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A BILL

TO AMEND H. 3701 OF 2015, THE ANNUAL GENERAL APPROPRIATIONS BILL FOR FISCAL YEAR 2015-16, SO AS TO MAKE SUPPLEMENTAL APPROPRIATED BY PROVIDING TARGETED INCREASES IN GENERAL FUND APPROPRIATIONS AND TO MAKE NECESSARY CONFORMING PROVISO AMENDMENTS AND PROVIDE FOR OTHER RELATED MATTERS.

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

SECTION 1. Part IA of H. 3701 of 2015, the general appropriations bill for Fiscal Year 2015-16, is amended by increasing specific general fund appropriations contained therein by amounts provided herein. References in these sections are to sections and subdivisions of those sections in Part IA of H. 3701 of 2015.

SECTION 33

.J02-DEPARTMENT OF HEALTH AND HUMAN SERVICES

- II. PROGRAM AND SERVICES
- 3. MEDICAL ASSISTANCE PAYMENT
CASE SERVICES
- G. CLTC-COMMUNITY LONG-TERM CARE 5,000,000
- II. PROGRAM AND SERVICES
- 3. MEDICAL ASSISTANCE PAYMENT
CASE SERVICES
- V. COORDINATED CARE 39,820,000

1 II. PROGRAM AND SERVICES
2 3. MEDICAL ASSISTANCE PAYMENT
3 CASE SERVICES
4 Z. BEHAVIORAL HEALTH SERVICES 5,000,000
5
6

7 SECTION 38
8 L04-DEPARTMENT OF SOCIAL SERVICES
9

10 II. PROGRAMS AND SERVICES
11 F. CHILD SUPPORT ENFORCEMENT
12 OTHER OPERATING EXPENSES 2,600,000
13
14

15 SECTION 50
16 P32-DEPARTMENT OF COMMERCE
17

18 IV. NON-RECURRING APPROPRIATIONS
19 ECONOMIC DEVELOPMENT
20 INFRASTRUCTURE 70,000,000
21
22

23 SECTION 61
24 E23-COMMISSION ON INDIGENT DEFENSE
25

26 III. OFFICE OF CIRCUIT PUBLIC DEFENDERS
27 SPECIAL ITEM:
28 DEFENSE OF INDIGENTS
29 PER CAPITA 6,080,000
30
31

32 SECTON 106
33 F30-STATEWIDE EMPLOYEE BENEFITS
34

35 III. NON-RECURRING
36 BONUS PAY 23,500,000
37
38

39 SECTION 112
40 DEBT SERVICE
41

42 I. GENERAL OBLIGATION BOND (G.O.)
43 BONDS SUBJECT TO DEBT

1 SERVICE LIMITATION:
2 ECONOMIC DEVELOPMENT BONDS 16,425,000
3
4

5 SECTION 2 Part IA of H. 3701 of 2015, the general
6 appropriations bill for Fiscal Year 2015-16, is amended by
7 increasing specific EIA other fund appropriations contained therein
8 by amounts provided herein. References in these sections are to
9 sections and subdivisions of those sections in Part IA of H. 3701 of
10 2015.

11
12 SECTION 1
13 H63-DEPARTMENT OF EDUCATION
14

15 XII. EDUCATION IMPROVEMENT ACT
16 A. STANDARDS, TEACHING, LEARNING, ACCOUNT.
17 I. STUDENT LEARNING

18 MODERNIZE VOCATIONAL	
19 EQUIPMENT	6,538,722
20 READING COACHES	4,961,278
21 EEDA	10,000,000
22	
23	

24 SECTION 3. Part IA of H. 3701 of 2015, the general
25 appropriations bill for Fiscal Year 2015-16, is amended by
26 decreasing specific general fund appropriations contained therein by
27 amounts provided herein. References in these sections are to
28 sections and subdivisions of those sections in Part IA of H. 3701 of
29 2015.

