fiscal year, the Public  
27 Employee Benefit Authority and the State Health Plan shall cover prescribed contraceptives for dependents under the same terms  
28 and conditions that the Plan provides contraceptive coverage for employees and spouses. The State Health Plan shall not apply  
29 patient cost sharing provisions to covered contraceptives. This provision does not alter the current approved list of contraceptives  
30 and complies with the requirements of Proviso 108.4.

31 **117.170. (GP: Employee Retention and Recruitment)** For Fiscal Year 2023-24, funds will be appropriated to the Prosecution  
32 Coordination Commission and to the Commission on Indigent Defense for "Assistant Solicitor Personnel and Retention" and  
33 "Assistant Public Defender Personnel and Retention."

34 Prior to funds being disbursed, all Prosecution and Indigent Defense circuits shall provide to the Prosecution Coordination  
35 Commission Director and the Commission on Indigent Defense Director, respectively, by year, a report listing current backlogged

1 cases. Starting with the year of the oldest case, each circuit shall also report how many cases that were closed within that year, and  
2 each after that. Each circuit shall also submit on a quarterly basis an updated report on the current number of backlogged cases.

3 The Prosecution Coordination Commission and Commission on Indigent Defense shall report to the Chief Administrative Judge  
4 of each respective circuit handling the General Sessions docket, the Chairman of the Senate Finance Committee, the Chairman of  
5 the House Ways and Means Committee, and the Governor's Office, by July 15, 2023, detailing the manner in which the funds will  
6 be distributed among the circuits, steps taken to retain current employees, the number of new FTEs that will be hired, and information  
7 obtained from circuits how these measures will go towards reducing the case backlog.

8 After the initial report is submitted, the Prosecution Coordination Commission and the Commission on Indigent Defense shall  
9 provide quarterly progress updates.

## SECTION 118 - X910 - STATEWIDE REVENUE

11  
12  
13 **118.1.** (SR: Year End Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary  
14 expenses of the State Government shall lapse on July 31, ~~2023~~ 2024. State agencies are required to submit all current fiscal year  
15 input documents and all electronic workflow for accounts payable transactions to the Office of Comptroller General by July 14,  
16 2023. Appropriations for Permanent Improvements, now outstanding or hereafter provided, shall lapse at the end of the second fiscal  
17 year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State  
18 Fiscal Accountability Authority and Joint Bond Review Committee, toward the accomplishment of the purposes for which the  
19 appropriations were provided. Appropriations for other specific purposes aside from ordinary operating expenses, now outstanding  
20 or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite  
21 commitments shall have been made, with the approval of the State Fiscal Accountability Authority, toward the accomplishment of  
22 the purposes for which the appropriations were provided.

23 **118.2.** (SR: Titling of Real Property) It is the intent of the General Assembly to establish a comprehensive central property and  
24 office facility management process to plan for the needs of state government agencies and to achieve maximum efficiency and  
25 economy in the use of state owned or state leased real properties. The Department of Administration is directed to identify all state  
26 owned properties whether titled in the name of the state or an agency or department, and all agencies and departments of state  
27 government are upon request to provide the department all documents related to the title and acquisition of the real properties that  
28 are occupied or used by the agency or titled in the name of the agency. Except for any properties where the department determines  
29 title should not be in the name of the State because the properties are subject to reverter clauses or other restraints on the property,  
30 or where the department determines the state would be best served by not receiving title, and with the exception of properties,  
31 highways and roadways owned by the Department of Transportation, title of any property held by or acquired by a state agency or  
32 department shall be titled in the name of the state under the control of the Department of Administration. Titling in the name of the  
33 state shall not affect the operation or use of real property by an agency. This provision applies to all state agencies and departments  
34 except: institutions of higher learning; the Public Service Authority; the Ports Authority; the South Carolina Division of Public  
35 Railways; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation;

1 the Midlands Technical College Enterprise Campus Authority, the Trident Technical College Enterprise Campus Authority; the Area  
2 Commission of Tri-County Technical College; and the Charleston Naval Complex Redevelopment Authority.

3 With respect to any past or future acquisition of real property, the application of this provision and prior comparable titling  
4 provisions to the South Carolina Department of Natural Resources and real property under its ownership or control is subject to the  
5 exemption adopted by the South Carolina Budget and Control Board on March 21, 2006.

6 This provision is comprehensive and supersedes any conflicting provisions concerning title and acquisition and disposition of state  
7 owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

8 The Department of Administration is directed to provide to the Department of Education, funds equal to the amount realized from  
9 the sale of the Greenville Halton Road Bus Shop property for school bus maintenance shop relocations, construction, and shop  
10 equipment.

11 **118.3.** (SR: Contingency Reserve Fund) (A) There is created in the State Treasury a fund separate and distinct from the general  
12 fund of the State, the Capital Reserve Fund, and all other funds entitled the Contingency Reserve Fund. All general fund revenues  
13 accumulated in a fiscal year in excess of general appropriations and supplemental appropriations must be credited to this fund.  
14 Revenues credited to this fund in a fiscal year may be appropriated by the General Assembly. Upon determination by the Comptroller  
15 General as to the amount to be deposited in the Contingency Reserve Fund, the Comptroller General shall notify the Board of  
16 Economic Advisors and the board shall recognize that amount as surplus funds. Revenues in this fund may be appropriated only for  
17 the purposes provided in subsection (B).

18 (B)(1) If the balance in the general reserve fund established pursuant to Section 36, Article III of the Constitution of this State and  
19 Section 11-11-310 of the 1976 Code is less than the required balance, there must be appropriated to it all amounts in the Contingency  
20 Reserve Fund up to the total necessary to replenish the general reserve fund. This amount does not replace or supplant the minimum  
21 replenishment amount otherwise required to be made to the general reserve fund.

22 (2) After the appropriation of amounts required pursuant to item (1) of this subsection, any remaining balance may be  
23 appropriated by the General Assembly as it deems appropriate.

24 **118.4.** (SR: Increased Enforced Collections Carry Forward) Unexpended funds appropriated pursuant to Proviso 90.16 in Part IB  
25 of Act 291 of 2010 may be carried forward from the prior fiscal year into the current fiscal year and shall be expended for the same  
26 purposes.

27 **118.5.** (SR: Health Care Maintenance of Effort Funding) The revenue collected from the fifty cent cigarette surcharge and  
28 deposited into the South Carolina Medicaid Reserve Fund established by Act 170 of 2010 and any other funds deposited into the  
29 fund shall be deemed appropriated for use by the Department of Health and Human Services for the Medicaid program. Unexpended  
30 funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

31 **118.6.** (SR: Prohibits Public Funded Lobbyists) All state agencies and institutions are prohibited from using general fund  
32 appropriations to compensate employees who engage in lobbying on behalf of the state agency or institution. The State Ethics  
33 Commission shall require state agencies and institutions that report lobbying activities to the commission to certify that the lobbying  
34 activities were not funded by general fund appropriations.

35 All state agencies and institutions are prohibited from entering into contracts using general fund appropriations to provide lobbying  
36 services to the agency or institution.

1       **118.7.** (SR: Admissions Tax) For the current fiscal year, up to one hundred fourteen thousand dollars in admissions tax revenue  
2 collected annually from all events held at a NASCAR sanctioned motor speedway or racetrack that hosts at least one race each year  
3 featuring the preeminent NASCAR cup series must be rebated to the motorsports entertainment complex facility in the current fiscal  
4 year to keep a NASCAR race at the motorsports entertainment complex facility. In addition, any sports facility that hosts at least  
5 one preeminent Women's Tennis Association-sanctioned tournament or any sports facility that operates as the home venue for a  
6 professional soccer team that participates in the United Soccer Leagues, second division or higher, must be rebated to the facility  
7 half of its admissions tax revenue for the fiscal year and used by that facility for marketing the events held at the facility.

8       **118.8.** (SR: Agency Deficit Notice) The Comptroller General or the Executive Budget Office shall (1) provide written notice to  
9 each member of the General Assembly when it makes a report concerning an agency, department, or institution that is expending  
10 authorized appropriations at a rate which predicts or projects a general fund deficit for the agency, department, or institution, and (2)  
11 make monthly progress reports concerning an agency's, department's, or institution's plan to reduce or eliminate the deficit.

12       **118.9.** (SR: Tax Relief Reserve Fund) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from  
13 the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December  
14 31, ~~2022~~ 2023, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund.  
15 These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief  
16 Reserve Fund shall be retained and carried forward to be used for the same purpose.

17       **118.10.** (SR: Tax Deduction for Consumer Protection Services) (A) In addition to the deductions allowed in Section 12-6-1140  
18 of the 1976 Code, there is allowed a deduction in computing South Carolina taxable income of an individual the actual costs, but not  
19 exceeding three hundred dollars for an individual taxpayer, and not exceeding one thousand dollars for a joint return or a return  
20 claiming dependents, incurred by a taxpayer in the taxable year to purchase a monthly or annual contract or subscription for identity  
21 theft protection and identity theft resolution services. The deduction allowed by this item may not be claimed by an individual if the  
22 individual deducted the same actual costs as a business expense or if the taxpayer is enrolled in the identity theft protection and  
23 identity theft resolution services offered free of charge by the State of South Carolina. For purposes of this item, "identity theft  
24 protection" means products and services designed to prevent an incident of identify fraud or identity theft or other protect the private  
25 of a person's personal identifying information, as defined in Section 16-13-510(D), by precluding a third party from gaining  
26 unauthorized acquisition of another's personal identifying information to obtain financial resources or other products, benefits or  
27 services; and identity theft resolution services means products and services designed to assist persons whose personal identifying  
28 information, as defined by Section 16-13-510(D), was obtained by a third party, whereby minimizing the effects of the identity fraud  
29 or identity theft incident and restoring the person's identity to pre-theft status.

30       (B) The deduction provided in (A) is only allowed for taxpayers that filed a return with the Department of Revenue for any taxable  
31 year after 1997 and before 2013, whether by paper or electronic transmission, or any person whose personally identifiable information  
32 was contained on the return of another eligible person, including minor dependents.

33       (C) By March fifteenth of each year, the department shall issue a report to the Governor and the General Assembly detailing the  
34 number of taxpayers claiming the deduction allowed by this item in the most recent tax year for which there is an accurate figure,  
35 and the total monetary value of the deductions claimed pursuant to this item in that same year.

1 (D) The department shall prescribe the necessary forms to claim the deduction allowed by this section. The department may  
2 require the taxpayer to provide proof of the actual costs and the taxpayer's eligibility.

3 **118.11.** (SR: Tobacco Settlement) (A) To the extent funds are available from payments received on behalf of the State by the  
4 Tobacco Settlement Revenue Management Authority from the Tobacco Master Settlement Agreement ("MSA") in the current fiscal  
5 year, the State Treasurer is authorized and directed, after transferring funds sufficient to cover the operating expenses of the Authority,  
6 to transfer the remaining funds as follows:

7 (1) \$1,253,000 to the Attorney General's Office for Diligent Enforcement and Arbitration Litigation; \$450,000 to the State  
8 Law Enforcement Division for Diligent Enforcement; and \$325,000 to the Department of Revenue for Diligent Enforcement, all to  
9 enforce Chapter 47 of Title 11, the Tobacco Escrow Fund Act;

10 (2) The Attorney General's Office shall maintain a balance of \$1,253,000 in a fund for future tobacco arbitration. Attorney  
11 General funds in excess of \$1,253,000 may be utilized for information technology expenses and building infrastructure upgrades.  
12 These funds may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose; and

13 (3) The remaining balance shall be transferred to a restricted account authorized solely for use by the Department of Health  
14 and Human Services for the Medicaid program. Earnings on this fund must be credited to the fund and balances may be carried  
15 forward from the prior fiscal year for the same purpose.

16 (B) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for the current fiscal year.

17 **118.12.** (SR: One Dollar Appropriations) Funds appropriated in the amount of one dollar by this act shall not be disbursed. The  
18 Comptroller General shall adjust the affected agency's chart of accounts accordingly, if necessary.

19 **118.13.** (SR: Non-recurring Litigation Recovery Revenue) During the current fiscal year, if there is a recovery or an award in  
20 any litigation managed by the State through a party other than the Attorney General, or if a state tax audit results in a collection, any  
21 funds received in excess of twenty-five million dollars that are not likely to continue as recurring revenue and would have otherwise  
22 been credited to the General Fund shall be credited to the Litigation Recovery Account. The amount credited to this Litigation  
23 Recovery Account pursuant to this provision is deemed non-recurring revenue and must be expended only in the manner prescribed  
24 by law.

