



Introduction

It was the week of March 9th, and after three months of debate, the Senate education bill ([S.419](#)) arrived in the House and was assigned to the House Education and Public Works Committee. The House passed its version of the nearly \$10 billion state budget ([H.5201](#)) and sent it to the Senate. But by the end of the week, the governor announced the first of many COVID-19 virus declarations that led to a shutdown of normal operations of the state, as well as the legislative session. Since then, the General Assembly has reconvened two times and has taken the following actions:

1. The Senate met March 17 to pass emergency funding ([H.4014](#)) for the S.C. Department of Health and Environmental Control to address the COVID-19 virus, which was taken up and adopted by the House on March 19.
2. The second meeting was held April 8 on what was supposed to be a quick, one-day legislative session to take up and pass a continuing resolution, or CR (to ensure state government and schools operate past June 30 if the General Assembly is unable to pass a FY 2020-2021 state budget by July 1), and a Sine Die resolution (to determine what bills and issues will be taken up once the House and Senate can safely resume business). But a dispute between the House and Senate over the fate of the state-owned Santee Cooper utility company resulted in the House passing its own CR ([H.3485](#)) that would restrict certain activities Santee Cooper can engage in (such as entering into long-term contracts) and was not included in the Senate's CR ([H.3411](#)). This now means one or both chambers will have to reconvene at least one more time to work out the differences and pass one version.

And finally, while the Senate passed a Sine Die resolution, the House did not. So unless a Sine Die resolution is adopted by both chambers before the end of the session (May 14), there will be no set time for the General Assembly to reconvene to take up legislation, including a state FY 2020-2021 budget, except at the call of the governor.

Continuing budget resolution House bill 3411 and House bill 3485

Despite the differences in the two versions of the CR bills, the good news is that language directed at K12 education is identical in both versions and includes all of SCSBA's requests for financial flexibility for school districts.

Both CRs direct state programs and services, including public schools, to continue receiving funding at the current fiscal year's level and extend provisions (unless specifically deleted in the CR) of the current year's budget until a new state budget is adopted. The CR also includes provisions for the state to continue responding to COVID-19.

For school districts, the CR includes the following provisions:

- the temporary suspension of annual teacher salary step increases, which are on average about two percent;

- the suspension of the annual one percent increase in the employer contribution for the state retirement system; and,
- maximum financial and programmatic flexibility for school districts, including, but not limited to, the authority to carry forward any cash balances.

The request for the suspension of teacher step and employer retirement contribution increases, both of which go into effect July 1, is to help districts save jobs and to help stave off possible furloughs.

The CR also further directs the S.C. Department of Education to transfer any appropriations within its departments to assist local school districts in adjusting operations in response to COVID-19 and authorizes the state superintendent to do the following:

- waive statutory requirements concerning testing, assessments and certain reporting requirements;
- include all days of distance learning during which instruction was provided in good faith as an instructional day required to meet the 180-instructional day requirement; and,
- promote and encourage districts to use summer reading camps and all other available tools to ensure appropriate time is spent by students to keep them on grade level and to satisfy their learning needs.

Sine Die resolution

Senate bill 1194

State lawmakers will reconvene in a statewide session in mid-September to approve a state budget and take up other legislative matters according to a Sine Die resolution passed by the Senate.

The resolution, which still needs approval by the House, calls for the General Assembly to reconvene at noon on Tuesday, September 15 through 5 p.m. on Thursday, September 24. Lawmakers are limited to take up only the following matters:

- FY 2020-2021 appropriations bill, or if needed, another continuing budget resolution;
- gubernatorial vetoes;
- resolutions affecting Sine Die adjournment;
- legislation necessary to address any shortfall in revenue;
- appointments;
- resolutions expressing sympathy or congratulations;
- local legislation;
- conference and free conference reports for which a committee of conference has been appointed prior to 5 p.m. on Thursday, May 14;
- elections for offices or vacancies in any offices filled by election of the General Assembly;
- legislation concerning COVID-19 and related matters; and,
- any legislation passed by one body prior to May 14, 2020, *which would include the education bill ([S.419](#))*.