**South Carolina General Assembly**

118th Session, 2009-2010

**A274, R254, S850**

**STATUS INFORMATION**

General Bill

Sponsors: Senator McGill

Document Path: l:\s-financ\drafting\jym\001incf.dag.jym.docx

Introduced in the Senate on May 19, 2009

Introduced in the House on March 11, 2010

Last Amended on May 25, 2010

Passed by the General Assembly on May 27, 2010

Governor's Action: June 7, 2010, Vetoed

Legislative veto action(s): Veto overridden

Summary: Income tax return

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/19/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\05-19-09.docx)‑6

5/19/2009 Senate Referred to Committee on **Finance** [SJ](file:///h:\SJ%20Archive\2009\05-19-09.docx)‑6

3/3/2010 Senate Committee report: Favorable **Finance** [SJ](file:///h:\SJ%20Archive\2010\03-03-10.docx)‑9

3/4/2010 Senate Read second time [SJ](file:///h:\SJ%20Archive\2010\03-04-10.docx)‑11

3/4/2010 Scrivener's error corrected

3/10/2010 Senate Amended [SJ](file:///h:\SJ%20Archive\2010\03-10-10.docx)‑18

3/10/2010 Senate Read third time and sent to House [SJ](file:///h:\SJ%20Archive\2010\03-10-10.docx)‑18

3/11/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\03-11-10.docx)‑4

3/11/2010 House Referred to Committee on **Ways and Means** [HJ](file:///h:\HJ%20Archive\2010\03-11-10.docx)‑4

3/11/2010 Scrivener's error corrected

5/19/2010 House Recalled from Committee on **Ways and Means** [HJ](file:///h:\HJ%20Archive\2010\05-19-10.docx)‑47

5/25/2010 House Amended [HJ](file:///h:\HJ%20Archive\2010\05-25-10.docx)‑41

5/25/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\05-25-10.docx)‑41

5/26/2010 House Read third time and returned to Senate with amendments [HJ](file:///h:\HJ%20Archive\2010\05-26-10.docx)‑12

5/27/2010 Senate Concurred in House amendment and enrolled [SJ](file:///h:\SJ%20Archive\2010\05-27-10.docx)‑76

6/1/2010 Ratified R 254

6/7/2010 Vetoed by Governor

6/16/2010 Senate Veto overridden by originating body Yeas‑32 Nays‑9 [SJ](file:///h:\SJ%20Archive\2010\06-16-10.docx)‑38

6/17/2010 House Veto overridden Yeas‑103 Nays‑1 [HJ](file:///h:\HJ%20Archive\2010\06-17-10.docx)‑414

7/13/2010 Effective date 06/16/10

7/14/2010 Act No. 274

**VERSIONS OF THIS BILL**

[5/19/2009](file:///p:\pprever\2009-10\850_20090519.docx)

[3/3/2010](file:///p:\pprever\2009-10\850_20100303.docx)

[3/4/2010](file:///p:\pprever\2009-10\850_20100304.docx)

[3/10/2010](file:///p:\pprever\2009-10\850_20100310.docx)

[3/11/2010](file:///p:\pprever\2009-10\850_20100311.docx)

[5/19/2010](file:///p:\pprever\2009-10\850_20100519.docx)

[5/25/2010](file:///p:\pprever\2009-10\850_20100525.docx)

(A274, R254, S850)

**AN ACT TO AMEND SECTION 12‑6‑5060, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION ON A STATE INDIVIDUAL INCOME TAX RETURN OF A VOLUNTARY CONTRIBUTION BY THE TAXPAYER TO CERTAIN FUNDS, SO AS TO PROVIDE THAT A TAXPAYER MAY CONTRIBUTE TO THE SOUTH CAROLINA FORESTRY COMMISSION FOR USE IN THE STATE FOREST SYSTEM AND TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES FOR USE IN ITS PROGRAMS AND OPERATIONS; AND TO AMEND SECTION 12‑54‑250, AS AMENDED, RELATING TO THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO REQUIRE PAYMENT WITH IMMEDIATELY AVAILABLE FUNDS, SO AS TO DELETE PROVISIONS RELATING TO SIMULTANEOUS ACTS FOR PURPOSES OF INTEREST AND PENALTIES.**

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

**Additional designations for contributions**

SECTION 1. Section 12‑6‑5060(A) of the 1976 Code, as last amended by Act 382 of 2006, is further amended to read:

“Section 12‑6‑5060. (A) Each taxpayer required to file a state individual income tax return may contribute to the War Between the States Heritage Trust Fund established pursuant to Section 51‑18‑115, the Nongame Wildlife and Natural Areas Program Fund established pursuant to Section 50‑1‑280, the Children’s Trust Fund of South Carolina established pursuant to Section 63‑11‑910, the Eldercare Trust Fund of South Carolina established pursuant to Section 43‑21‑160, or the First Steps to School Readiness Fund established pursuant to Section 63‑11‑1750, the South Carolina Military Family Relief Fund established pursuant to Article 3, Chapter 11, Title 25, the Donate Life South Carolina established pursuant to Section 44‑43‑1310, the Veterans’ Trust Fund of South Carolina established pursuant to Chapter 21 of Title 25, the South Carolina Litter Control Enforcement Program (SCLCEP) and used by the Governor’s Task Force on Litter only for the SCLCEP Program, the South Carolina Law Enforcement Assistance Program (SCLEAP) and used as provided in Section 23‑3‑65, the South Carolina Department of Parks, Recreation and Tourism for use in the South Carolina State Park Service in the manner the General Assembly provides, the South Carolina Forestry Commission for use in the state forest system, the South Carolina Department of Natural Resources for use in its programs and operations, K‑12 public education for use in the manner the General Assembly provides by law, South Carolina Conservation Bank Trust Fund established pursuant to Section 48‑59‑60, or the Financial Literacy Trust Fund as established pursuant to Section 59‑29‑510, by designating the contribution on the return. The contribution may be made by reducing the income tax refund or by remitting additional payment by the amount designated.”

**Interest and Penalties**

SECTION 2. Section 12‑54‑250(E) of the 1976 Code is amended to read:

“(E) RESERVED”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 1st day of June, 2010.

Vetoed by the Governor -- 6/7/2010.

Veto overridden by Senate -- 6/16/2010.

Veto overridden by House -- 6/16/2010.

\_\_\_\_\_\_\_\_\_\_