

## Session 116 - (2005-2006)

**H'3304 (Rat #0070, Act #0061 of 2005) General Bill, By Witherspoon, Wilkins, Harrell, Jennings, Battle, Cotty, Cato, Barfield, Hosey, Allen, Altman, Anderson, Bales, Bowers, Brady, Branham, G.A. Brown, J. Brown, Chalk, Chellis, Clemmons, Clyburn, Coates, Dantzler, Delleney, Duncan, Edge, Emory, Frye, Funderburk, Hardwick, Harrison, Harvin, Hayes, J. Hines, M. Hines, Kennedy, Kirsh, Lee, Littlejohn, Loftis, McCraw, McGee, McLeod, Merrill, Miller, J.M. Neal, Neilson, Ott, Phillips, M.A. Pitts, Rhoad, Rice, Rivers, Rutherford, Sandifer, Scarborough, J.R. Smith, Taylor, Umphlett, Vick, Viers, Young and Bailey**

**Similar (S 0416)**

**Summary:** Tobacco Escrow Fund enforcement

AN ACT TO AMEND TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 48 SO AS TO PROVIDE FOR FURTHER ENFORCEMENT OF THE TOBACCO ESCROW FUND ACT, INCLUDING BOTH CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS, TO AMEND SECTION 11-47-30, RELATING TO THE REQUIREMENT FOR A TOBACCO PRODUCT MANUFACTURER TO EITHER PARTICIPATE IN THE MASTER SETTLEMENT AGREEMENT OR DEPOSIT MONIES INTO A QUALIFIED ESCROW FUND, SO AS TO PROVIDE THAT ESCROW PAYMENTS REQUIRED OF A NONPARTICIPATING TOBACCO PRODUCTS MANUFACTURER AND ANY REFUND OF AN ESCROW OVERPAYMENT BY SUCH A MANUFACTURER ARE BASED ON UNITS SOLD IN THIS STATE COMPARED WITH MASTER SETTLEMENT AGREEMENT PAYMENTS RATHER THAN AN ALLOCABLE SHARE, TO AMEND SECTIONS 11-49-60 AND 11-49-150, RELATING TO THE POWERS OF THE BOARD OF THE TOBACCO SETTLEMENT REVENUE MANAGEMENT AUTHORITY ACT AND THE CONSENT TO AND APPROVED BY THE GENERAL ASSEMBLY TO THE TOBACCO MASTER SETTLEMENT AGREEMENT, SO AS TO DELETE THE REQUIREMENT THAT THE GENERAL ASSEMBLY APPROVE ANY AMENDMENT TO THE AGREEMENT BEFORE THE BOARD MAY APPROVE SUCH AN AMENDMENT AND TO ALLOW THE BOARD OF THE AUTHORITY TO APPROVE SUCH AMENDMENTS ON BEHALF OF THE STATE IF SUCH AMENDMENTS DO NOT DIMINISH THE RIGHTS AND REMEDIES OF THE AUTHORITY AND BONDHOLDERS. - ratified title

01/12/05	House	Introduced and read first time HJ-78
01/12/05	House	Referred to Committee on Ways and Means HJ-79
01/18/05	House	Member(s) request name added as sponsor: Bailey
01/19/05	House	Committee report: Favorable Ways and Means HJ-8
01/20/05		Scrivener's error corrected
01/26/05	House	Debate adjourned until Thursday, January 27, 2005 HJ-31
01/27/05	House	Debate adjourned until Tuesday, February 1, 2005 HJ-10
02/01/05	House	Read second time HJ-22
02/01/05	House	Roll call Yeas-102 Nays-0 HJ-24
02/02/05	House	Read third time and sent to Senate HJ-18
02/02/05	Senate	Introduced and read first time SJ-21
02/02/05	Senate	Referred to Committee on Finance SJ-21
03/31/05	Senate	Committee report: Favorable with amendment Finance SJ-15
04/01/05		Scrivener's error corrected
04/28/05	Senate	Amended SJ-28
04/28/05	Senate	Read second time SJ-28
04/29/05	Senate	Read third time and returned to House with amendments
04/29/05		Scrivener's error corrected
05/05/05	House	Concurred in Senate amendment and enrolled HJ-36
05/11/05		Ratified R 70
05/17/05		Signed By Governor
05/19/05		Copies available
05/19/05		Effective date See Act for Effective Date
05/25/05		Act No. 61