25 **118.14.** (SR: Farm Aid) There is created the 'South Carolina Farm Aid Fund'. This fund is separate and distinct from the general  
26 fund of the State and all other funds. Earnings on this fund must be credited to it. Revenues credited to this fund in a fiscal year  
27 must be used in that fiscal year to operate a grant program that provides financial assistance to farmers.

28 To be eligible for a grant, the person must have:

29 (1) experienced a verifiable loss of agricultural commodities of at least thirty percent as a result of the flooding occurring in the  
30 aftermath of Hurricanes Michael and Florence for which:

31 (a) the Governor declared a state of emergency in the State for the county in which the farm is located; and

32 (b) the United States Secretary of Agriculture issued a Secretarial Disaster Declaration for the county in which the farm is  
33 located;

34 (2) a farm number issued by the Farm Service Agency;

35 (3) signed an affidavit, under penalty of perjury, certifying that each fact of the loss presented by the person is accurate; and

1 (4) a signed affidavit, under penalty of perjury, certifying that no federal funds have been received for these specific disasters,  
2 and in the event that federal funds are received, the person will return all state monies received under this program.

3 The Department of Agriculture (department) shall administer the grant program authorized by this proviso. The Department of  
4 Revenue shall assist the Department of Agriculture in the administration of the grant program by providing auditing services,  
5 accounting services, and review and oversight of all financial aspects of the grant program. There is created the Farm Aid Advisory  
6 Board to make recommendations to the department regarding the duties of the department in administering the grant program. The  
7 Commissioner of Agriculture, or his designee, shall serve ex officio, as chairman of the board. Also, the Director of the Department  
8 of Revenue, or his designee, the Vice President for Public Service and Agriculture of Clemson Public Service Activities, or his  
9 designee, and the Vice President for Land Grant Services of South Carolina State Public Service Activities, or his designee, shall  
10 serve on the board. The following additional members shall be appointed to the board:

11 (1) the Commissioner of Agriculture shall appoint one member representing the South Carolina Farm Bureau;

12 (2) the Commissioner of Agriculture shall appoint one member representing a farm credit association;

13 (3) the Director of the Department of Revenue shall appoint one member representing the crop insurance industry; and

14 (4) the Director of the Department of Revenue shall appoint one member who is an agricultural commodities producer.

15 By July twentieth of the current fiscal year, the board shall hold its initial meeting to recommend an application process by which  
16 a person with a loss resulting from the flooding occurring in the aftermath of Hurricanes Michael and Florence may apply for a grant.  
17 Upon adoption of an application process, the Department of Agriculture shall provide the Chairman of the House Ways and Means  
18 Committee and the Chairman of the Senate Finance Committee with a written copy of its application process within ten days after  
19 its adoption. A person shall apply not later than forty-five days after the adoption of the application process. The department must  
20 ensure every person interested in applying for a grant has access to adequate resources to submit his application in a timely manner,  
21 and upon request, the department must assist a person with the preparation of his application.

22 Each grant awarded by the department may not exceed twenty percent of the person's verifiable loss of agricultural commodities.  
23 However, a person, including any grant made to a related person, may not receive grants aggregating more than one hundred thousand  
24 dollars. Also, a person, including any grant made to a related person, may not receive grants that when combined with losses covered  
25 by insurance, exceed one hundred percent of the actual loss. If a grant is made to a related person, the amount to be included in the  
26 limits set by this proviso must be the amount of the grant multiplied by the person's ownership interest in the related person.  
27 However, a person who shares an ownership interest with another person or entity may not be refused a grant solely because the  
28 other person or related person has otherwise received the maximum grant amount, but in this case, the person's grant amount is  
29 limited by the person's ownership interest.

30 If the total amount of grants allowed pursuant to this proviso exceeds the monies in the fund, then each person's grant must be  
31 reduced proportionately.

32 To determine loss, the department:

33 (1) must measure the person's cumulative total loss of all affected agricultural commodities for the year in which the flooding  
34 occurred against the person's expected production of all agricultural commodities affected by the flooding occurring in the aftermath  
35 of Hurricanes Michael and Florence;

1 (2) shall use the person's applicable actual production history yield, as determined by the Federal Crop Insurance Corporation,  
2 to determine loss for insured agricultural commodities. In determining loss for uninsured agricultural commodities, the department  
3 shall use the most recent year's county price and county yield, as applicable, as determined by the National Agriculture Statistics  
4 Service, United States Department of Agriculture; and

5 (3) may require any documentation or proof it considers necessary to efficiently administer the grant program, including the  
6 ownership structure of each entity and the social security numbers of each owner. Minimally, in order to verify loss, the department  
7 shall require the submission of dated, signed, and continuous records. These records may include, but are not limited to, commercial  
8 receipts, settlement sheets, warehouse ledger sheets, pick records, load summaries, contemporaneous measurements, truck scale  
9 tickets, contemporaneous diaries, appraisals, ledgers of income, income statements of deposit slips, cash register tape, invoices for  
10 custom harvesting, u-pick records, and insurance documents.

11 Grant awards must be used for agricultural production expenses and losses due to the flooding which demonstrate an intent to  
12 continue the agricultural operation; however, awards may not be used to purchase new equipment. The department shall develop  
13 guidelines and procedures to ensure that funds are expended in the manner outlined in grant applications, and may require any  
14 documentation it determines necessary to verify the appropriate use of grant awards including receipts.

15 If the department determines that a person who received a grant provided inaccurate information, then the person shall refund the  
16 entire amount of the grant. If the department determines that a person who received a grant used the funds for ineligible expenses,  
17 then the person must refund the amount of the ineligible expenses. If the person does not refund the appropriate amount, the  
18 Department of Revenue shall utilize the provisions of the Setoff Debt Collection Act to collect the money from the person.

19 The department shall coordinate the exchange of information between the USDA and the Department of Revenue to identify any  
20 person that received a Farm Aid grant for the flooding occurring in the aftermath of Hurricanes Michael and Florence and also  
21 received federal aid relief for the same disaster. Any person that is determined to have received grant funds from both the state and  
22 federal government, must immediately repay the state grant they received.

23 If the department determines that a person knowingly provided false information to obtain a grant pursuant to this proviso or  
24 knowingly used funds for ineligible expenses, the person shall be subject to prosecution pursuant to Section 16-13-240.

25 Within forty-five days of the completion of the awarding of grants, but no later than the end of the fiscal year, the Farm Aid  
26 Advisory Board is dissolved. Any funds remaining in the fund upon dissolution shall lapse to the general fund.

27 The department may accept private funds, grants, and property to be used to make financial awards from the grant program.

28 The Department of Agriculture must administer the grant program authorized by this proviso using existing resources and funds.

29 If federal funds are allocated for persons that are otherwise eligible for a grant pursuant to this proviso before the current fiscal  
30 year begins, then the provisions of this proviso are not effective and no funds may be credited to the South Carolina Farm Aid Fund.

31 For purposes of this proviso:

32 (1) "Agricultural commodities" means wheat, cotton, flax, corn, dry beans, oats, barley, rye, tobacco, rice, peanuts, soybeans,  
33 sugar beets, sugar cane, tomatoes, grain sorghum, sunflowers, raisins, oranges, sweet corn, dry peas, freezing and canning peas,  
34 forage, apples, grapes, potatoes, industrial hemp, timber and forests, nursery crops, citrus, and other fruits and vegetables, nuts, tame  
35 hay, native grass, aquacultural species including, but not limited to, any species of finfish, mollusk, crustacean, or other aquatic  
36 invertebrate, amphibian, reptile, or aquatic plant propagated or reared in a controlled or selected environment, excluding stored grain;



1 (2) "Person" means any individual, trust, estate, partnership, receiver, association, company, limited liability company,  
2 corporation, or other entity or group;

3 (3) "Related person" means any person, joint venture, or entity that has a direct or indirect ownership interest of a person or legal  
4 entity; and

5 (4) "Department" means the Department of Agriculture.

6 **118.15.** (SR: Expenditure of Federal Funds) Any funds received from the Federal Government that are not allocated directly to  
7 a state agency must be expended through the legislative budgeting process.

8 **118.16.** (SR: State Ports Authority Projects) Any funds appropriated or authorized for the State Ports Authority by Proviso  
9 118.17 (Nonrecurring Revenue) for the intermodal container transfer facility and waterborne cargo infrastructure must be deposited  
10 into a separate and distinct account and shall only be used for costs directly related to those two projects. Funds shall not be used  
11 for salaries, bonuses, or any kind of normal administrative costs. Funds shall not be used for personnel expenses not directly related  
12 to the implementation of the two projects. In addition, the State Ports Authority shall provide quarterly progress reports on the  
13 implementation of each facility to the Joint Bond Review Committee, the President of the Senate, the Speaker of the House of  
14 Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.  
15 These quarterly reports shall include, but are not limited to, financial results, operating plans, budgets, capital plans, and performance  
16 objectives and results for the projects. The Joint Bond Review Committee must review and provide comment on expenditures, and  
17 may prescribe the reporting format and such other informational requirements and reports as it deems useful and necessary, to ensure  
18 the financial integrity, accountability, and stewardship of the funds and the ongoing operations of the project. To the extent permitted  
19 by federal law, if federal funds become available to the State that can be used for the Intermodal Container Transfer Facility or for  
20 Waterborne Cargo Infrastructure, those federal funds must first be used to complete the project. Any remaining state funds  
21 appropriated for these projects shall be transferred to a restricted account at the Department of Administration.

22 **118.17.** (SR: Nonrecurring Revenue) ~~(A) The source of revenue appropriated in subsection (B) is nonrecurring revenue~~  
23 ~~generated from the following sources:~~

24 ~~(1) \$1,023,777,259 from Fiscal Year 2020-21 Contingency Reserve Fund;~~

25 ~~(2) \$2,853,646,014 from Fiscal Year 2021-22 Projected Surplus;~~

26 ~~(3) \$16,832,497 from Fiscal Year 2021-22 Debt Service in Excess Obligation;~~

27 ~~(4) \$53,898,508 from Litigation Recovery Account;~~

28 ~~(5) \$525,000,000 from Savannah River Site Litigation; and~~

29 ~~(6) \$100,000,000 from Estimated Excess Debt Service above Projected Expenditures.~~

30 ~~Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers~~  
31 ~~shall occur no later than thirty days after the close of the books on Fiscal Year 2021-22 and shall be available for use in Fiscal Year~~  
32 ~~2022-23.~~

33 ~~This revenue is deemed to have occurred and is available for use in Fiscal Year 2022-23 after September 1, 2022, following the~~  
34 ~~Comptroller General's close of the state's books on Fiscal Year 2021-22.~~

1 ~~(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must~~  
 2 ~~be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded~~  
 3 ~~in the order in which it appears to the extent that revenues are available.~~

4 ~~The State Treasurer shall disburse the following appropriations by September 30, 2022, for the purposes stated:~~

5 ~~(1) Comprehensive Tax Cut of 2022 (S. 1087)..... \$1,000,000,000;~~

6 ~~(2) F310 General Reserve Fund~~

7 ~~(a) General Reserve Fund Contribution..... \$ 64,024,852;~~

8 ~~(b) General Reserve Fund Additional Contribution..... \$ 52,298,607;~~

9 ~~(3) F300 Employee Benefits~~

10 ~~Employee Bonus ..... \$ 45,793,437;~~

11 ~~(3.1) From the funds appropriated to Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs~~  
 12 ~~on or after October 17, 2022, the Department of Administration shall allocate to state agencies \$45,793,437 to provide for a one-time~~  
 13 ~~lump-sum bonus. Each permanent state employee, in a full-time equivalent position, who has been in continuous state service for at~~  
 14 ~~least six months prior to July 1, 2022, shall receive an \$1,500 one-time lump-sum payment. This payment is not a part of the state~~  
 15 ~~employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement~~  
 16 ~~systems. This appropriation may be used for payments to employees only in the same ratio as the employee's base salary is paid~~  
 17 ~~from appropriated sources and the employing agency shall pay the bonus for federal and other funded full-time equivalent positions~~  
 18 ~~employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee's~~  
 19 ~~salary. The earnings limitation on bonuses in Proviso 117.52 of this Act does not apply to this bonus. For institutions of higher~~  
 20 ~~education, the funds received for this bonus may be used without uniformity. Unexpended funds appropriated pursuant to this~~  
 21 ~~provision may be carried forward to succeeding fiscal years and expended for the same purposes.~~

22 ~~(4) H630 State Department of Education~~

23 ~~(a) Capital Funding for Disadvantaged Schools..... \$100,000,000;~~

24 ~~(b) Bus Lease/Purchase..... \$ 12,000,000;~~

25 ~~(c) State Aid to Classrooms Maintenance of Effort and Equity..... \$ 10,000,000;~~

26 ~~(d) ESA Pilot..... \$ 1,000,000;~~

27 ~~(e) State Department of Education Relocation Additional Cost..... \$ 12,000,000;~~