30
31 SECTION 114
32 X44-AID TO SUBDIVISIONS - DEPARTMENT OF
33 REVENUE
34

35 I. AID TO SUBDIVISIONS-
36 DEPT. OF REVENUE
37 DISTRIBUTION TO SUBDIVISIONS:
38 AID TO COUNTIES - HOMESTEAD
39 EXEMPTION FUND 20,425,000
40

41
42 SECTION 4. Part IB of H. 3701 of 2015, the general
43 appropriations bill for Fiscal Year 2015-16, is amended as provided

1 in this section. References in this section are to Part IB of H. 3701
2 of 2015 and the provisions contained herein shall supercede like
3 provisions in H. 3701 of 2015.
4

5 **SECTION 1 - H63-DEPARTMENT OF EDUCATION**
6

7 **1.68.** (SDE: Educational Credit for Exceptional Needs
8 Children) *(A) As used in this paragraph:*

9 (1) 'Eligible school' means an independent school
10 including those religious in nature, other than a public school, at
11 which the compulsory attendance requirements of Section 59-65-10
12 may be met, that:

13 (a) offers a general education to primary or secondary
14 school students;

15 (b) does not discriminate on the basis of race, color,
16 or national origin;

17 (c) is located in this State;

18 (d) has an educational curriculum that includes
19 courses set forth in the state's diploma requirements and where the
20 students attending are administered national achievement or state
21 standardized tests, or both, at progressive grade levels to determine
22 student progress;

23 (e) has school facilities that are subject to applicable
24 federal, state, and local laws; and

25 (f) is a member in good standing of the Southern
26 Association of Colleges and Schools, the South Carolina
27 Association of Christian Schools, or the South Carolina
28 Independent Schools Association.

29 (2) 'Exceptional needs child' means a child:

30 (a) (i) who has been evaluated in accordance with this
31 State's evaluation criteria, as set forth in S.C. Code Ann. Regs.
32 43-243.1, and determined eligible as a child with a disability who
33 needs special education and related services, in accordance with the
34 requirements of Section 300.8 of the Individuals with Disabilities
35 Education Act; or

36 (ii) who has been diagnosed within the last three
37 years by a licensed speech-language pathologist, psychiatrist, or
38 medical, mental health, psychoeducational, or other comparable
39 licensed health care provider as having a neurodevelopmental
40 disorder, a substantial sensory or physical impairment such as deaf,
41 blind, or orthopedic disability, or some other disability or acute or
42 chronic condition that significantly impedes the student's ability to
43 learn and succeed in school without specialized instructional and

1 associated supports and services tailored to the child's unique
2 needs; or
3 (b) the parents or legal guardian believes that the
4 services provided by the school district of legal residence do not
5 sufficiently meet the needs of the child.
6 (3) 'Foster child' means a child who is currently or was
7 during the preceding school year, a resident at a Child Caring
8 Facility, Foster Home, or Residential Group Care Home as defined
9 by Section 63-1-40; and
10 (4) 'Independent school' means a school, other than a
11 public school, at which the compulsory attendance requirements of
12 Section 59-65-10 may be met and that does not discriminate based
13 on the grounds of race, color, religion, or national origin.
14 (5) 'Nonprofit scholarship funding organization' means a
15 charitable organization that:
16 (a) is exempt from federal tax pursuant to Section
17 501(a) of the Internal Revenue Code by being listed as an exempt
18 organization in Section 501(c)(3) of the Code;
19 (b) allocates at least ninety-seven percent of its annual
20 contributions and gross revenue received during a particular year
21 to provide grants for tuition to children enrolled in an eligible
22 school meeting the criteria of this paragraph, and incurs
23 administrative expenses annually of not more than three percent nor
24 more than \$200,000 in the aggregate, whichever is less, of its
25 annual contributions and revenue for a particular year to cover its
26 operational costs;
27 (c) allocates all of its funds used for grants on an
28 annual basis to children who are exceptional needs students or
29 foster children;
30 (d) does not provide grants solely for the benefit of one
31 school, and if the Department determines that the nonprofit
32 scholarship funding organization is providing grants to one
33 particular school, the tax credit allowed by this paragraph may be
34 disallowed;
35 (e) does not have as a volunteer, contractor,
36 consultant, fundraiser or member of its governing board any parent,
37 legal guardian, or member of their immediate family who has a
38 child or ward who is currently receiving or has received a
39 scholarship grant authorized by this paragraph from the
40 organization within one year of the date the parent, legal guardian,
41 or member of their immediate family became a board member;

