

Session 125 - (2023-2024)

H 4651 General Bill, By Beach

Summary: Annexation Fairness Act

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "ANNEXATION FAIRNESS ACT"; BY ADDING SECTION 5-3-95 SO AS TO PROVIDE THE GOVERNING BODY OF THE COUNTY HAS LEGAL STANDING TO CHALLENGE AN ANNEXATION/DEANNEXATION BY A MUNICIPALITY IN THE APPROPRIATE JURISDICTION AND TO SEEK APPROPRIATE RELIEF; BY AMENDING SECTION 5-3-10, RELATING TO POWER TO EXTEND CORPORATE LIMITS, SO AS TO PROVIDE THE POWER TO REDUCE CORPORATE LIMITS, AND TO PROVIDE NO REDUCTION MAY RESULT IN THE FORMATION OF UNINCORPORATED ISLANDS OR NONCONTIGUOUS INCORPORATED AREAS; BY AMENDING SECTION 5-3-100, RELATING TO THE ALTERNATE ANNEXATION METHOD WHEN THE ENTIRE AREA PROPOSED TO BE ANNEXED IS OWNED BY THE ANNEXING MUNICIPALITY OR COUNTY, SO AS TO INCLUDE DEANNEXATION PROVISIONS; BY AMENDING SECTION 5-3-120, RELATING TO THE ANNEXATION ALTERNATE METHOD WHEN THE ENTIRE AREA PROPOSED TO BE ANNEXED IS OWNED BY A CORPORATION, SO AS TO INCLUDE DEANNEXATION PROVISIONS AND PUBLIC HEARING REQUIREMENTS; BY AMENDING SECTION 5-3-130, RELATING TO THE ALTERNATE METHOD FOR ANNEXATION WHEN THE ENTIRE AREA PROPOSED TO BE ANNEXED IS OWNED BY A SCHOOL DISTRICT, SO AS TO INCLUDE DEANNEXATION PROVISIONS AND PUBLIC HEARING REQUIREMENTS; BY AMENDING SECTION 5-3-140, RELATING TO THE ALTERNATE METHOD WHEN THE ENTIRE AREA PROPOSED TO BE ANNEXED IS OWNED BY THE FEDERAL GOVERNMENT OR STATE GOVERNMENT, SO AS TO INCLUDE DEANNEXATION PROVISIONS AND PUBLIC HEARING REQUIREMENTS; BY AMENDING SECTION 5-3-150, RELATING TO THE ALTERNATE METHOD FOR ANNEXATION WHERE PETITIONED BY SEVENTY-FIVE PERCENT OR MORE OF RELEVANT LANDOWNERS, SO AS TO INCLUDE DEANNEXATION PROVISIONS AND PUBLIC HEARING REQUIREMENTS, AND TO DELETE ORDINANCE REQUIREMENTS; BY AMENDING SECTION 5-3-210, RELATING TO SUBSEQUENT ANNEXATION ELECTIONS AFTER DEFEAT OF AN ANNEXATION ELECTION, SO AS TO INCLUDE DEANNEXATION PROVISIONS; BY AMENDING SECTION 5-3-235, RELATING TO LIMITS ON THE ASSESSED VALUE OF A SINGLE FREEHOLDER'S REAL PROPERTY AT THE TIME OF PROPOSED ANNEXATIONS, SO AS TO INCLUDE DEANNEXATION PROVISIONS; BY AMENDING SECTION 5-3-300, RELATING TO AN ADDITIONAL ANNEXATION PROCEDURE FOR AREAS CONTIGUOUS TO A MUNICIPALITY, SO AS TO INCLUDE DEANNEXATION PROVISIONS; BY AMENDING SECTION 5-3-315, RELATING TO PUBLIC HEARING AND NOTICE PROVISIONS RELATING TO PROPOSED ANNEXATIONS, SO AS TO INCLUDE DEANNEXATION PROVISIONS, TO MAKE PUBLIC HEARINGS MANDATORY, AND TO REMOVE PROVISIONS CONCERNING NONCOMPLIANCE WITH NOTICE PUBLICATION REQUIREMENTS; BY AMENDING SECTION 5-31-1520, RELATING TO EXTENSIONS OF MUNICIPAL WATER AND SEWER SYSTEMS BEYOND MUNICIPAL LIMITS, SO AS TO PROHIBIT CONDITIONING THE PROVISION OR CONTINUED PROVISION OF SUCH SERVICES ON ANNEXATION STATUS; AND BY REPEALING SECTION 5-3-280 RELATING TO PROCEDURES FOR THE REDUCTION OF MUNICIPAL CORPORATE LIMITS.

12/14/23 House Prefiled

12/14/23 House Referred to Committee on Judiciary

01/09/24 House Introduced and read first time (House Journal-page 111)

01/09/24 House Referred to Committee on Judiciary (House Journal-page 111)

01/10/24 Scrivener's error corrected