**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4037**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Owens, Mitchell, Hiott, Skelton, Rice, Millwood, Bedingfield, Bowen, Duncan, Wylie, Gambrell, Whitmire, Kirsh, Limehouse, Lucas, Simrill, G.R. Smith, Stewart and Stringer

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Introduced in the House on May 13, 2009

Currently residing in the House Committee on **Judiciary**

Summary: Tourism Expenditure Review Committee

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/13/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\05-13-09.docx)‑2

5/13/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\05-13-09.docx)‑2

4/28/2010 House Member(s) request name removed as sponsor: Sottile

**VERSIONS OF THIS BILL**

[5/13/2009](file:///p:\pprever\2009-10\4037_20090513.docx)

**A** **BILL**

TO AMEND SECTION 6‑4‑35, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TOURISM EXPENDITURE REVIEW COMMITTEE, SO AS TO PROVIDE THAT APPEALS FROM THE COMMITTEE GO TO THE APPROPRIATE COUNTY LEGISLATIVE DELEGATION INSTEAD OF THE ADMINISTRATIVE LAW COURT.

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

SECTION 1. Section 6‑4‑35(B)(1)(a) and (b) of the 1976 Code is amended to read:

“(a) The Tourism Expenditure Review Committee shall serve as the oversight authority on all questionable tourism‑related expenditures and to that end, all reports filed pursuant to Section 6‑4‑25(D)(3) must be forwarded to the committee for review to determine if they are in compliance with this chapter. The municipality or county must be notified if an expenditure is questioned, and the committee may consider any further supporting information the municipality or county may provide. If the committee finds an expenditure to be in noncompliance, it shall certify the noncompliance to the State Treasurer, who shall withhold the amount of the expenditure found in noncompliance from subsequent distributions in accommodations tax revenue otherwise due the municipality or county. An appeal from an action of the committee under this subitem lies with the ~~Administrative Law Judge Division~~ appropriate county legislative delegation.

(b) If the committee determines that a municipality or county has failed to file the reports required pursuant to Section 6‑4‑25(D)(3), it may impose a fee of five hundred dollars a month or part of a month for each month the report is not filed, but not more than five thousand dollars. The committee shall certify the penalty to the State Treasurer, who shall withhold the amount of the penalty from subsequent distributions otherwise due the municipality or county. An appeal from an action of the committee under this subitem lies with the ~~Administrative Law Judge Division~~ appropriate county legislative delegation.”

SECTION 2. This act takes effect upon approval by the Governor.

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