1 (f) does not have as a member of its governing board
2 or an employee, volunteer, contractor, consultant, or fundraiser
3 who has been convicted of a felony;

4 (g) does not release personally identifiable
5 information pertaining to students or donors or use information
6 collected about donors, students or schools for financial gain; and

7 (h) must not place conditions on schools enrolling
8 students receiving scholarships to limit the ability of the schools to
9 enroll students accepting grants from other nonprofit scholarship
10 funding organizations.

11 (6) 'Parent' means the natural or adoptive parent or legal
12 guardian of a child.

13 (7) 'Person' means an individual, partnership,
14 corporation, or other similar entity.

15 (8) 'Qualifying student' means a student who is an
16 exceptional needs child or foster child, a South Carolina resident,
17 and who is eligible to be enrolled in a South Carolina secondary or
18 elementary public school at the kindergarten or later year level for
19 the applicable school year.

20 (9) 'Resident public school district' means the public
21 school district in which a student resides.

22 (10) 'Transportation' means transportation to and from
23 school only.

24 (11) 'Tuition' means the total amount of money charged for
25 the cost of a qualifying student to attend an independent school
26 including, but not limited to, fees for attending the school, textbook
27 fees, and school-related transportation.

28 (12) 'Department' means the Department of Revenue.

29 (B) (1) A person is entitled to a tax credit against income taxes
30 imposed pursuant to Chapter 6, Title 12, or bank taxes imposed
31 pursuant to Chapter 11, Title 12 for the amount of cash and the
32 monetary value of any publicly traded securities the person
33 contributes to a nonprofit scholarship funding organization up to
34 the limits of this paragraph if:

35 (a) the contribution is used to provide grants for
36 tuition to exceptional needs children or foster children enrolled in
37 eligible schools who qualify for these grants under the provisions of
38 this paragraph; and

39 (b) the person does not designate a specific child or
40 school as the beneficiary of the contribution.

41 (2) An individual is entitled to a refundable tax credit
42 against income taxes imposed pursuant to Chapter 6, Title 12, or
43 bank taxes imposed pursuant to Chapter 11, Title 12 for the amount

1 of cash and the monetary value of any publicly traded securities, not
2 exceeding ten thousand dollars per child, the individual contributes
3 as tuition for exceptional needs children or foster children within
4 their custody or care and enrolled in eligible schools who qualify
5 for these grants under the provisions of this paragraph. However,
6 if a child within the care and custody of an individual receives a
7 tuition scholarship from a nonprofit scholarship funding
8 organization, then the individual may only claim a credit equal to
9 the difference of ten thousand dollars and the amount of the
10 scholarship.

11 (C) Grants may be awarded by a scholarship funding
12 organization in an amount not exceeding ten thousand dollars or
13 the total cost of tuition, whichever is less, for qualifying students
14 with exceptional needs or qualifying foster children to attend an
15 independent school. Before awarding any grant, a scholarship
16 funding organization must receive written documentation
17 documenting that the qualifying student is an exceptional needs
18 child or foster child. Upon approving the application, the
19 scholarship funding organization must issue a check to the eligible
20 school in the name of the qualifying student. In the event that the
21 qualifying student leaves or withdraws from the school for any
22 reason before the end of the semester or school year and does not
23 reenroll within thirty days, then the eligible school must return a
24 prorated amount of the grant to the scholarship funding
25 organization based on the number of days the qualifying student was
26 enrolled in the school during the semester or school year within
27 sixty days of the qualifying student's departure.

