

SCSFA Legislative Update
March 23, 2020

The General Assembly convened this week for the purpose of adopting a bill H.4014 which requires the Executive Budget Office to establish a COVID-19 Response account which will hold \$45 million for use by the Department of Health and Environmental Control (DHEC) "for those purposes necessary for the health, safety and welfare of the public in response to the COVID-19 pandemic". *This bill also provides that for the period beginning March 19, 2020 ending September 1, 2020, the earnings limitation does not apply to retired members of the SC Retirement System or the PORS system who return to covered employment to participate in the state's public health preparedness and response to the COVID-19 virus.*

Additionally, H.3411 is a continuing resolution that provides for continued operation of state government *should the General Assembly be unable to adopt a budget by July 1, 2020*. H.3411 will not be necessary should the General Assembly adopt a FY20-21 budget bill.

Current schedule for the General Assembly: At the conclusion of session Thursday, March 19, 2020 session, the SC House of Representatives adjourned and to return at the call of the chair. As for the SC Senate, President Peeler notified the body on Thursday that the Senate will not meet in session this week unless called back into session by the Senate President. Senate committees are permitted to hold meetings during this time at the discretion of the committee chairmen.

Governor's Executive Orders are located at: <https://governor.sc.gov/executive-branch/executive-orders>

Personal Protection Ensemble (PPE) has been sent from the National Stockpile to the Department of Health and Environmental Control (DHEC) and currently being distributed to counties. Supplies are limited.

South Carolina General Assembly
123rd Session, 2019-2020

A116, R129, H4014

STATUS INFORMATION

General Bill

Sponsors: Reps. Hixon, Tallon, Johnson and R. Williams

Document Path: I:\council\bills\agm\19509cz19.docx

Introduced in the House on February 19, 2019

Introduced in the Senate on April 9, 2019

Last Amended on March 17, 2020

Passed by the General Assembly on March 19, 2020

Governor's Action: March 19, 2020, Signed

Summary: COVID-19; funding for DHEC

(A116, R129, H4014)

AN ACT TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2019-2020 TO THE EXECUTIVE BUDGET OFFICE FOR THE BENEFIT OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS AND TO PROVIDE FOR OTHER MATTERS.

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

SECTION 1. From the Fiscal Year 2018-2019 Contingency Reserve Fund, there is appropriated \$45,000,000 to the Executive Budget Office for use by the Department of Health and Environmental Control for the coordination of the state's public health preparedness and response to the COVID-19 virus.

SECTION 2. The Executive Budget Office shall establish a COVID-19 Response account separate and distinct from all other accounts. The funds appropriated in SECTION 1 shall be credited to the COVID-19 Response account. The Department of Health and Environmental Control shall request funds from the account to be expended only for those purposes necessary for the health, safety, and welfare of the public in response to the COVID-19 pandemic. The Executive Budget Office shall release funds from the account upon the Department of Health and Environmental Control's request only if the requested funds are necessary for the health, safety, and welfare of the public in response to the COVID-19 pandemic. Beginning on April 1, 2020, and on the first day of each month thereafter, the Executive Budget Office shall provide a detailed accounting of the expenditure of all funds appropriated pursuant to this act. The report shall be transmitted to the Governor, the General Assembly, and made available on the department's website.

SECTION 3. Nothing in this act limits the Department of Health and Environmental Control from continuing to expend funds from other sources, including funds appropriated for the current fiscal year, that are necessary to address the state's response to COVID-19. Any unexpended funds appropriated pursuant to this act may be carried forward, without limitation, into the succeeding fiscal year and expended for the same purpose.

SECTION 4. The Department of Health and Environmental Control is authorized to take action to reallocate supplies and employees to meet the demands of hospitals and other medical providers who receive Medicaid or other state funds that are located within specific areas of this State where COVID-19 infections are most concentrated, commonly referred to as hotspots. The provisions of this SECTION expire thirty days after an executive order issued by the Governor lifting a state of emergency related to COVID-19.

SECTION 5. For the period beginning March 19, 2020, and ending September 1, 2020, the earnings limitation imposed pursuant to Section 9-1-1790 and Section 9-11-90 of the South Carolina Code does not apply to retired members of the South Carolina Retirement System or the Police Officers Retirement System who return to covered employment to participate in the state's public health preparedness and response to the COVID-19 virus.

SECTION 6. This act takes effect upon approval by the Governor and the appropriations contained herein must be distributed immediately upon approval.

Ratified the 19th day of March, 2020.

Approved the 19th day of March, 2020.

South Carolina General Assembly
123rd Session, 2019-2020

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Bill 3411

Indicates Matter Stricken
Indicates New Matter

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

COMMITTEE AMENDMENT ADOPTED

March 17, 2020

H. 3411

Introduced by Reps. G.R. Smith, W. Newton, Funderburk, Willis, Anderson, Weeks, Erickson, Elliott, R. Williams and Wheeler

S. Printed 3/17/20--S. [SEC 3/18/20 9:43 AM]

Read the first time February 5, 2019.

A BILL

TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, IN THE EVENT THAT THE GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2020-2021 HAS NOT BEEN ENACTED BY THAT DATE, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT.

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

SECTION 1. (A) If the 2020-2021 state fiscal year begins with no annual general appropriations act in effect for that year, the authority to pay the recurring expenses of state government continues at the level of amounts appropriated in Act 91 of 2019 for the recurring expenses of state government for Fiscal Year 2020-2021 except as provided in subsection (B).

(B) The effective dates of Parts IA and IB of Act 91 of 2019 are extended until the effective date for appropriations made in a general appropriations act for Fiscal Year 2020-2021, after

which appropriations made pursuant to this joint resolution are deemed to have been made pursuant to the general appropriations act for Fiscal Year 2020-2021.

SECTION 2. Notwithstanding debt service appropriations in Act 91 of 2019 and until the effective date of the appropriations made in a general appropriations act for Fiscal Year 2020-2021, there is appropriated from the general fund of the State whatever amount is necessary for timely debt service on state obligations and other amounts constitutionally required to be appropriated, including the Capital Reserve Fund. The General Reserve Fund is established in the amount required by law.

SECTION 3. This act is effective upon approval by the Governor.

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