28 ~~(5) H710 Wil Lou Gray Opportunity~~

29 ~~School Renovations and Maintenance ..... \$ 200,000;~~

30 ~~(6) H750 School for the Deaf & Blind~~

31 ~~Renovation of Educational Buildings ..... \$ 4,000,000;~~

32 ~~(7) L120 Governor's School for Agriculture at John de la Howe~~

33 ~~(a) Cafeteria Upgrade..... \$ 50,000;~~

34 ~~(b) Security Fencing..... \$ 250,000;~~

35 ~~(c) Power Pole Replacement..... \$ 250,000;~~

36 ~~(d) Modern Greenhouse Facilities..... \$ 225,000;~~

1	(8) <del>H670 Educational Television Commission Regional Studio</del>	
2	<del>Construction Enhancements</del> .....	<del>\$ 35,000,000;</del>
3	(9) <del>H640 Governor's School for Arts &amp; Humanities</del>	
4	<del>Dining Hall Expansion and Furniture Replacement - Phase 1</del> .....	<del>\$ 512,950;</del>
5	(10) <del>H030 Commission on Higher Education</del>	
6	<del>AmeriCorps Grant (Four Years of Match)</del> .....	<del>\$ 240,000;</del>
7	(11) <del>H090 Citadel</del>	
8	<del>Engineering Building</del> .....	<del>\$ 15,915,510;</del>
9	(12) <del>H120 Clemson</del>	
10	<del>Maintenance, Renovation, and Replacement</del> .....	<del>\$ 10,000,000;</del>
11	(13) <del>H150 University of Charleston</del>	
12	<del>Maintenance, Renovation, Replacement, and Expansion</del> .....	<del>\$ 12,500,000;</del>
13	(14) <del>H170 Coastal Carolina</del>	
14	<del>Maintenance, Renovation, and Replacement</del> .....	<del>\$ 4,000,000;</del>
15	(15) <del>H180 Francis Marion</del>	
16	<del>Environmental Science and Forestry Building</del> .....	<del>\$ 8,000,000;</del>
17	(16) <del>H210 Lander</del>	
18	<del>Maintenance, Renovation, and Replacement</del> .....	<del>\$ 6,000,000;</del>
19	(17) <del>H240 SC State</del>	
20	<del>Maintenance, Renovation, and Replacement</del> .....	<del>\$ 25,000,000;</del>
21	(18) <del>H270 USC Columbia</del>	
22	<del>(a) Maintenance, Renovation, and Replacement</del> .....	<del>\$ 10,000,000;</del>
23	<del>(b) Tucker Center</del> .....	<del>\$ 9,000,000;</del>
24	(19) <del>H290 USC Aiken</del>	
25	<del>Maintenance, Renovation, and Replacement</del> .....	<del>\$ 1,000,000;</del>
26	(20) <del>H340 USC Upstate</del>	
27	<del>(a) Maintenance, Renovation, and Replacement</del> .....	<del>\$ 3,000,000;</del>
28	<del>(b) Library</del> .....	<del>\$ 5,000,000;</del>
29	(21) <del>H360 USC Beaufort</del>	
30	<del>Convocation Center</del> .....	<del>\$ 10,000,000;</del>
31	(22) <del>H370 USC Lancaster</del>	
32	<del>Maintenance, Renovation, and Replacement</del> .....	<del>\$ 750,000;</del>
33	(23) <del>H390 USC Sumter</del>	
34	<del>Health, Wellness, and Athletic Facilities</del> .....	<del>\$ 9,000,000;</del>
35	(24) <del>H400 USC Union</del>	
36	<del>Maintenance, Renovation, and Replacement</del> .....	<del>\$ 600,000;</del>

1	<del>(25) H470 Winthrop</del>	
2	<del>(a) Maintenance, Renovation, and Replacement .....</del>	<del>\$ 6,000,000;</del>
3	<del>(b) Wofford Hall and Richardson Hall.....</del>	<del>\$ 6,000,000;</del>
4	<del>(c) Dinkins and Dacus Library Renovation .....</del>	<del>\$ 5,000,000;</del>
5	<del>(26) H510 Medical University of South Carolina MUSC</del>	
6	<del>(a) Purchase of Old Roper St. Francis Hospital.....</del>	<del>\$ 15,000,000;</del>
7	<del>(b) Hospital Authority SC Children's Hospital Collaborative Infrastructure.....</del>	<del>\$ 10,000,000;</del>
8	<del>(c) Traumatic Brain Injury Research .....</del>	<del>\$ 750,000;</del>
9	<del>(27) H590 Board for Technical and Comprehensive Education</del>	
10	<del>(a) Aiken Technical College</del>	
11	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 4,149,395;</del>
12	<del>(b) Central Carolina Technical College</del>	
13	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 10,000,000;</del>
14	<del>(c) Denmark Technical College</del>	
15	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 5,000,000;</del>
16	<del>(d) Florence Darlington Technical College</del>	
17	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 2,517,863;</del>
18	<del>(e) Greenville Technical College</del>	
19	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 15,000,000;</del>
20	<del>(f) Horry Georgetown Tech College</del>	
21	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 4,490,718;</del>
22	<del>(g) Midlands Technical College</del>	
23	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 15,000,000;</del>
24	<del>(h) Northeastern Technical College</del>	
25	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 3,903,796;</del>
26	<del>(i) Orangeburg Calhoun Technical College</del>	
27	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 4,751,976;</del>
28	<del>(j) Piedmont Technical College</del>	
29	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 9,949,243;</del>
30	<del>(k) Spartanburg Community College</del>	
31	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 13,507,133;</del>
32	<del>(l) Technical College of the Lowcountry</del>	
33	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 4,532,654;</del>
34	<del>(m) Tri County Technical College</del>	
35	<del>Maintenance, Renovation, and Replacement .....</del>	<del>\$ 12,443,753;</del>
36	<del>(n) Trident Technical College</del>	

1	(i) Maintenance, Renovation, and Replacement.....	\$ 15,000,000;
2	(ii) Logistics Apprenticeship Program with the SC Ports Authority.....	\$ 1,100,000;
3	(o) Williamsburg Technical College	
4	Maintenance, Renovation, and Replacement.....	\$ 1,838,676;
5	(p) York Technical College	
6	Maintenance, Renovation, and Replacement.....	\$ 5,000,000;
7	(q) Central Carolina Technical College Academic Building.....	\$ 19,000,000;
8	(r) Florence Darlington Technical College	
9	(i) Darlington County Campus.....	\$ 20,000,000;
10	(ii) EMT & Paramedic Program Equipment.....	\$ 500,000;
11	(s) Horry Georgetown Technical College Grand Strand Campus Renovation.....	\$ 10,000,000;
12	(t) Midlands Technical College Dual Credit and QuickJobs.....	\$ 4,500,000;
13	(u) Orangeburg Calhoun Technical College Advanced Manufacturing Building.....	\$ 8,000,000;
14	(v) Technical College of the Lowcountry Workforce Collaborative.....	\$ 2,500,000;
15	(w) Tri-County Technical College Transportation, Logistics, and Utility Center.....	\$ 6,000,000;
16	(x) Trident Technical College Berkeley Campus.....	\$ 6,000,000;
17	(y) York Technical College Baxter Hood Center.....	\$ 28,000,000;
18	(z) Spartanburg Community College Cherokee Campus.....	\$ 20,000,000;
19	(27.1) The funds appropriated in Item (27)(h) may be used to match federal funds for new construction.	
20	(27.2) The State Ports Authority shall enter a Memorandum of Understanding with Trident Technical College for the creation	
21	of a truck driver logistics apprenticeship program (LAP).	
22	(28) H790 Department of Archives & History	
23	(a) SC American Revolution Sestercennial Commission.....	\$ 7,000,000;
24	(b) Historic Preservation State Grant Fund.....	\$ 500,000;
25	(c) Agency Digital Conversion to Cloud Storage.....	\$ 250,000;
26	(d) African American History Curriculum.....	\$ 100,000;
27	(29) H910 Arts Commission	
28	(a) Resources to Support Community Arts Organizations.....	\$ 3,000,000;
29	(b) Creative Place Making Pilot in Rural Communities.....	\$ 500,000;
30	(30) H950 State Museum (State Museum Comm)	
31	(a) Permanent Gallery Renovation Reimagine the Experience (RTE) Phase 3.....	\$ 3,375,000;
32	(b) Museum Security System Upgrades Phase 2.....	\$ 450,000;
33	(c) Museum's IT Network Upgrade.....	\$ 110,000;
34	(31) H960 Confederate Relic Room and Military Museum Commission	
35	(a) Collections Storage Infrastructure.....	\$ 95,000;
36	(b) SC Vietnam Veterans Program.....	\$ 30,000;

1	<del>(32) H730 Vocational Rehabilitation</del>	
2	<del>(a) Technology Infrastructure .....</del>	<del>\$ 269,250;</del>
3	<del>(b) ADA Compliant Vehicle Replacement .....</del>	<del>\$ 520,000;</del>
4	<del>(c) Berkeley Dorchester VR Center Re-roofing .....</del>	<del>\$ 494,000;</del>
5	<del>(d) Conway VR Center Re-roofing .....</del>	<del>\$ 540,000;</del>
6	<del>(e) Rock Hill VR Center Re-roofing .....</del>	<del>\$ 604,000;</del>
7	<del>(33) J020 Dept of Health &amp; Human Services</del>	
8	<del>(a) Behavioral Health Capacity .....</del>	<del>\$ 61,500,000;</del>
9	<del>(b) Rural Health Network Revitalization .....</del>	<del>\$ 3,000,000;</del>
10	<del>(c) Healthcare Compliance Programs .....</del>	<del>\$ 5,000,000;</del>
11	<del>(d) Youth Psychiatric Residential Treatment Facility .....</del>	<del>\$ 5,000,000;</del>
12	<del>(34) J040 Department of Health &amp; Environmental Control</del>	
13	<del>(a) ePermitting Project Completion .....</del>	<del>\$ 5,039,612;</del>
14	<del>(b) Hazardous Waste Contingency Fund .....</del>	<del>\$ 2,000,000;</del>
15	<del>(35) J120 Department of Mental Health</del>	
16	<del>(a) State Veterans Nursing Homes .....</del>	<del>\$ 30,600,000;</del>
17	<del>(b) 9-8-8 Suicide Crisis Hotline Secondary Call Center Infrastructure .....</del>	<del>\$ 1,300,000;</del>
18	<del>(c) Mental Illness Recovery Center, Inc. (MIRCI) .....</del>	<del>\$ 500,000;</del>
19	<del>(36) J160 Department of Disabilities &amp; Special Needs</del>	
20	<del>(a) Community Based Services .....</del>	<del>\$ 140,000;</del>
21	<del>(b) South Carolina Genomic Medicine Initiative at Greenwood Genetic Center .....</del>	<del>\$ 2,000,000;</del>
22	<del>(c) Unite Us IT Implementation .....</del>	<del>\$ 1,500,000;</del>
23	<del>(d) Youth Intensive Residential Habilitation Homes .....</del>	<del>\$ 1,500,000;</del>
24	<del>(37) L040 Department of Social Services</del>	
25	<del>Title IV E Annualization .....</del>	<del>\$ 9,000,000;</del>
26	<del>(38) L060 Department on Aging</del>	
27	<del>(a) American Rescue Plan Funding - State Match .....</del>	<del>\$ 3,553,000;</del>
28	<del>(b) HUD Home Modification .....</del>	<del>\$ 150,000;</del>
29	<del>(39) L080 Department of Children's Advocacy</del>	
30	<del>(a) Foster Care Review Board Advocacy Upgrade .....</del>	<del>\$ 150,000;</del>
31	<del>(b) Administration and Investigations Unit Development .....</del>	<del>\$ 25,000;</del>
32	<del>(c) Children's Advocacy Centers .....</del>	<del>\$ 1,000,000;</del>
33	<del>(40) P120 Forestry Commission</del>	
34	<del>(a) Fire Support Aircraft .....</del>	<del>\$ 425,000;</del>
35	<del>(b) Wee Tee State Forest Bridge Replacement .....</del>	<del>\$ 4,500,000;</del>
36	<del>(41) P160 Department of Agriculture</del>	