28 (D) (1) (a) The tax credits authorized by subsection (B) may
29 not exceed cumulatively a total of twelve million dollars for
30 contributions made on behalf of exceptional needs students and
31 foster children. The cumulative maximum total for credits
32 authorized by subsection (B)(1) may not exceed eight million dollars
33 and the cumulative maximum total for credits authorized by
34 subsection (B)(2) may not exceed four million dollars. If the
35 department determines that the total of such credits claimed by all
36 taxpayers exceeds either limit amount, it shall allow credits only up
37 to those amounts on a first come, first served basis.

38 (b) The department shall establish an application
39 process to determine the amount of credit available to be claimed.
40 The receipt of the application by the department shall determine
41 priority for the credit. Subject to the provisions of item (5),
42 contributions must be made on or before June 30, 2016, in order to

1 claim the credit. The credit must be claimed on the return for the
2 tax year that the contribution is made.

3 (2) A taxpayer may not claim more than sixty percent of
4 their total tax liability for the year in contribution towards the tax
5 credit authorized by subsection (B)(1). This credit is not refundable.

6 (3) If a taxpayer deducts the amount of the contribution on
7 the taxpayer's federal return and claims the credit allowed by this
8 paragraph, then the taxpayer must add back the amount of the
9 deduction for purposes of South Carolina income taxes.

10 (4) The department shall prescribe the form and manner of
11 proof required to obtain the credit authorized by subsection (B).
12 Also, the department shall develop a method of informing taxpayers
13 if the credit limit is met at any time during Fiscal Year 2015-16.

14 (5) A person only may claim a credit pursuant to subsection
15 (B) for contributions made between July 1, 2015 and June 30, 2016.

16 (E) A corporation or entity entitled to a credit under subsection
17 (B) may not convey, assign, or transfer the credit authorized by this
18 paragraph to another entity unless all of the assets of the entity are
19 conveyed, assigned, or transferred in the same transaction.

20 (F) Except as otherwise provided, neither the Department of
21 Education, the Department of Revenue, nor any other state agency
22 may regulate the educational program of an independent school that
23 accepts students receiving scholarship grants pursuant to this
24 paragraph.

25 (G) (1) By August 1, 2015, each independent school must apply
26 to the Education Oversight Committee to be considered an eligible
27 institution for which it may receive contributions from a nonprofit
28 scholarship funding organization for which the tax credit allowed
29 by this paragraph is allowed. The Education Oversight Committee,
30 as established in Chapter 6, Title 59, is responsible for determining
31 if an eligible school meets the criteria established by subsection
32 (A)(1), and shall publish an approved list of such schools meeting
33 the criteria. If an independent school does not apply to be an
34 eligible school, the independent school may not be published as an
35 approved school, and contributions to that school shall not be
36 allowed for purposes of the credit allowed by this paragraph. The
37 Education Oversight Committee must publish the approved list of
38 schools on its website by September first of each year, and the list
39 must include their names, addresses, telephone numbers, and if
40 available, website addresses. Also, the score reports and audits
41 received by the Education Oversight Committee pursuant to items
42 (2)(b) and (c) must be published with the list. The Education
43 Oversight Committee shall summarize or redact the score reports if

1 necessary to prevent the disclosure of personally identifiable
2 information. For this purpose, it also shall promulgate regulations
3 further enumerating the specifics of this criteria. In performing this
4 function, the Education Oversight Committee shall establish an
5 advisory committee made up of not more than nine members
6 including parents, and representatives of independent schools and
7 independent school associations. The advisory committee shall
8 provide recommendations to the Education Oversight Committee on
9 the content of these regulations and any other matters requested by
10 the Education Oversight Committee.

