~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 26, 2014

**S. 911**

Introduced by Senator Peeler

S. Printed 3/26/14--S.

Read the first time January 14, 2014.

**THE COMMITTEE ON FINANCE**

To whom was referred a Bill (S. 911) to amend the Code of Laws of South Carolina, 1976, by repealing Section 4‑10‑470 relating to the Education Capital Improvements Sales and Use Tax, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_. Section 4‑10‑460 of the 1976 Code, as added by Act 316 of 2008, is amended to read:

“Section 4‑10‑460. The tax authorized in this article may be renewed and imposed within a county in the same manner as proceedings for the initial imposition of the tax. A referendum on the question of reimposition of a tax must not be held ~~more~~ earlier than within the calendar year which is two years before the ~~date upon~~ calendar year in which the tax then in effect is scheduled to terminate, but any reimposition is effective immediately upon the termination of the tax previously imposed.” /

Renumber sections to conform.

Amend title to conform.

Majority favorable. Minority unfavorable.

HUGH K. LEATHERMAN, SR. KEVIN L. BRYANT

For Majority. For Minority.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**REVENUE IMPACT 1/**

This bill would affect the eligibility requirements concerning the Education Capital Improvements Sales and Use Tax. Removing section 4-10-470 would allow the remaining 44 of the 46 counties in the state to impose this tax.

**Explanation**

Pursuant to section 4-10-470 of the Code of Laws of South Carolina, in order to impose the Education Capital Improvements Sales and Use Tax, a county is required to have collected at least $7 million in state accommodations taxes in a full fiscal year. Currently, Charleston and Horry County are the only eligible counties; both counties impose the Education Capital Improvements Sales and Use Tax. Removing this section would make all remaining counties eligible to impose this tax.

*Approved By:*

Frank A. Rainwater

Board of Economic Advisors

1/ This statement meets the requirement of Section 2-7-71 for a state revenue impact by the BEA, or Section 2-7-76 for a local revenue impact or Section 6-1-85(B) for an estimate of the shift in local property tax incidence by the Office of Economic Research.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 4‑10‑470 RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO DELETE THE REQUIREMENT THAT A COUNTY MUST COLLECT AT LEAST SEVEN MILLION DOLLARS IN A YEAR IN STATE ACCOMMODATIONS TAXES BEFORE IMPOSING THE TAX.

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

SECTION 1. Section 4‑10‑470 of the 1976 Code, as added by Act 316 of 2008, is repealed.

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

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