1	Local Farmers Markets Enhancements .....	\$ 3,000,000;
2	(42) P200—Clemson PSA	
3	(a) Critical PSA Infrastructure .....	\$ 3,626,000;
4	(b) Edisto Research and Education Center Research Infrastructure Upgrades and Expansion .....	\$ 7,000,000;
5	(c) Poultry Science Research Facility .....	\$ 1,375,000;
6	(43) P210—SC State PSA	
7	(a) Expansion of Emerging Agribusiness Programs .....	\$ 1,600,000;
8	(b) Small Business Digital Technologies Transformation .....	\$ 585,000;
9	(c) Youth Residential Cabin at Historic Camp Harry E. Daniels .....	\$ 2,000,000;
10	(d) The South Carolina Limnology Research Center .....	\$ 2,000,000;
11	(e) Nutrition and Mental Health Amid the COVID-19 Pandemic .....	\$ 244,000;
12	(f) Impact of COVID-19 on Small Farm Sustainability and Capacity .....	\$ 262,000;
13	(44) P240—Department of Natural Resources	
14	(a) Water Planning, Mapping and Monitoring .....	\$ 3,500,000;
15	(b) Law Enforcement—New Class and Operating .....	\$ 676,500;
16	(c) Vehicle Rotation .....	\$ 1,000,000;
17	(d) Fish Hatcheries and State Lakes Maintenance & Repair .....	\$ 2,700,000;
18	(e) Land Conservation .....	\$ 40,000,000;
19	(f) Infrastructure Needs .....	\$ 15,100,000;
20	(g) Waterfowl Impoundments Infrastructure Maintenance .....	\$ 2,727,000;
21	(h) Field/Regional Office and Building Maintenance .....	\$ 1,000,000;
22	(i) Shooting Ranges and Dove Fields .....	\$ 1;
23	(j) Lake Santee Boat Landing .....	\$ 4,000,000;
24	(45) P280—Department of Parks, Recreation & Tourism	
25	(a) Regional Promotions—SCATR .....	\$ 1,100,000;
26	(b) Statewide Exhibits .....	\$ 500,000;
27	(c) Charles Towne Landing Animal Forest Enclosure Repairs and Upgrades .....	\$ 500,000;
28	(d) Asbestos, Mold, Mildew and Lead Abatement—Phase 6 .....	\$ 500,000;
29	(e) Santee Cabin Renovation .....	\$ 3,000,000;
30	(f) Cheraw State Park Cabins .....	\$ 1,000,000;
31	(g) State Park Enhancements .....	\$ 16,000,000;
32	(h) Destination Specific Grants .....	\$ 15,000,000;
33	(i) Edisto Beach Renourishment .....	\$ 7,500,000;
34	(j) Regional Tourism Advertising .....	\$ 4,000,000;
35	(46) P320—Department of Commerce	
36	(a) Closing Fund .....	\$200,000,000;

1	(b) Strategic Economic Development Infrastructure .....	\$100,000,000;
2	(e) LocateSC .....	\$ 5,000,000;
3	(d) SC Technology and Aviation Center.....	\$ 9,000,000;
4	(e) South Carolina Association for Community Economic Development.....	\$ 2,000,000;
5	(f) Graduation Alliance .....	\$ 500,000;
6	(46.1) The Department of Commerce shall identify and recommend potential projects for review and comment by the Joint	
7	Bond Review Committee before any funds may be awarded or expended from the Closing Fund.	
8	(47) P400 Conservation Bank	
9	Conservation Grant Funding .....	\$ 25,000,000;
10	(48) B040 Judicial Department	
11	Court of Appeals New Courtroom and Office Space.....	\$ 1,641,410;
12	(49) C050 Administrative Law Court	
13	(a) Computer Equipment Maintenance.....	\$ 423,385;
14	(b) Renovations and Furniture .....	\$ 923,028;
15	(50) E200 Attorney General	
16	(a) Crime Victim Assistance Funding .....	\$ 10,000,000;
17	(b) Dennis Building Infrastructure Upgrades.....	\$ 15,000,000;
18	(c) SC Child ID Program .....	\$ 2,000,000;
19	(d) Savannah River Litigation (Proviso 59.6).....	\$ 1,000,000;
20	(51) E210 Prosecution Coordination Commission	
21	(a) Agency Technology Equipment and Software.....	\$ 406,000;
22	(b) General Tort Liability Increase .....	\$ 33,214;
23	(c) Solicitor Technology Equipment and Software.....	\$ 9,600,000;
24	(52) D100 State Law Enforcement Division	
25	(a) Agency Personnel and Equipment.....	\$ 2,357,200;
26	(b) Vehicle Rotation.....	\$ 1,000,000;
27	(c) Animal Fighting Enforcement.....	\$ 72,600;
28	(d) Forensics Breath Testing Units .....	\$ 2,562,500;
29	(e) Bell Helicopter .....	\$ 15,000,000;
30	(f) Pee Dee Regional Office .....	\$ 4,000,000;
31	(53) K050 Department of Public Safety	
32	(a) Governor's Law Enforcement Award.....	\$ 30,000;
33	(b) Vehicle Rotation.....	\$ 3,000,000;
34	(c) Local Body Camera and Vests Grants Programs .....	\$ 20,000,000;
35	(54) N200 Law Enforcement Training Council (Criminal Justice Academy)	
36	(a) Dormitory Restrooms Renovation.....	\$ 1,240,553;



1	(b) Center for Excellence in Policing and Public Safety.....	\$ 10,000,000;
2	(55) N040 Department of Corrections	
3	(a) Expansion Of K 9 Unit At Level III Lee Correctional Institution .....	\$ 352,500;
4	(b) CDL Training School Modification .....	\$ 192,000;
5	(c) Critical Deferred Maintenance Projects .....	\$ 10,000,000;
6	(d) Insurance Reserve Fund .....	\$ 5,984,009;
7	(e) Agency Critical Equipment Replacement .....	\$ 37,013,067;
8	(f) Goodman Classroom & Mental Health Services Modular Buildings .....	\$ 1,350,000;
9	(g) Command Center Security Operations & Weapons Upgrade/Replacement .....	\$ 263,710;
10	(h) Electronic Monitoring Program.....	\$ 500,000;
11	(56) N080 Department of Probation, Parole & Pardon Services	
12	(a) Information Technology Computer Network Refresh.....	\$ 1,236,051;
13	(b) Agency Equipment.....	\$ 3,910,683;
14	(c) Live Scan.....	\$ 998,921;
15	(d) Electronic Monitoring Program.....	\$ 500,000;
16	(57) N120 Department of Juvenile Justice	
17	(a) Severely Mentally Ill (SMI) Youth Facility .....	\$ 20,000,000;
18	(b) Facilities Management Maintenance and Security Upgrades .....	\$ 8,000,000;
19	(c) Virtual Visitation Kiosk and Implementation .....	\$ 1,500,000;
20	(d) Electronic Monitoring Program.....	\$ 500,000;
21	(58) L360 Human Affairs Commission	
22	(a) Security Cameras.....	\$ 60,000;
23	(b) Public Information IT.....	\$ 70,000;
24	(c) Cisco Switches Replacement.....	\$ 9,000;
25	(59) L460 Commission for Minority Affairs	
26	Technology Infrastructure Upgrades.....	\$ 250,000;
27	(60) R080 Workers Compensation Commission	
28	IT Legacy System Modernization Project.....	\$ 5,000,000;
29	(60.1) The Workers' Compensation Commission shall consult with the Department of Administration to ensure any	
30	expenditures on claims system upgrades, updates, or enhancements align with agency needs and the technology Statewide Strategic	
31	Information Technology Plan. The Workers' Compensation Commission shall report the outcome of their consultation to the Joint	
32	Bond Review Committee for review and comment prior to the expenditure of these funds.	
33	(61) R360 Department of Labor, Licensing, & Regulation	
34	(a) State Fire Marshal USAR Funding.....	\$ 5,000,000;
35	(b) Agency Technology Upgrades .....	\$ 2,000,000;
36	(c) EMT Training.....	\$ 850,000;

1	(d) Emergency Response Task Force Regional Team Equipment.....	\$ 5,000,000;
2	(e) Emergency Response Task Force USAR SC Task Force 1 Equipment.....	\$ 12,000,000;
3	(f) USAR Building Renovation.....	\$ 2,750,000;
4	(g) USAR Headquarters and Emergency Operations Centers .....	\$ 3,000,000;
5	(62) R400 Department of Motor Vehicles	
6	(a) CDL Testing Site Expansion.....	\$ 3,201,370;
7	(b) Established Motor Carrier Service State Program.....	\$ 1,092,000;
8	(63) R600 Department of Employment & Workforce	
9	Be Pro Be Proud.....	\$ 642,500;
10	(64) U120 Department of Transportation	
11	Rural Interstate Funding.....	\$133,636,230;
12	(65) U200 County Transportation Funds	
13	CTC Acceleration Fund .....	\$250,000,000;
14	(66) U300 Division of Aeronautics	
15	Statewide Airport Growth Response.....	\$ 53,000,000;
16	(66.1) From the funds appropriated for Statewide Airport Growth Response, twenty percent shall be made available to fund	
17	airport(s) in counties that do not currently have a public airport.	
18	(67) Y140 State Ports Authority	
19	Naval Base Intermodal Facility and Container Barge Infrastructure .....	\$350,000,000;
20	(68) A170 Legislative Services	
21	Enterprise Software Systems.....	\$ 8,500,000;
22	(69) D500 Department of Administration	
23	(a) Facilities Management Maintenance Projects.....	\$ 10,000,000;
24	(b) Digital Government Transformation.....	\$ 6,500,000;
25	(c) Palmetto Statewide Radio System .....	\$ 2,000,000;
26	(70) D500 Department of Administration Savannah River Site Litigation	
27	(a) North Augusta/Aiken County New Savannah Bluff Lock and Dam Redevelopment .....	\$ 20,000,000;
28	(b) USC Aiken National Guard Dreamport Facility (coordination with US Cyber Command)...	\$ 10,000,000;
29	(c) Aiken County Improvements to Sage Mill Industrial Park to include water and	
30	sewer upgrades .....	\$ 5,000,000;
31	(d) Aiken County Industrial Park Project in eastern Aiken County (land and infrastructure)....	\$ 10,000,000;
32	(e) Aiken County Off site Infrastructure Improvements for SRS/National Lab, including the	
33	Aiken Technology /Innovation Corridor.....	\$ 20,000,000;
34	(f) Aiken County Water line along Highway 39 from Wagener to Monetta with two	
35	elevated storage tanks and three pump stations.....	\$ 4,000,000;
36	(g) North Augusta Cyber Initiative infrastructure investment to complement Fort Gordon	

1	Army Cyber Command and Georgia Cyber Command .....	\$ 15,000,000;
2	(h) North Augusta Regional Solid Waste Transfer Station .....	\$ 2,000,000;
3	(i) City of Aiken/Aiken County Redevelopment and Economic Development in Downtown	
4	and Aiken's Northside Toward I 20 .....	\$ 25,000,000;
5	(j) Aiken County Highway 19 Corridor Business/Economic Development Improvements	
6	(New Ellenton) and Downtown Water/Sewer Infrastructure (Wagener, Jackson,	
7	Burnettetown, and Salley) .....	\$ 6,000,000;
8	(k) Aiken Technical College Nursing School Facility .....	\$ 11,500,000;
9	(l) Aiken Technical College Welding Lab .....	\$ 1,500,000;
10	(m) Aiken County Public School District New Career and Technology Center and	
11	district-wide technology upgrades .....	\$ 30,000,000;
12	(n) Aiken Rural Health Services Building .....	\$ 6,000,000;
13	(o) Aiken County United Way Building /Infrastructure .....	\$ 250,000;
14	(p) Children's Place Incorporated/Multi County Therapeutic Child Care Infrastructure .....	\$ 500,000;
15	(q) Aiken Generational Park .....	\$ 1,200,000;
16	(r) Aiken Railroad Facilities Renovation and Completion .....	\$ 900,000;
17	(s) Construction of Consolidated High School and Career Center and K-8 School for	
18	Williston and Blackville .....	\$105,000,000;
19	(t) Barnwell Multipurpose Building .....	\$ 2,000,000;
20	(u) Blackville Multipurpose Space .....	\$ 2,000,000;
21	(v) Williston City Park Multipurpose Building .....	\$ 1,000,000;
22	(w) Allendale School District Capital Improvements to Allendale High School and other	
23	district buildings .....	\$ 15,000,000;
24	(x) Allendale County Renovate C.V. Bing High School to Consolidate Law Enforcement	
25	and Other Town and County Facilities .....	\$ 4,500,000;
26	(y) Allendale County Purchase, Permitting, and Development of Potential Industrial	
27	Property Site .....	\$ 5,000,000;
28	(z) Allendale County Law Enforcement Agency Consolidation and Upgrades .....	\$ 2,500,000;
29	(aa) Bamberg County Cross Rhodes Industrial Park Speculative Building .....	\$ 4,000,000;
30	(bb) Bamberg County Consolidated Schools Schools Facilities Bond Reduction .....	\$ 5,000,000;
31	(cc) Colleton County New speculative industrial shell building and engineering of the primary	
32	road into the Colleton Mega Site .....	\$ 1,387,932;
33	(dd) Piedmont Technical College Center for Advanced Manufacturing .....	\$ 10,000,000;
34	(ee) Edgefield County Law Enforcement Center .....	\$ 18,000,000;
35	(ff) Edgefield County School District Workforce Development Training and Equipment .....	\$ 500,000;
36	(gg) Fox Creek High School Athletic Complex .....	\$ 500,000;