11 (2) An independent school's application for consideration
12 as an eligible institution must contain:

13 (a) the number and total amount of grants received
14 from each nonprofit scholarship funding organization in the
15 preceding fiscal year;

16 (b) Student test scores, by category, on national
17 achievement or state standardized tests, or both, for all grades
18 tested and administered by the school receiving or entitled to
19 receive scholarship grants pursuant to this paragraph in the
20 previous fiscal year;

21 (c) a copy of a compilation, review, or compliance
22 audit of the organization's financial statements, conducted by a
23 certified public accounting firm; and

24 (d) a certification by the independent school that it
25 meets the definition of an eligible school as that term is defined in
26 subsection (A)(1) and that the report is true, accurate, and complete
27 under penalty of perjury in accordance with Section 16-9-10.

28 (3) Any independent school not determined to be an eligible
29 school pursuant to the provisions of this paragraph may seek review
30 by filing a request for a contested case hearing with the
31 Administrative Law Court in accordance with the court's rules of
32 procedure.

33 (4) The Education Oversight Committee, after consultation
34 with its nine-member advisory committee, may exempt an
35 independent school having students with exceptional needs who
36 receive scholarship grants pursuant to this paragraph from the
37 curriculum requirements of subsection (A)(1)(d).

38 (H) (1) By August first of each year, each nonprofit scholarship
39 funding organization must apply to the Department to be considered
40 an eligible organization for which its contributors are allowed the
41 tax credit allowed by this paragraph. If a nonprofit scholarship
42 funding organization does not apply, the organization may not be
43 published as an approved organization, and contributions to that

1 organization shall not be allowed for purposes of the credit allowed
2 by this paragraph. A nonprofit scholarship funding organization's
3 application must contain:

4 (a) the number and total amount of grants issued to
5 eligible schools in the preceding fiscal year;

6 (b) for each grant issued to an eligible school in the
7 preceding fiscal year, the identity of the school and the amount of
8 the grant;

9 (c) an itemization and detailed explanation of any fees
10 or other revenues obtained from or on behalf of any eligible schools;

11 (d) a copy of the organization's Form 990 or other
12 comparable federal submission that indicates the provisions of the
13 Internal Revenue Code under which the organization has been
14 granted exempt status for purposes of federal taxation;

15 (e) a copy of a compilation, review, or audit of the
16 organization's financial statements, conducted by a certified public
17 accounting firm;

18 (f) the criteria and eligibility requirements for
19 scholarship awards; and

20 (g) a certification by the organization that it meets the
21 definition of a nonprofit scholarship funding organization as that
22 term is defined in subsection (A)(4) and that the report is true,
23 accurate, and complete under penalty of perjury in accordance with
24 Section 16-9-10.

25 (2) By receiving the application materials and approving
26 the organization as an eligible organization pursuant to item (1),
27 the department is not determining that the organization meets all of
28 the requirements of a qualified nonprofit scholarship funding
29 organization and the organization remains subject to examination
30 as provided for pursuant to subsection (1).

31 (3) The department has authority to disclose the names of
32 qualifying nonprofit scholarship funding organizations to the
33 Education Oversight Committee. The department also may disclose
34 to the Education Oversight Committee the names of organizations
35 that applied but were not qualified by the department and those
36 organizations whose eligibility has been revoked in accordance with
37 subsection (1)(2), as well as the reason the application of the
38 organization was not accepted or the reason its qualification was
39 revoked.

40 (4) By September first of each year, the Education
41 Oversight Committee must publish on its website a list of all
42 qualifying nonprofit scholarship funding organizations, provided by
43 the department, to include their names, addresses, telephone

1 numbers, and if available, website addresses. Also, the results of
2 the audit required by item (1)(e) must be published with the list.

3 (1) (1) The department has authority to oversee, audit, and
4 examine the nonprofit scholarship funding organizations, including
5 determining whether the nonprofit scholarship funding organization
6 is being operated in a manner consistent with the requirements for
7 an IRC Section 501(c)(3) organization or is in compliance with any
8 other provision of this paragraph.

