**South Carolina General Assembly**

119th Session, 2011-2012

**S. 139**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen, Rose, Cromer, McGill, Land, Sheheen, Cleary, Leventis and McConnell

Document Path: l:\council\bills\bbm\9867htc11.docx

Companion/Similar bill(s): 138, 3083, 3084

Introduced in the Senate on January 11, 2011

Currently residing in the Senate Committee on **Finance**

Summary: S.C. Conservation Bank Reauthorization and Stabilization Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/1/2010 Senate Prefiled

12/1/2010 Senate Referred to Committee on **Finance**

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 68](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Finance** ([Senate Journal‑page 68](file:///h:\sj%20archive\2011\01-11-11.docx))

**VERSIONS OF THIS BILL**

[12/1/2010](file:///p:\pprever\2011-12\139_20101201.docx)

**A** **BILL**

TO ENACT THE “SOUTH CAROLINA CONSERVATION BANK REAUTHORIZATION AND STABILIZATION ACT” BY AMENDING ACT 200 OF 2002, WHICH ENACTED THE “SOUTH CAROLINA CONSERVATION BANK ACT” AND PROVIDED FOR ITS FUNDING, SO AS TO DELETE THE SUNSETTING OF THAT ACT OTHERWISE EFFECTIVE JULY 1, 2013, AND TO DELETE THE PROVISION PROVIDING FOR THE SUSPENSION OF CREDITING OF DEED RECORDING FEES AND OTHER APPROPRIATED FUNDS TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND FOR A FISCAL YEAR BASED ON SPECIFIED FISCAL CIRCUMSTANCES AND TO MAKE VARIOUS SECTIONS OF THAT ACT PERMANENT LAW BY DESIGNATING SECTIONS 3, 6, 8, 10, AND 11 OF ACT 200 OF 2002, RELATING RESPECTIVELY TO THE PORTION OF THE DEED RECORDING FEE DEDICATED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND, CONSERVATION EASEMENTS, BIENNIAL REPORTS TO THE GENERAL ASSEMBLY, USE OF CONSERVATION BANK FUNDS FOR BEACH CONSERVATION, AND USE OF CONSERVATION BANK FUNDS TO ACQUIRE LAND FOR STATE PARKS AS SECTIONS 12‑24‑96, 48‑59‑65, 27‑8‑37, 48‑59‑150, 48‑59‑160, AND 48‑59‑170, ALL OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976.

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

SECTION 1. This act may be cited as the “South Carolina Conservation Bank Reauthorization and Stabilization Act”.

SECTION 2. Act 200 of 2002 is amended by deleting SECTIONS 5 and 7 which read:

“SECTION 5. In a fiscal year when the General Assembly in the annual general appropriations act provides less appropriations than what was provided for the previous year to at least one‑half of the state agencies or departments contained therein the act or in any year when the Budget and Control Board orders across the board cuts to state agencies and departments in the manner provided by law, no further transfer of deed recording fees or other appropriated funds, state or local, may be credited to the trust fund for the fiscal year or balance of the fiscal year, but existing balances in the trust fund may be used as provided by Chapter 59 of Title 48 of the 1976 Code.

SECTION 7. Chapter 59, Title 48 of the 1976 Code and Sections 2 through 6 of this act are repealed effective July 1, 2013, unless reenacted or otherwise extended by the General Assembly. However, the South Carolina Conservation Bank established by this act may continue to operate as if Chapter 59, Title 49 of the 1976 Code was not repealed until the South Carolina Conservation Bank Trust Fund is exhausted or July 1, 2016, whichever first occurs. Any balance in that trust fund on July 1, 2016, reverts to the general fund of the State. Repeal does not affect any rights, obligations, liabilities, or debts due the South Carolina Conservation Bank. For these purposes, after the bank’s termination, the State Budget and Control Board is the bank’s successor, except that, after the bank’s termination, the board’s voting rights provided in the former provisions of Section 48‑59‑80(F), (G), (H), and (I) of the 1976 Code are devolved upon the Department of Natural Resources Board, and any contribution to the trust fund required pursuant to the former provisions of Section 48‑59‑80(H) of the 1976 Code must be made to the Heritage Trust Program.”

SECTION 3. The following SECTIONS of Act 200 of 2002 are made part of permanent law of this State and designated sections of the 1976 Code as indicated:

(1) SECTION 3 ‑ Section 12‑24‑96;

(2) SECTION 6 ‑ Section 27‑8‑37;

(3) SECTION 8 ‑ Section 48‑59‑150;

(4) SECTION 10 ‑ Section 48‑59‑160;

(5) SECTION 11 ‑ Section 48‑59‑170.

SECTION 4. This act takes effect upon approval by the Governor.

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