1	(hh) Bettis Academy Preparatory School Renovation and Construction .....	\$ 1,200,000;
2	(ii) Hampton County Purchase property adjacent to Southern Carolina Industrial Park .....	\$ 3,137,931;
3	(jj) Batesburg Leesville Industrial Park Site Preparation for Parcel #1 .....	\$ 1,250,000;
4	(kk) Saxe Gotha Industrial Park Site Preparation for Parcel #9 .....	\$ 2,500,000;
5	(ll) Chapin Business and Technology Park at Brighton Site Preparation for Parcel #10 .....	\$ 1,250,000;
6	(mm) Saxe Gotha Industrial Park Phase III Roadway and Water Expansion .....	\$ 4,800,000;
7	(nn) Batesburg Leesville Industrial Park Construction of Speculative Building on Parcel #1 .....	\$ 2,100,000;
8	(oo) Orangeburg County Western End Industrial Speculative Building .....	\$ 4,000,000;
9	(pp) Orangeburg County Property Acquisition .....	\$ 500,000;
10	(qq) Orangeburg County Holly Hill Services Center Renovation .....	\$ 1,000,000;
11	(rr) Orangeburg County Hidden Valley Road/Essex Road Sewer .....	\$ 655,172;
12	<del>(70.1) Counties in which projects identified in item (72) are located must submit a written request for funds appropriated in</del>	
13	<del>the county to the Executive Budget Office. Funds in this item may be released to fund an eligible project at the direction of the</del>	
14	<del>Executive Budget Office, upon the Executive Budget Office's receipt of a written request from the receiving county. Prior to</del>	
15	<del>disbursal, the Executive Budget Office shall report each request for disbursement to the Joint Bond Review Committee and the</del>	
16	<del>legislative delegation representing the county.</del>	
17	<del>(71) E160 State Treasurer</del>	
18	<del>(a) Disaster Trust Fund .....</del>	<del>\$ 10,000,000;</del>
19	<del>(b) Digital Currency Literacy .....</del>	<del>\$ 500,000;</del>
20	<del>(72) E240 Adjutant General</del>	
21	<del>(a) Armory Revitalization Funding .....</del>	<del>\$ 2,500,000;</del>
22	<del>(b) IT Network Migration License Fees .....</del>	<del>\$ 195,000;</del>
23	<del>(c) Olympia Armory Renovation .....</del>	<del>\$ 3,040,450;</del>
24	<del>(d) SCEMD Building Repairs .....</del>	<del>\$ 221,000;</del>
25	<del>(e) SCEMD Phased Replacement of HVAC Units (Phase 3 of 3) .....</del>	<del>\$ 172,000;</del>
26	<del>(f) AmeriCorps State Match .....</del>	<del>\$ 338,000;</del>
27	<del>(73) E260 Department of Veterans' Affairs</del>	
28	<del>(a) Military Affairs Expansion .....</del>	<del>\$ 8,000;</del>
29	<del>(b) Mobile Service Capability .....</del>	<del>\$ 1,283,380;</del>
30	<del>(c) Veteran Transition Homes .....</del>	<del>\$ 10,000,000;</del>
31	<del>(d) Military Enhancement Fund .....</del>	<del>\$ 10,000,000;</del>
32	<del>(74) R520 State Ethics Commission</del>	
33	<del>Investigator IV .....</del>	<del>\$ 28,150;</del>
34	<del>(75) X220 Aid to Subdivisions State Treasurer</del>	
35	<del>Council of Governments Supplement Increase .....</del>	<del>\$ 1,000,000;</del>
36	<del>(76) H630 State Department of Education</del>	

1	(a) Anderson 3 Consolidation Relocation.....	\$ 500,000;
2	(b) Battery Creek Elementary Roof Repair.....	\$ 1,310,000;
3	(c) Gallman Elementary School and Community Center Renovations and Repair.....	\$ 500,000;
4	(d) Fairfield County Summer Nutrition Program.....	\$ 6,000;
5	(e) Camp David Summer Academic Enrichment .....	\$ 50,000;
6	(f) Renovations of St. James Learning Center in Marion.....	\$ 500,000;
7	(g) Artificial Intelligence Pilot Autoengineering Pathway.....	\$ 500,000;
8	(h) Christian Learning Center of Greenville County .....	\$ 1,500,000;
9	(i) Palmetto Palace .....	\$ 250,000;
10	(j) Palmetto Project .....	\$ 250,000;
11	(k) Turbeville Library .....	\$ 750,000;
12	(l) John McKissick Field Upgrades.....	\$ 500,000;
13	(m) Boys State.....	\$ 25,000;
14	(n) Girls State.....	\$ 25,000;
15	(77) H030 Commission on Higher Education	
16	University Center.....	\$ 885,000;
17	(78) H790 Department of Archives & History	
18	(a) City of Gaffney Revolutionary War Discovery Center Federal Match .....	\$ 1,500,000;
19	(b) Laurens County Historic Courthouse Renovation .....	\$ 1,000,000;
20	(c) Cherokee Historical Preservation Society .....	\$ 400,000;
21	(d) Revolutionary War Discovery Center .....	\$ 1,000,000;
22	(e) Ninety Six Historical Society .....	\$ 12,000;
23	(f) Pickens County Historical Society .....	\$ 50,000;
24	(g) Barber House Historical Tourism .....	\$ 50,000;
25	(h) SC Historical Society .....	\$ 1,500,000;
26	(i) Lincoln Preservation Society.....	\$ 450,000;
27	(79) H910 Arts Commission	
28	(a) Hartsville Center Theater .....	\$ 500,000;
29	(b) Theatre of the Republic .....	\$ 97,900;
30	(c) Gibbes Museum of Art.....	\$ 1,300,000;
31	(d) Southside Cultural Monument.....	\$ 300,000;
32	(e) Camden Colonial Arts.....	\$ 300,000;
33	(80) J020 Department of Health & Human Services	
34	(a) Pregnancy Crisis Centers.....	\$ 2,400,000;
35	(b) Camp Happy Days.....	\$ 150,000;
36	(c) Beyond BASIC Lifeskills Intellectual Disability Assistance.....	\$ 100,000;

1	(d) Palmetto Foundation for Prevention and Recovery – Youth Intervention Program .....	\$ 250,000;
2	(e) Seahaven Home for Youth .....	\$ 50,000;
3	(f) Antioch Senior Center .....	\$ 300,000;
4	(g) James R. Clark Memorial Sickle Cell Foundation .....	\$ 300,000;
5	(h) Fresh Start Transitional Project .....	\$ 75,000;
6	(i) Pleasant Valley Connection .....	\$ 25,000;
7	(j) Reedy Fork Center .....	\$ 100,000;
8	(k) Emma Wright Fuller Foundation (Fuller Normal Institute) .....	\$ 250,000;
9	(l) St. Clare Maternity Home .....	\$ 200,000;
10	(m) Digital Literacy Project .....	\$ 500,000;
11	(n) FoodShare SC .....	\$ 200,000;
12	(o) Colorectal Cancer Prevention Network .....	\$ 250,000;
13	(p) Sight Savers Child Vision Screening .....	\$ 250,000;
14	(q) SC Cancer Alliance .....	\$ 500,000;
15	(r) Forrester Behavioral Health .....	\$ 2,000,000;
16	(s) Genesis Health Care, Inc. ....	\$ 1,500,000;
17	(t) Palmetto Mens Center – Hope Health .....	\$ 1,000,000;
18	(u) Women in Unity .....	\$ 300,000;
19	(v) The Hive Community Organization .....	\$ 150,000;
20	(w) Helping Hands .....	\$ 250,000;
21	(x) Nicholtown Child and Family Collaborative .....	\$ 25,000;
22	(y) Med Ex Academy .....	\$ 100,000;
23	(z) Barksdale Foundation Sickle Cell Unit .....	\$ 500,000;
24	(aa) SC Cervical Cancer Awareness Initiative .....	\$ 100,000;
25	(bb) Pregnancy Center and Clinic of the Low Country .....	\$ 50,000;
26	(cc) Shoreline Behavioral Health .....	\$ 1,000,000;
27	(dd) Abbeville Co. DSS/DHHS .....	\$ 100,000;
28	(ee) Mobile Medical Units .....	\$ 190,000;
29	(ff) Community Health Workers Association .....	\$ 1,000,000;
30	(gg) Dianne's Call .....	\$ 150,000;
31	(hh) Brain Injury Association .....	\$ 374,500;
32	(ii) Community Medicine Foundation .....	\$ 500,000;
33	(jj) Upstate Family Resource Center .....	\$ 900,000;
34	(kk) Connie Maxwell Children's Ministries Healing Center .....	\$ 250,000;
35	(ll) Moncks Corner Mental Health .....	\$ 250,000;
36	(mm) Pathways Community Center Fire Suppression .....	\$ 500,000;

1	(nn) Hope Center.....	\$ 50,000;
2	(oo) The Medi.....	\$ 50,000;
3	(pp) Project NOLA.....	\$ 250,000;
4	(qq) Medical Ministries.....	\$ 500,000;
5	(rr) Marion County Long Term Recovery Group.....	\$ 100,000;
6	(81) J040 Department of Health & Environmental Control	
7	(a) Aynor Stormwater Project.....	\$ 650,000;
8	(b) Harleyville Sewer Projects.....	\$ 350,000;
9	(c) Ridgeway Water Tower Maintenance.....	\$ 100,000;
10	(d) Impact fees for water/sewer construction.....	\$ 500,000;
11	(e) Orangeburg DPU Water Study.....	\$ 10,000;
12	(f) York County York Upper and Lower Reservoir Dam Remediation.....	\$ 200,000;
13	(g) York County Elevated Storage Tank.....	\$ 400,000;
14	(h) York Water Filtration Plant Environmental Remediation.....	\$ 700,000;
15	(i) York County Fishing Creek Waste Water Treatment Plant Upgrades.....	\$ 1,500,000;
16	(j) York County Water Line Replacement.....	\$ 1,500,000;
17	(k) Catawba Wateree Water Supply Master Plan.....	\$ 500,000;
18	(l) Chester Wastewater Connection to Rock Hill.....	\$ 10,000,000;
19	(m) Windemere Basin Study and Outfall Maintenance.....	\$ 1,500,000;
20	(n) Sumter County Utility System Upgrades.....	\$ 3,700,000;
21	(o) James Island Watershed Restoration - Pollution Mitigation.....	\$ 1,000,000;
22	(p) Nursing Program Expansion and Retention.....	\$ 2,000,000;
23	(q) Wachesaw Outfall Project.....	\$ 1,200,000;
24	(r) Ocean Outfalls - Myrtle Beach.....	\$ 30,000,000;
25	(s) Ocean Outfalls - North Myrtle Beach.....	\$ 10,000,000;
26	(t) Town of Honea Path - Chiquola Mills Site Remediation.....	\$ 1,000,000;
27	(u) Clarendon County Abandonment of Wells.....	\$ 82,500;
28	(v) SCBio.....	\$ 200,000;
29	(w) EMS Association Recruitment and Retention.....	\$ 1,600,000;
30	(x) PFAS Remediation.....	\$ 10,000,000;
31	(y) New Morning Foundation.....	\$ 1,875,000;
32	(z) Conestee Dam Emergency Mitigation.....	\$ 3,000,000;
33	(82) J120 Department of Mental Health	
34	Pickens County Behavioral Health Services.....	\$ 2,000,000;
35	(83) J160 Department of Disabilities & Special Needs	
36	(a) Unumb Center - Disabled Residential and Occupational Center.....	\$ 5,000,000;

