**South Carolina General Assembly**

120th Session, 2013-2014

**S. 42**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen and Young

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Introduced in the Senate on January 8, 2013

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

Summary: General Assembly may not increase a fine or penalty in Appropriation Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/13/2012 Senate Prefiled

12/13/2012 Senate Referred to Committee on **Judiciary**

1/8/2013 Senate Introduced and read first time ([Senate Journal‑page 47](file:///h:\SJ%20Archive\2013\01-08-13.docx))

1/8/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 47](file:///h:\SJ%20Archive\2013\01-08-13.docx))

**VERSIONS OF THIS BILL**

[12/13/2012](file:///p:\pprever\2013-14\42_20121213.docx)

**A** **BILL**

TO AMEND CHAPTER 7, TITLE 2 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑7‑61, TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL NOT INCREASE OR IMPLEMENT A FINE OR PENALTY IN THE GENERAL APPROPRIATIONS BILL AND MUST ONLY DO SO BY SEPARATE ACT, TO PROVIDE THAT A STATE AGENCY, DEPARTMENT, OR ENTITY MUST NOT INCREASE OR IMPLEMENT A FINE OR FEE BY REGULATION OR ADMINISTRATIVE ACTION, AND TO PROVIDE EXCEPTIONS.

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

SECTION 1. Chapter 7, Title 2 of the 1976 Code is amended by adding:

“Section 2‑7‑61. (A) The General Assembly shall not authorize a state agency, department, or entity to increase or implement a fee for performing a service or function, or a civil penalty or fine for failure to comply with a requirement or provision of law under its jurisdiction in the temporary or permanent provisions of the State General Appropriation Act or acts supplemental thereto, and any increase or implementation of any fee or fine must be authorized only by an act separate from an appropriations bill.

(B) Notwithstanding any other provision of law, from the effective date of this act, a state agency, department, or entity must not increase or implement a fee for performing a service or function, or a civil penalty or fine for failure to comply with a requirement or provision of law under its jurisdiction by regulation or administrative action.

(C) The provisions of this section do not apply to internal charges between state agencies, departments, or entities, or any fees or charges, including tuition, made by schools or colleges to students of the institution for instruction, activities, or materials provided or furnished to those students.”

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

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