**A** **BILL**

TO AMEND ACT 200 OF 2002, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK ACT, SO AS TO DELETE A PROVISION WHICH PROVIDES THAT NO FURTHER DEED RECORDING FEES OR OTHER FUNDS MAY BE CREDITED TO THE CONSERVATION BANK TRUST FUND IN ANY YEAR WHEN A MAJORITY OF STATE AGENCY APPROPRIATIONS ARE REDUCED IN THE ANNUAL GENERAL APPROPRIATIONS ACT OR WHEN THE STATE BUDGET AND CONTROL BOARD IMPOSES ACROSS THE BOARD CUTS AND INSTEAD PROVIDE FOR A REDUCTION ON A PERCENTAGE BASIS IN THE AMOUNT OF DEED RECORDING FEES WHICH MAY BE TRANSFERRED TO THE TRUST FUND.

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

SECTION 1. Section 5 of Act 200 of 2002 is amended to read:

“Section 5. (A) 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 fiscal year when the State 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~~ the amount of deed recording fees transferred to the South Carolina Conservation Bank Trust Fund during that year must be reduced by the average percentage decrease in total general fund appropriations to those agencies receiving such a decrease in that general appropriations act or by the percentage amount of the across the board decrease or decreases imposed by the State Budget and Control Board on all agencies, whichever is applicable. If both decreases occur, the reduction to the Conservation Bank Trust Fund shall be a combination of all decreases.

(B) The provisions of subsection (A) of this section, as amended by this act, apply on a fiscal year basis beginning with fiscal year 2012-2013.”

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

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