1	(b) Special Olympics.....	\$ 250,000;
2	(e) Best Buddies.....	\$ 300,000;
3	(84) J200 Department of Alcohol & Other Drug Abuse Services	
4	(a) Trinity Health Behavioral Care Dillon County Facility.....	\$ 500,000;
5	(b) Trinity Behavioral Care Marlboro County Facility.....	\$ 1,500,000;
6	(c) Clarendon Behavioral Health Services.....	\$ 1,444,980;
7	(d) Alpha Center (Chesterfield 301).....	\$ 1,750,000;
8	(85) L040 Department of Social Services	
9	(a) The Courage Center.....	\$ 301,461;
10	(b) Real Champions Pilot Project.....	\$ 500,000;
11	(c) Richland County DSS.....	\$ 300,000;
12	(d) Florence Crittenton Home.....	\$ 500,000;
13	(86) L060 Department on Aging	
14	(a) Oconee County Matching Funds for Senior Center.....	\$ 7,000,000;
15	(b) Lee County Council on Aging - Bishopville Senior Center Renovations.....	\$ 150,000;
16	(c) Murdaugh Center Project - Federal Match.....	\$ 400,000;
17	(d) Lee County Council on Aging.....	\$ 50,000;
18	(e) Orangeburg Senior Center.....	\$ 1,000,000;
19	(f) Darlington Council on Aging.....	\$ 250,000;
20	(87) L080 Department of Children's Advocacy	
21	(a) Lowcountry Orphan Relief Midlands Expansion.....	\$ 75,000;
22	(b) Dickerson Children's Advocacy Center.....	\$ 200,000;
23	(88) L320 Housing Finance & Development	
24	Authority Statewide Housing Needs Assessment Darla Moore School of Business.....	\$ 100,000;
25	(89) P160 Department of Agriculture	
26	(a) York County 4H Arena.....	\$ 500,000;
27	(b) Statewide Agriculture Museum.....	\$ 100,000;
28	(c) Foothills Agriculture Center Projects.....	\$ 650,000;
29	(d) South Carolina Ag in the Classroom.....	\$ 750,000;
30	(90) P200 Clemson PSA	
31	Economic Development - Cultural Welcome Center.....	\$ 7,000,000;
32	(91) P280 Department of Parks, Recreation & Tourism	
33	(a) Hunting Island.....	\$ 250,000;
34	(b) Hunting Island Lighthouse Stair Repair.....	\$ 1,000,000;
35	(c) Palmetto Trail.....	\$ 2,000,000;
36	(d) Foothills Trail Maintenance.....	\$ 100,000;



1	(e) African American Tourism Institute .....	\$ 25,000;
2	(f) Summerville Miracle League ADA Compliant Field .....	\$ 180,000;
3	(g) Town of Summerville Maple Street Extension Pedestrian Safety Improvements .....	\$ 1,000,000;
4	(h) Historic Penn Center Restoration .....	\$ 900,000;
5	(i) City of York City Park Phase II .....	\$ 100,000;
6	(j) City of Campobello Community Center Project .....	\$ 200,000;
7	(k) Slater Hall .....	\$ 50,000;
8	(l) City of Newberry Downtown Beautification .....	\$ 75,000;
9	(m) Historic Mitchelville Site Preservation and Development .....	\$ 1,200,000;
10	(n) Fairfield County Recreation Center .....	\$ 35,000;
11	(o) Abbeville County Small Town Historical and Recreation .....	\$ 30,000;
12	(p) Anderson County Small Town Historical and Recreation .....	\$ 50,000;
13	(q) City of Calhoun Falls Recreational Facility .....	\$ 44,000;
14	(r) City of Calhoun Falls Baseball Field Update .....	\$ 15,500;
15	(s) McCormick County Nuisance Buildings/Properties .....	\$ 300,000;
16	(t) Town of Lowndesville .....	\$ 5,000;
17	(u) Greenwood Recreation .....	\$ 10,000;
18	(v) City of Saluda .....	\$ 5,000;
19	(w) City of Ninety Six .....	\$ 5,000;
20	(x) Town of Hodges .....	\$ 5,000;
21	(y) Town of Ware Shoals .....	\$ 5,000;
22	(z) Town of Troy .....	\$ 5,000;
23	(aa) Town of McCormick .....	\$ 5,000;
24	(bb) Cherry Grove FFA Camp .....	\$ 50,000;
25	(cc) Tourism Congestion Improvements Hwy 90 .....	\$ 900,000;
26	(dd) City of Orangeburg Civil Rights Museum .....	\$ 250,000;
27	(ee) Orangeburg County Lake Edisto Park Boardwalk .....	\$ 500,000;
28	(ff) Orangeburg County Homeless Shelter Renovations .....	\$ 450,000;
29	(gg) Lower Richland Diamond Festival .....	\$ 30,000;
30	(hh) Statewide African American History Tourism and Marketing .....	\$ 2,000,000;
31	(ii) Anson Burial Memorial Fund .....	\$ 100,000;
32	(jj) Butler Heritage Foundation Economic Development/Community Investment .....	\$ 500,000;
33	(kk) City of Bishopville Recreation Facilities .....	\$ 400,000;
34	(ll) Lake Paul Wallace Maintenance and Revitalization .....	\$ 500,000;
35	(mm) Enoree Community Revitalization .....	\$ 100,000;
36	(nn) Hunters for the Hungry .....	\$ 100,000;

1	(oo) Colleton County Green Pond Community Center .....	\$ 324,000;
2	(pp) Swan Lake Iris Gardens/Shotpouch Greenway .....	\$ 350,000;
3	(qq) Town of Arcadia Lakes Beautification .....	\$ 500,000;
4	(rr) City of Conway Wetland Park Boardwalk Trails and Gardens .....	\$ 250,000;
5	(ss) City of Conway Riverwalk Connection to Kingston Lake .....	\$ 750,000;
6	(tt) Greeleyville Pavilion .....	\$ 15,000;
7	(uu) West Columbia Riverfront Repair and Expansion .....	\$ 5,000,000;
8	(vv) Riverbanks Zoo and Gardens .....	\$ 1,000,000;
9	(ww) Rosenwald School .....	\$ 500,000;
10	(xx) Morris Island Lighthouse Interior Repairs .....	\$ 400,000;
11	(yy) American Landmark Middleton Place Foundation - Infrastructure Repairs .....	\$ 75,000;
12	(zz) Dorchester Heritage Museum - Capital Fund Drive .....	\$ 75,000;
13	(aaa) American Legion Post 170 .....	\$ 43,000;
14	(bbb) PGA Championship.....	\$ 5,000,000;
15	(ccc) Saluda Grade Rail Trail.....	\$ 5,000,000;
16	(ddd) Lancaster County Recreational Facility .....	\$ 750,000;
17	(eee) Friends of Harbison State Forest.....	\$ 250,000;
18	(fff) Finlay Park .....	\$ 1,000,000;
19	(ggg) Holocaust Council .....	\$ 1,000,000;
20	(hhh) Anne Frank Center .....	\$ 2,000,000;
21	(iii) Fort Howell Park Renovations .....	\$ 45,000;
22	(jjj) Outside Hilton Head Foundation.....	\$ 125,000;
23	(kkk) Swamp Rabbit Trail.....	\$ 500,000;
24	(lll) Isle of Palms Harbor Dredging.....	\$ 1,500,000;
25	(mmm) Medal of Honor Leadership and Education Foundation.....	\$ 4,000,000;
26	(nnn) Green Crescent Trail Phase II of II.....	\$ 800,000;
27	(ooo) Socastee Park.....	\$ 5,000,000;
28	(ppp) Manchester Trailways .....	\$ 25,000;
29	(qqq) Kings Mountain State Park.....	\$ 250,000;
30	(rrr) Carolina Cup.....	\$ 500,000;
31	(sss) Greenville Zoo.....	\$ 1,000,000;
32	(ttt) Spanish Moss Trail Pedestrian Crossing .....	\$ 200,000;
33	(uuu) Lexington Greenway Extension .....	\$ 8,000,000;
34	(vvv) Surfside Pier .....	\$ 1,000,000;
35	(www) Magnolia Building Renovation .....	\$ 800,000;
36	(xxx) Bobby Richardson Park.....	\$ 1,750,000;

1	(yyy) Sumter County Trailhead and Pedestrian Access.....	\$ 3,000,000;
2	(zzz) Patriot Hall Renovation.....	\$ 4,600,000;
3	(aaaa) Patriot Park Expansion/Miracle Park.....	\$ 5,000,000;
4	(bbbb) Giving Hope Gardens.....	\$ 200,000;
5	(cccc) Criterion Club of Dillon.....	\$ 125,000;
6	(dddd) Town of Lake View Hilltop Park.....	\$ 145,000;
7	(eeee) City of Dillon Golf Course Maintenance Needs.....	\$ 1,100,000;
8	(ffff) Main Street Dillon SC Streetscape.....	\$ 1,250,000;
9	(gggg) Coulter Academy.....	\$ 500,000;
10	(hhhh) Old Marlboro Community Center - King Street.....	\$ 750,000;
11	(iii) Marlboro County Recreation Facilities.....	\$ 2,000,000;
12	(jjj) Heyward House.....	\$ 500,000;
13	(kkkk) MI Bike Path.....	\$ 325,000;
14	(lll) Revolutionary Park.....	\$ 30,000;
15	(mmmm) City of Liberty Rec Center.....	\$ 50,000;
16	(nnn) Pickens County YMCA.....	\$ 1,000,000;
17	(oooo) SC Athletic Coaches Association - North vs. South All Star Game.....	\$ 100,000;
18	(pppp) North Augusta Miracle Field.....	\$ 500,000;
19	(qqqq) Springfield Multipurpose Community & Rec Center.....	\$ 1,800,000;
20	(rrr) CR Neal Center.....	\$ 300,000;
21	(ssss) Trinity Education Community and Conference Center.....	\$ 300,000;
22	(ttt) St. Michael's Historic Slave Cemetery.....	\$ 40,000;
23	(uuuu) Wassamassaw Recreational Park.....	\$ 20,000;
24	(vvvv) Pineville/Eadytown Community Park.....	\$ 30,000;
25	(www) Cross Community Center.....	\$ 30,000;
26	(xxxx) YMCA Cane Bay.....	\$ 50,000;
27	(yyyy) Antioch Multi Purpose Building.....	\$ 200,000;
28	(zzzz) Dorchester Heritage Center.....	\$ 500,000;
29	(aaaaa) Manning Church Street Park Development.....	\$ 699,500;
30	(bbbbb) St. Luke Community Basketball Court Reno - Florence County.....	\$ 25,000;
31	(ceeee) Youth Center Renovations.....	\$ 250,000;
32	(ddddd) Ridgeway Splashpad.....	\$ 50,000;
33	(eeeee) Sandy Run Walking Trail - Calhoun County.....	\$ 100,000;
34	(fffff) Orangeburg Whitaker Park Upgrades.....	\$ 350,000;
35	(ggggg) Calhoun County Recreational Facility Upgrades and Marketing.....	\$ 500,000;
36	(hhhhh) Penn Center - St. Helena Island.....	\$ 1,027,800;

1	(iiii) Township Auditorium.....	\$ 100,000;
2	(jjjj) Elmwood Park Cemetery.....	\$ 100,000;
3	(kkkkk) YMCA of Columbia.....	\$ 150,000;
4	(llll) State Museum.....	\$ 350,000;
5	(mmmmm) Columbia Urban League.....	\$ 500,000;
6	(nnnn) City of Columbia Greenway.....	\$ 1,500,000;
7	(oooo) Williams Street Gateway Infrastructure Project.....	\$ 9,000,000;
8	(ppppp) International African American Museum.....	\$ 1,000,000;
9	(qqqqq) Seneca Event Center.....	\$ 10,000,000;
10	(rrrr) Lake Warren State Park.....	\$ 1,000,000;
11	(sssss) Darlington Raceway.....	\$ 500,000;
12	(tttt) Arts Center at Fountain Park.....	\$ 1,000,000;
13	(uuuuu) Southeastern Wildlife Expo.....	\$ 300,000;
14	(vvvvv) Charleston Wine & Food Festival.....	\$ 300,000;
15	(wwwww) Spoleto Festival.....	\$ 500,000;
16	(xxxxx) Explore Black Charleston/Columbia.....	\$ 100,000;
17	(yyyyy) Riverbanks Zoo.....	\$ 1,000,000;
18	(zzzzz) SC Aquarium.....	\$ 8,000,000;
19	(aaaaaa) Angel Oak Park & Preserve.....	\$ 3,000,000;
20	(bbbbbb) Dolly Cooper Park.....	\$ 500,000;
21	(ceeeee) Festival on the Avenue.....	\$ 100,000;
22	(ddddd) West End Neighborhood Park.....	\$ 1,050,000;
23	(eeeee) City of Sumter N. Main Corridor Improvement.....	\$ 1,100,000;
24	(fffff) South Sumter Park.....	\$ 2,500,000;
25	(ggggg) Lee State Park.....	\$ 75,000;
26	(hhhhh) Goodale State Park.....	\$ 175,000;
27	(iiii) Anderson YMCA.....	\$ 300,000;
28	(jjjjj) Fountain Inn Main Street Enhancements.....	\$ 1,000,000;
29	(kkkkkk) Jones Mill Historic Site and Park.....	\$ 1,600,000;
30	(llll) Sanctified Hill Park.....	\$ 2,500,000;
31	(mmmmm) Lexington County Conference Center.....	\$ 5,000,000;
32	(nnnnn) Film Incentives.....	\$ 7,000,000;
33	(ooooo) Rembert Black Cowboy Festival.....	\$ 25,000;
34	(92) P320 Department of Commerce	
35	(a) Spartanburg Downtown Development Infrastructure.....	\$ 12,000,000;
36	(b) Charleston Digital Corridor.....	\$ 400,000;