9 (2) (a) If at any time during the year, the department has
10 evidence, through audit or otherwise, that a nonprofit scholarship
11 funding organization is not being operated in a manner consistent
12 with the requirements for operating an IRC Section 501(c)(3)
13 organization or is not in compliance with any other provision of this
14 paragraph, the department may immediately revoke the
15 organization's participation in the program and must notify the
16 organization and the Education Oversight Committee in writing of
17 the revocation.

18 (b) Notice of Revocation may be provided to the
19 organization by personal delivery to the organization, by first class
20 mail to the last known address of the organization, or by other
21 means reasonably designed to provide notice to the organization.

22 (c) Any donations made following the date the notice
23 of revocation is received by the organization or in the case of
24 delivery by mail ten days after the notice of revocation was mailed,
25 will not qualify for the credit and the donated funds must be returned
26 to the donor by the organization. This paragraph shall not limit the
27 department's authority to deny any tax credit or other benefit
28 provided by this paragraph if the circumstances warrant.

29 (d) (i) Within thirty days after the day on which the
30 organization is notified of the revocation, the organization may
31 request a contested hearing before the Administrative Law Court.
32 Within thirty days after a request for a contested case hearing is
33 received by the Administrative Law Court, an administrative law
34 judge shall hold the contested case hearing and determine whether
35 the revocation was reasonable under the circumstances. The
36 department has the burden of proof of showing that the revocation
37 was reasonable under the circumstances. The revocation is
38 'reasonable' if the department has some credible evidence to believe
39 that the organization is not being operated in a manner consistent
40 with the requirements for operating an IRC Section 501(c)(3)
41 organization or is not in compliance with any other provision of this
42 paragraph. The decision made by the administrative law judge is
43 final and conclusive and may not be reviewed by any court. If the

1 organization does not request a contested case hearing within thirty
2 days of the immediate revocation, the revocation shall become
3 permanent.

4 (ii) If the administrative law judge determines that
5 the revocation was reasonable, the administrative law judge shall
6 remand the case to the department to issue a department
7 determination for permanent revocation within the time period
8 determined by the judge. The organization may appeal this
9 department determination in accordance with Section 12-60-460. At
10 the contested case hearing on the department determination, the
11 parties can raise new issues and arguments in addition to those
12 issues and arguments previously presented at the revocation
13 hearing.

14 (iii) If the administrative law judge determines that
15 immediate revocation is not reasonable, the revocation shall be
16 lifted and the organization may resume accepting donations and
17 award scholarships hereunder. The department may still issue a
18 department determination in accordance with Section
19 12-60-450(E)(2).

20 (iv) If at any time during the process, the department
21 believes the organization is in compliance, the department, in its
22 sole discretion, may reinstate the organization and notify the
23 Education Oversight Committee.

24 (v) Following the permanent revocation of a
25 nonprofit scholarship funding organization, the Education
26 Oversight Committee has the authority to oversee the transfer of
27 donated funds of the revoked organization to other nonprofit
28 scholarship funding organizations.

29 (J) A nonprofit scholarship funding organization may transfer
30 funds to another nonprofit scholarship funding organization,
31 especially in the event that the organization cannot distribute the
32 funds in a timely manner or if the organization ceases to exist. None
33 of the funds that are transferred by one nonprofit scholarship
34 funding organization to another may be considered by the former
35 organization when calculating its administrative expenses.

36
37 **SECTION 112 - V04-DEBT SERVICE**

38
39 **112.1. (DS: Excess Debt Service Funds Carry Forward) Excess**
40 **Debt Service funds from Fiscal Year 2013-14 ~~2014-15~~ may must be**
41 **carried forward and expended for ~~debt service purposes~~ in Fiscal**
42 **Year ~~2014-15~~ 2015-16 to pay down general obligation bond debt**

1 for which the state (1) is paying the highest rate of interest or (2)
2 will achieve relief in constrained debt capacity.

