**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3402**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Hill

Document Path: l:\council\bills\jn\3294ph21.docx

Companion/Similar bill(s): 3622

Introduced in the House on January 12, 2021

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

Summary: FOIA, definition of a public body

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 184](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 184](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3402&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3402_20201209.docx)

**A** **BILL**

TO AMEND SECTION 30‑4‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF A “PUBLIC BODY” IN THE FREEDOM OF INFORMATION ACT, SO AS TO ADD LEGISLATIVE CAUCUSES TO THE DEFINITION; AND TO AMEND SECTION 30‑4‑40, RELATING TO EXEMPTIONS FROM THE FREEDOM OF INFORMATION ACT, SO AS TO REMOVE THE EXISTING EXEMPTION FOR MEMBERS OF THE GENERAL ASSEMBLY AND THEIR IMMEDIATE STAFF.

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

SECTION 1. Section 30‑4‑20(a) of the 1976 Code is amended to read:

“(a) ‘Public body’ means any department of the State, a majority of directors or their representatives of departments within the executive branch of state government as outlined in Section 1‑30‑10, any state board, commission, agency, legislative caucus, as defined in Section 2‑17‑10(11), and authority, any public or governmental body or political subdivision of the State, including counties, municipalities, townships, school districts, and special purpose districts, or any organization, corporation, or agency supported in whole or in part by public funds or expending public funds, including committees, subcommittees, advisory committees, and the like of any such body by whatever name known, and includes any quasi‑governmental body of the State and its political subdivisions, including, without limitation, bodies such as the South Carolina Public Service Authority and the South Carolina State Ports Authority. Committees of health care facilities, which are subject to this chapter, for medical staff disciplinary proceedings, quality assurance, peer review, including the medical staff credentialing process, specific medical case review, and self‑evaluation, are not public bodies for the purpose of this chapter.”

SECTION 2. Section 30‑4‑40(a)(8) of the 1976 Code is amended to read:

“(8) ~~Memoranda, correspondence, and working papers in the possession of individual members of the General Assembly or their immediate staffs; however, nothing herein may be construed as limiting or restricting public access to source documents or records, factual data or summaries of factual data, papers, minutes, or reports otherwise considered to be public information under the provisions of this chapter and not specifically exempted by any other provisions of this chapter~~ Reserved.”

SECTION 3. This act takes effect upon approval by the Governor.

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