1	(e) <del>Stoney Neighborhood Community Development Corporation</del> .....	<del>\$ 5,000,000;</del>
2	(d) <del>City of Columbia Railroad Project</del> .....	<del>\$ 20,000,000;</del>
3	(e) <del>Greater South Farrow Road Community Development Foundation</del> .....	<del>\$ 100,000;</del>
4	(f) <del>SC Business Advancement Center</del> .....	<del>\$ 600,000;</del>
5	(g) <del>Florence County Industrial Park East</del> .....	<del>\$ 3,400,000;</del>
6	(h) <del>Seranton Industrial Park</del> .....	<del>\$ 1,100,000;</del>
7	(i) <del>Florence County Industrial Park West</del> .....	<del>\$ 4,275,000;</del>
8	(j) <del>Greenbrier Resources Community Development Center</del> .....	<del>\$ 50,000;</del>
9	(k) <del>Town of Lamar Economic Development</del> .....	<del>\$ 150,000;</del>
10	(l) <del>SC Rural Community and Workforce Development</del> .....	<del>\$ 211,000;</del>
11	(m) <del>Palmetto Goodwill</del> .....	<del>\$ 500,000;</del>
12	(93) <del>K050 Department of Public Safety</del>	
13	(a) <del>Marion County Sheriff's Office</del> .....	<del>\$ 300,000;</del>
14	(b) <del>Bamberg County Law Enforcement</del> .....	<del>\$ 250,000;</del>
15	(c) <del>Mental Health for Incarcerated Individuals Pilot Program</del> .....	<del>\$ 373,000;</del>
16	(d) <del>Abbeville County Detention Center</del> .....	<del>\$ 225,000;</del>
17	(e) <del>Abbeville Sheriff's Office</del> .....	<del>\$ 279,657;</del>
18	(f) <del>Turn 90</del> .....	<del>\$ 667,000;</del>
19	(g) <del>City of Sumter Emergency Services</del> .....	<del>\$ 1,700,000;</del>
20	(h) <del>Spartanburg Police Department</del> .....	<del>\$ 490,000;</del>
21	(i) <del>Bluffton Police Department</del> .....	<del>\$ 100,000;</del>
22	(j) <del>Beaufort County Crime Lab</del> .....	<del>\$ 400,000;</del>
23	(k) <del>SC Feral Hog Eradication Partnership</del> .....	<del>\$ 750,000;</del>
24	(l) <del>Florence County Sheriff's Office</del> .....	<del>\$ 598,000;</del>
25	(m) <del>Lancaster County Sheriff's Office</del> .....	<del>\$ 350,000;</del>
26	(n) <del>Estill Community Center/Police Facility</del> .....	<del>\$ 350,000;</del>
27	(o) <del>Tri County Biological Lab</del> .....	<del>\$ 1,000,000;</del>
28	(p) <del>Youth Empowerment Services, Inc.</del> .....	<del>\$ 200,000;</del>
29	(q) <del>Lee Law Enforcement &amp; Coroners</del> .....	<del>\$ 250,000;</del>
30	(r) <del>Georgetown County Sheriff's Office</del> .....	<del>\$ 1,000,000;</del>
31	(94) <del>R360 Department of Labor, Licensing &amp; Regulation</del>	
32	(a) <del>Slater Marietta Fire Department</del> .....	<del>\$ 250,000;</del>
33	(b) <del>Fairfield County Fire Service Firefighter Air Packs</del> .....	<del>\$ 400,000;</del>
34	(c) <del>Town of Patrick Fire Department Equipment</del> .....	<del>\$ 250,000;</del>
35	(d) <del>City of Marion Fire Department</del> .....	<del>\$ 95,000;</del>
36	(e) <del>Lexington County Fire Service</del> .....	<del>\$ 1,000,000;</del>

1	(f) Western York County Fire Department .....	\$ 250,000;
2	(g) Fort Lawn Fire Department Gallo Winery .....	\$ 2,000,000;
3	(h) Boiling Springs Fire District .....	\$ 1,600,000;
4	(i) Piedmont Fire Department .....	\$ 200,000;
5	(j) V SAFE .....	\$ 3,000,000;
6	(k) Anderson County Fire Service .....	\$ 150,000;
7	(95) U120 Department of Transportation	
8	(a) City of York Lincoln Road Sidewalk Installation .....	\$ 400,000;
9	(b) Hampton County Exit 38 Public Safety Upgrades .....	\$ 200,000;
10	(c) City of Easley Congestion Mitigation .....	\$ 500,000;
11	(d) Left Lane Drivers Signage .....	\$ 50,000;
12	(96) U300 Division of Aeronautics	
13	Hilton Head Island Airport Expansion .....	\$ 12,000,000;
14	(97) Y140 State Ports Authority	
15	Port Royal Sound .....	\$ 100,000;
16	(98) E260 Department of Veterans' Affairs	
17	Military Museum .....	\$ 8,000,000;
18	(99) N120 Department of Juvenile Justice	
19	PACE Center for Girls .....	\$ 500,000;
20	(100) X220 Aid to Subdivisions State Treasurer	
21	(a) City of Florence Economic Development .....	\$ 2,750,000;
22	(b) West Main Street Strategic Growth Corridor .....	\$ 4,500,000;
23	(c) City of Marion .....	\$ 90,000;
24	(d) City of Mullins .....	\$ 75,000;
25	(e) Goose Creek Crosswalks .....	\$ 35,000;
26	(f) City of Goose Creek .....	\$ 2,500,000;
27	(g) Greater Waverly Foundation .....	\$ 200,000;
28	(h) Town of Blythewood .....	\$ 500,000;
29	(i) Aynor Town Park Improvements .....	\$ 350,000;
30	(j) St. Stephen Town Hall .....	\$ 40,000;
31	(k) Tri-City Community Center .....	\$ 50,000;
32	(l) Town Resource Center Phase II .....	\$ 50,000;
33	(m) Charleston Animal Society .....	\$ 500,000;
34	(n) Project Street Outreach .....	\$ 50,000;
35	(o) Wadmalaw Island Community Center .....	\$ 500,000;
36	(p) Calhoun County Beautification Calhoun County .....	\$ 35,000;

1	(q) <del>John Ford Community Center – Calhoun County</del> .....	<del>\$ 76,295;</del>
2	(r) <del>St. Matthews Railroad Beautification – Calhoun County</del> .....	<del>\$ 95,000;</del>
3	(s) <del>Town of Timmonsville</del> .....	<del>\$ 300,000;</del>
4	(t) <del>City of Darlington</del> .....	<del>\$ 300,000;</del>
5	(u) <del>CORESC</del> .....	<del>\$ 1,000,000;</del>
6	(v) <del>Lee County Community Wellness Center</del> .....	<del>\$ 750,000;</del>
7	(w) <del>Tri City Visionaries</del> .....	<del>\$ 150,000;</del>
8	(x) <del>Juveniles Upholding Morals and Principles of Society</del> .....	<del>\$ 50,000;</del>
9	(y) <del>Town of Winnsboro – Main Street Revitalization</del> .....	<del>\$ 500,000;</del>
10	(z) <del>North Charleston SC Youth</del> .....	<del>\$ 50,000;</del>
11	(aa) <del>Digital Access</del> .....	<del>\$ 250,000;</del>
12	(bb) <del>City of Georgetown</del> .....	<del>\$ 500,000;</del>
13	(101) <del>D500 – Department of Administration</del>	
14	(a) <del>Leadership South Carolina</del> .....	<del>\$ 250,000;</del>
15	(b) <del>Marion County Animal Shelter Infrastructure costs</del> .....	<del>\$ 500,000.</del>

16 (C) ~~Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended~~  
 17 ~~for the same purposes.~~

18 (D) ~~For purposes of item (B)(78) and all items thereafter, funds shall not be disbursed until verification that receiver's organization~~  
 19 ~~is registered as a business, nonprofit, or charitable organization with the South Carolina Secretary of State's office.~~

20 **118.18.** (SR: Excess Funds for State Health Plan) ~~In Fiscal Year 2022-23, from unallocated American Rescue Plan Act funds,~~  
 21 ~~there is hereby appropriated to the State Health Plan a sufficient amount, not to exceed \$200 million, as necessary to ensure the~~  
 22 ~~uninterrupted payment of claims, if there are not sufficient funds available from its own reserves to pay such claims.~~

23 **118.19.** (SR: Nonrecurring Revenue) (A) ~~The source of revenue appropriated in subsection (B) is nonrecurring revenue~~  
 24 ~~generated from the following sources:~~

25 ~~(1) \$1,359,588,694 from Fiscal Year 2022-23 Projected Surplus;~~

26 ~~(2) \$72,849,792 from Litigation Recovery Account; and~~

27 ~~(3) \$72,644,688 from COVID-19 Response Reserve Fund Remaining Balance (Act 135 of 2020).~~

28 ~~Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers~~  
 29 ~~shall occur no later than thirty days after the close of the books on Fiscal Year 2022-23 and shall be available for use in Fiscal Year~~  
 30 ~~2023-24.~~

31 ~~This revenue is deemed to have occurred and is available for use in Fiscal Year 2023-24 after September 1, 2023, following the~~  
 32 ~~Comptroller General's close of the state's books on Fiscal Year 2022-23.~~

33 ~~(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must~~  
 34 ~~be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded~~  
 35 ~~in the order in which it appears to the extent that revenues are available.~~

36 ~~The State Treasurer shall disburse the following appropriations by September 30, 2023, for the purposes stated:~~

1	<u>(1) F310 - General Reserve Fund</u>	
2	<u>(a) General Reserve Fund Contribution .....</u>	<u>\$139,956,882:</u>
3	<u>(b) General Reserve Fund Additional Contribution .....</u>	<u>\$108,917,014:</u>
4	<u>(2) Capital Reserve Fund.....</u>	<u>\$ 90,468,666:</u>
5	<u>(3) H630 - State Department of Education</u>	
6	<u>SCDE Agency Systems &amp; Performance Reviews .....</u>	<u>\$ 1,000,000:</u>
7	<u>(4) H710 - Wil Lou Gray Opportunity</u>	
8	<u>Renovations and Maintenance .....</u>	<u>\$ 850,000:</u>
9	<u>(5) L120 - Governor's School for Agriculture at John de la Howe</u>	
10	<u>(a) De La Howe Hall Renovation .....</u>	<u>\$ 2,100,000:</u>
11	<u>(b) Agriculture Shop.....</u>	<u>\$ 1,300,000:</u>
12	<u>(6) H670 - Educational Television Commission Regional Studio</u>	
13	<u>Transmission &amp; Interconnection Facility Upgrades (Phase I) .....</u>	<u>\$ 4,000,000:</u>
14	<u>(7) H640 - Governor's School for Arts &amp; Humanities</u>	
15	<u>(a) Dining Hall Expansion &amp; Furniture Replacement Phase 2 .....</u>	<u>\$ 512,950:</u>
16	<u>(b) Generator Upgrade .....</u>	<u>\$ 190,000:</u>
17	<u>(c) Gym Upgrade/Renovation.....</u>	<u>\$ 400,000:</u>
18	<u>(8) H650 - Governor's School for Science &amp; Mathematics</u>	
19	<u>Metal Roof Replacement .....</u>	<u>\$ 940,000:</u>
20	<u>(9) H870 - State Library</u>	
21	<u>Digitization of the SC Collection .....</u>	<u>\$ 150,000:</u>
22	<u>(10) H950 - State Museum (State Museum Commission)</u>	
23	<u>Air Purification System Upgrade for Workshop .....</u>	<u>\$ 200,000:</u>
24	<u>(11) H590 - Board for Technical and Comprehensive Education</u>	
25	<u>(a) Aiken Technical College</u>	
26	<u>Maintenance, Renovation, and Replacement .....</u>	<u>\$ 1,750,000:</u>
27	<u>(b) Denmark Technical College</u>	
28	<u>Maintenance, Renovation, and Replacement .....</u>	<u>\$ 4,400,000:</u>
29	<u>(c) Greenville Technical College</u>	
30	<u>Maintenance, Renovation, and Replacement .....</u>	<u>\$ 15,000,000:</u>
31	<u>(d) Midlands Technical College</u>	
32	<u>Maintenance, Renovation, and Replacement .....</u>	<u>\$ 12,000,000:</u>
33	<u>(e) Northeastern Technical College</u>	
34	<u>Maintenance, Renovation, and Replacement .....</u>	<u>\$ 3,000,000:</u>
35	<u>(f) Orangeburg-Calhoun Technical College</u>	
36	<u>Maintenance, Renovation, and Replacement .....</u>	<u>\$ 5,000,000:</u>