3
4 **SECTION 117 - X90-GENERAL PROVISIONS**

5
6 117.138. (GP: \$800 Employee Bonus Pay) From the funds
7 appropriated in Part 1A, Section 106, Statewide Employee Benefits
8 for Bonus Pay, effective on the first pay date that occurs on or after
9 October 16, 2015, the Department of Administration shall allocate
10 to state agencies \$23,500,000 to provide for a one-time lump sum
11 bonus. Each permanent state employee, in a full-time equivalent
12 position, who has been in continuous state service for at least six
13 months prior to July 1, 2015, and who earns less than \$100,000
14 shall receive a \$800 one-time lump sum payment. This payment is
15 not a part of the state employee's base salary and is not earnable
16 compensation for purposes of employer or employee contributions
17 to respective retirement systems. This appropriation may be used
18 for payments to employees only in the same ratio as the employee's
19 base salary is paid from appropriated sources and the employing
20 agency shall pay the bonus for federal and other funded full-time
21 equivalent positions employees from federal or other funds
22 available to the agency in the proportion that such funds are the
23 source of the employee's salary. The earnings limitation in Proviso
24 117.55 does not apply to this bonus.

25
26 **SECTION 118 - X91-STATEWIDE REVENUE**

27
28 118.17. (SR: Supplemental Nonrecurring Revenue) (A) The
29 source of revenue appropriated in subsection (B) is nonrecurring
30 revenue generated from the following source:

31 (1) \$150,000,000 from Fiscal Year 2014-15 unobligated
32 general fund revenue as certified by the Board of Economic
33 Advisors.

34 This revenue is deemed to have occurred and is available for use
35 in Fiscal Year 2015-16 after September 1, 2015, following the
36 Comptroller General's close of the state's books on Fiscal Year
37 2014-15.

38 (B) The State Treasurer shall disburse the following
39 appropriation by September 30, 2015, for the purpose stated:

40 U12 Department of Transportation

41 State-Owned Secondary Road

42 Program \$150,000,000

1 The Department of Transportation shall distribute the
2 \$150,000,000 appropriated above for the State-Owned Secondary
3 Road Program pursuant to Section 12-28-2740 of the 1976 Code.
4 County Transportation Committees shall utilize the funds
5 distributed pursuant to this proviso solely for use on the state-owned
6 secondary road system for paving, rehabilitation, resurfacing
7 and or reconstruction, and bridge repair, replacement, or
8 reconstruction. No funds from this allocation shall be used for any
9 road, bridge or highway that is not part of the state owned system.

10 Unexpended funds appropriated pursuant to this subsection may
11 be carried forward to succeeding fiscal years and expended for the
12 same purposes.

13
14 SECTION 5. The supplemental appropriations, reductions, and
15 provisions contained in this act shall be combined with the Fiscal
16 Year 2015-16 Appropriation Act and be incorporated into Part IA
17 and Part IB of the detail base budget for the succeeding fiscal year.
18

19 SECTION 6. All acts or parts of acts inconsistent with any of the
20 provisions of Sections 1, 2, or 3 of this act are suspended for Fiscal
21 Year 2015-16.
22

23 SECTION 7. If any part, section, subsection, paragraph,
24 subparagraph, sentence, clause, phrase, or word of this act is for any
25 reason held to be unconstitutional or invalid, such holding shall not
26 affect the constitutionality or validity of the remaining portions of
27 this act, the General Assembly hereby declaring that it would have
28 passed this act, and each and every part, section, subsection,
29 paragraph, subparagraph, sentence, clause, phrase, and word
30 thereof, irrespective of the fact that any one or more other parts,
31 sections, subsections, paragraphs, subparagraphs, sentences,
32 clauses, phrases, or words hereof may be declared to be
33 unconstitutional, invalid, or otherwise ineffective.
34

35 SECTION 8. Except as otherwise specifically provided, this act
36 takes effect July 1, 2015.
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