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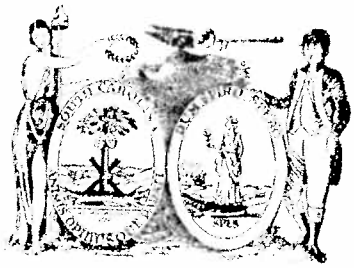
SECRETARY OF STATE

State of South Carolina
Executive Department



Office of the Governor

EXECUTIVE ORDER NO.

2011-10

WHEREAS, ensuring public confidence, integrity, and efficiency in our State Government is a major concern of this Administration; and

WHEREAS, this Administration is determined to take all measures necessary to detect, expose and prevent fraud, waste, mismanagement and misconduct in State Government; and

WHEREAS, Article IV, Section 17 of the South Carolina State Constitution provides that "[a]ll State officers, agencies, and institutions within the Executive Branch shall, when required by the Governor, give him information in writing upon any subject relating to the duties and functions of their respective offices, agencies, and institutions, including itemized accounts of receipts and disbursements."; and

WHEREAS, the interests of the State is best served by appointing a State Inspector General that reports directly to the Governor with authority encompassing all executive agencies.

NOW, THEREFORE, by virtue of the power and authority vested in me as Governor, pursuant to the Constitution and Statutes of the State of South Carolina, I hereby appoint a State Inspector General with the duties, responsibilities, and authority as hereinafter set forth:

1. Mission of the State Inspector General.
    a. To detect, expose and deter fraud, waste, mismanagement, misconduct and abuse in the programs and operations of all executive agencies encompassed within the authority found in S.C. Const. Art. IV, Sec. 17.

b. To report to agency heads and the Governor about problems and deficiencies relating to the administration of programs and operations in executive agencies.
c. To establish a toll-free public telephone number for the purpose of receiving information concerning fraud, waste, misconduct, mismanagement, and abuse in an executive agency.
d. To perform the mission of the State Inspector General in a manner that is consistent with state law and generally accepted governmental accounting standards.

2. Duties and Responsibilities. It shall be the duty and responsibility of the State Inspector General:
   a. To initiate and coordinate investigative activities pursuant to the authority found in S.C. Const. Art. IV, Sec. 17 with the purpose of detecting and exposing fraud, waste, mismanagement and misconduct in executive agencies.
   b. To recommend policies for and to conduct, supervise, and coordinate activities designed to deter, detect, prevent, and eradicate fraud, waste, misconduct, mismanagement and abuse in executive agencies.
   c. To receive complaints from any individual, including those employed by any agency, alleging fraud, waste, misconduct, mismanagement and abuse and, as appropriate, advise individuals of state laws providing "whistleblower" protections.
   d. To maintain confidentiality of any information received to the extent permitted by law.
   e. To report expeditiously to and cooperate fully with the appropriate state and federal law enforcement agencies and prosecuting authorities whenever the State Inspector General has reasonable grounds to believe there has been a violation of criminal law or that a civil action should be initiated by the State.
   f. To file a complaint with the State Ethics Commission if the State Inspector General has specific and credible evidence that a public employee or official has violated the State Ethics Act.
   g. To refer matters to agency heads whenever the State Inspector General determines that disciplinary or other administrative action is appropriate.

3. Authority.
   a. Upon request of the State Inspector General for information or assistance, cabinet agencies are directed to fully cooperate with and furnish the State Inspector General such information or assistance.
   b. To require and obtain immediately by written notice from officers and employees of executive agencies to the extent allowed by S.C. Const. Art. IV, Sec. 17 all documents, reports, answers, records, accounts, papers, and other necessary data and documentary information to perform the mission of the State Inspector General.

c. Whenever information or assistance requested is, in the judgment of the State Inspector General, unreasonably refused or not provided, the State Inspector General may report to the agency head and the Governor for appropriate action to the extent permitted by law.
d. To assign staff as may be necessary for carrying out the functions, powers, and duties of the office.
e. To perform the duties and responsibilities of the State Inspector General in a manner that is consistent with state law and generally accepted governmental accounting standards.

This Order shall take effect immediately.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 11th DAY OF MARCH, 2011.

NIKKI R. HALEY
Governor

ATTEST:

MARK HAMMOND
Secretary of State