1	<u>(g) Tri-County Technical College</u>	
2	<u>Pickens Hall Renovations.....</u>	<u>\$ 5,000,000;</u>
3	<u>(h) Williamsburg Technical College</u>	
4	<u>Maintenance, Renovation, and Replacement .....</u>	<u>\$ 1,000,000;</u>
5	<u>(i) Central Carolina Technical College – Sumter County .....</u>	<u>\$ 1,305,569;</u>
6	<u>(j) Central Carolina Technical College – Kershaw County.....</u>	<u>\$ 10,000,000;</u>
7	<u>(k) Central Carolina Technical College – Lee County.....</u>	<u>\$ 2,500,000;</u>
8	<u>(l) Florence-Darlington Technical College Construction &amp; Industrial Trades Training Facility</u>	<u>\$ 10,000,000;</u>
9	<u>(m) Horry-Georgetown Tech College Marine Technology Center.....</u>	<u>\$ 6,000,000;</u>
10	<u>(n) Spartanburg Community College – Cherokee County Campus - Spark Center.....</u>	<u>\$ 12,000,000;</u>
11	<u>(o) Technical College of the Lowcountry Workforce Development.....</u>	<u>\$ 10,000,000;</u>
12	<u>(12) H730 - Vocational Rehabilitation</u>	
13	<u>Marlboro VR Center Paving.....</u>	<u>\$ 179,600;</u>
14	<u>(13) J020 - Dept of Health &amp; Human Services</u>	
15	<u>Rural Brain Health Network.....</u>	<u>\$ 10,000,000;</u>
16	<u>(14) J040 - Department of Health &amp; Environmental Control</u>	
17	<u>Dam Safety Emergency Fund.....</u>	<u>\$ 47,500,000;</u>
18	<u>(15) J120 - Department of Mental Health</u>	
19	<u>(a) State-Operated Intensive Group Home.....</u>	<u>\$ 900,000;</u>
20	<u>(b) Alternative Transportation Program.....</u>	<u>\$ 4,000,000;</u>
21	<u>(16) J160 - Department of Disabilities &amp; Special Needs</u>	
22	<u>(a) Annualization for FMAP State Increase.....</u>	<u>\$ 4,000,000;</u>
23	<u>(b) Greenwood Genetic Center – Carroll Campbell Project.....</u>	<u>\$ 2,000,000;</u>
24	<u>(c) Greenwood Genetic Center.....</u>	<u>\$ 2,000,000;</u>
25	<u>(17) J200 - Department of Alcohol &amp; Other Drug Abuse Services</u>	
26	<u>SC Center for Excellence in Addiction.....</u>	<u>\$ 2,000,000;</u>
27	<u>(18) L040 - Department of Social Services</u>	
28	<u>(a) Infrastructure Integrity and Information Security.....</u>	<u>\$ 8,139,804;</u>
29	<u>(b) Healthy Bucks.....</u>	<u>\$ 3,000,000;</u>
30	<u>(19) L080 - Department of Children’s Advocacy</u>	
31	<u>Agency Workstations.....</u>	<u>\$ 315,900;</u>
32	<u>(20) H790 - Department of Archives &amp; History</u>	
33	<u>(a) SC American Revolution Sestercentennial Commission .....</u>	<u>\$ 1,000,000;</u>
34	<u>(b) Historic Preservation Grants .....</u>	<u>\$ 500,000;</u>
35	<u>(21) H910 - Arts Commission</u>	
36	<u>(a) Arts Education Programs.....</u>	<u>\$ 2,500,000;</u>

1	<i>(b) Cultural Arts and Theater Center Grants</i> .....	\$ 450,000;
2	<i>(c) Office Maintenance and Repairs</i> .....	\$ 250,000;
3	<i>(22) P120 - Forestry Commission</i>	
4	<i>Emergency Operations and Equipment</i> .....	\$ 2,255,000;
5	<i>(23) P160 - Department of Agriculture</i>	
6	<i>(a) Greenville/Orangeburg State Farmers Market Buildings Renovations</i> .....	\$ 1,878,000;
7	<i>(b) Consumer Services Equipment Replacement</i> .....	\$ 1,122,000;
8	<i>(c) Growing Agribusiness Fund</i> .....	\$ 20,000,000;
9	<i>(24) P200 - Clemson-PSA</i>	
10	<i>(a) Poultry Science Research Facility</i> .....	\$ 3,000,000;
11	<i>(b) Statewide Program Support</i> .....	\$ 1,000,000;
12	<i>(c) Problematic Wildlife Research</i> .....	\$ 954,400;
13	<i>(d) Critical PSA Research Infrastructure &amp; Dam Maintenance</i> .....	\$ 2,120,000;
14	<i>(25) P210 - SC State-PSA</i>	
15	<i>(a) Agribusiness Development &amp; Expansion Support</i> .....	\$ 2,500,000;
16	<i>(b) Camp Daniels Training and Activity Center</i> .....	\$ 2,500,000;
17	<i>(26) P280 - Department of Parks, Recreation &amp; Tourism</i>	
18	<i>(a) SCATR – Regional Promotions</i> .....	\$ 2,000,000;
19	<i>(b) State Park Development, Upgrades, and Maintenance</i> .....	\$ 25,000,000;
20	<i>(c) Destination Specific Grants</i> .....	\$ 12,000,000;
21	<i>(d) Film Incentives</i> .....	\$ 7,500,000;
22	<i>(e) Sports Marketing Program</i> .....	\$ 3,000,000;
23	<i>(f) Welcome Center Funding</i> .....	\$ 2,100,000;
24	<i>(g) Undiscovered SC Grant Program</i> .....	\$ 250,000;
25	<i>(27) P320 - Department of Commerce</i>	
26	<i>(a) Strategic Marketing</i> .....	\$ 5,000,000;
27	<i>(b) Office Modernization</i> .....	\$ 600,000;
28	<i>(c) LocateSC</i> .....	\$ 10,000,000;
29	<i>(d) Deal Closing Fund</i> .....	\$ 3,700,000;
30	<i>(28) D300 – Office of Resilience</i>	
31	<i>Disaster Relief and Resilience Reserve Fund</i> .....	\$ 20,000,000;
32	<i>(29) P240 - Department of Natural Resources</i>	
33	<i>(a) Habitat Protection and Land Conservation Acquisitions</i> .....	\$ 20,000,000;
34	<i>(b) Marine Resources Coastal Infrastructure Maintenance</i> .....	\$ 10,000,000;
35	<i>(c) Fish Hatcheries Deferred Maintenance and Repairs</i> .....	\$ 5,000,000;
36	<i>(d) State Water Planning: River Basin Planning</i> .....	\$ 3,000,000;

1	<u>(e) Agency Equipment Replacement (Boats and Vehicles).....</u>	<u>\$ 2,500,000;</u>
2	<u>(f) Waterfowl Impoundments Infrastructure Maintenance.....</u>	<u>\$ 2,000,000;</u>
3	<u>(g) Public Recreational Property Maintenance and Operations.....</u>	<u>\$ 1,500,000;</u>
4	<u>(30) P400 - Conservation Bank</u>	
5	<u>Conservation Grant Funding.....</u>	<u>\$ 18,000,000;</u>
6	<u>(31) E210 - Prosecution Coordination Commission</u>	
7	<u>General Tort Liability Increase.....</u>	<u>\$ 43,812;</u>
8	<u>(32) D100 - State Law Enforcement Division</u>	
9	<u>(a) Center for School Safety.....</u>	<u>\$ 1,716,000;</u>
10	<u>(b) Agency Vehicle Rotation.....</u>	<u>\$ 500,000;</u>
11	<u>(33) K050 - Department of Public Safety</u>	
12	<u>(a) SRO Equipment.....</u>	<u>\$ 13,160,000;</u>
13	<u>(b) Agency Vehicle Rotation.....</u>	<u>\$ 1,500,000;</u>
14	<u>(c) Mental Health for Incarcerated Individuals Pilot Program.....</u>	<u>\$ 400,000;</u>
15	<u>(34) N040 - Department of Corrections</u>	
16	<u>(a) Insurance Reserve Fund Premium Increase.....</u>	<u>\$ 2,000,000;</u>
17	<u>(b) Critical Capital Projects.....</u>	<u>\$ 25,000,000;</u>
18	<u>(35) N080 - Department of Probation, Parole &amp; Pardon Services</u>	
19	<u>Information Technology.....</u>	<u>\$ 2,000,000;</u>
20	<u>(36) N120 - Department of Juvenile Justice</u>	
21	<u>Facilities Management Maintenance and Security Upgrades.....</u>	<u>\$ 25,000,000;</u>
22	<u>(37) R520 - State Ethics Commission</u>	
23	<u>(a) Administrative Assistant.....</u>	<u>\$ 15,000;</u>
24	<u>(b) Attorney II.....</u>	<u>\$ 15,000;</u>
25	<u>(38) R040 - Public Service Commission</u>	
26	<u>SC Integration Study.....</u>	<u>\$ 250,000;</u>
27	<u>(39) R400 - Department of Motor Vehicles</u>	
28	<u>IT System Modernization.....</u>	<u>\$ 35,000,000;</u>
29	<u>(40) R600 - Department of Employment &amp; Workforce</u>	
30	<u>Statewide Workforce Development (H. 3726).....</u>	<u>\$ 3,005,800;</u>
31	<u>(41) U120 - Department of Transportation</u>	
32	<u>(a) Litter Off-Interstate.....</u>	<u>\$ 6,000,000;</u>
33	<u>(b) Bridge Maintenance.....</u>	<u>\$200,000,000;</u>
34	<u>(42) U200 - County Transportation Funds</u>	
35	<u>CTC Acceleration Fund.....</u>	<u>\$250,000,000;</u>
36	<u>(43) U300 - Division of Aeronautics</u>	

1	<u>(a) Capital Investing for the Statewide Airport System .....</u>	<u>\$ 50,000,000;</u>
2	<u>(b) Aircraft Replacement.....</u>	<u>\$ 10,000,000;</u>
3	<u>(c) Facility Maintenance.....</u>	<u>\$ 300,000;</u>
4	<u>(44) B040 – Judicial Department</u>	
5	<u>Court Facilities .....</u>	<u>\$ 500,000;</u>
6	<u>(45) C050 – Administrative Law Court</u>	
7	<u>(a) IT Hardware.....</u>	<u>\$ 75,000;</u>
8	<u>(b) Facilities Renovation.....</u>	<u>\$ 92,905;</u>
9	<u>(46) A170 – Legislative Services</u>	
10	<u>Enterprise Software Implementation and Licensing .....</u>	<u>\$ 8,500,000;</u>
11	<u>(47) D500 – Department of Administration</u>	
12	<u>(a) SCEIS Enterprise System.....</u>	<u>\$ 40,000,000;</u>
13	<u>(b) Health Agencies Restructuring Study.....</u>	<u>\$ 5,000,000;</u>
14	<u>(48) E240 - Adjutant General</u>	
15	<u>(a) Armory Revitalizations .....</u>	<u>\$ 3,300,000;</u>
16	<u>(b) IT Initiatives .....</u>	<u>\$ 200,000;</u>
17	<u>(c) Summerville Readiness Center.....</u>	<u>\$ 464,000;</u>
18	<u>(d) State Guard Vehicles.....</u>	<u>\$ 195,000;</u>
19	<u>(49) E260 – Department of Veterans’ Affairs</u>	
20	<u>(a) Military Enhancement Plan Fund.....</u>	<u>\$ 5,000,000;</u>
21	<u>(b) Virtual Transition Assistance Program.....</u>	<u>\$ 115,425;</u>
22	<u>(c) Perimeter Fencing for Cooper Veteran Cemetery .....</u>	<u>\$ 114,000;</u>
23	<u>and</u>	
24	<u>(50) E280 – Election Commission</u>	
25	<u>State Matching Funds for 2022 HAVA Grant.....</u>	<u>\$ 216,977.</u>
26	<u>(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended</u>	
27	<u>for the same purposes.</u>	

**END OF PART IB**

31 All acts or parts of acts inconsistent with any of the provisions of Part IA or Part IB of this act are suspended for Fiscal Year  
32 2023-24.

33 If any part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be  
34 unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the  
35 General Assembly hereby declaring that it would have passed this act, and each and every part, section, subsection, paragraph,  
36 subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other parts, sections,

1 subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid,  
2 or otherwise ineffective.

3 Except as otherwise specifically provided, this act takes effect July 1, 2023.

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