**South Carolina General Assembly**

121st Session, 2015-2016

**A229, R262, H4416**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Felder, Pope, Merrill, Burns, V.S. Moss and Pitts

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Introduced in the House on January 12, 2016

Introduced in the Senate on April 28, 2016

Last Amended on April 26, 2016

Passed by the General Assembly on June 1, 2016

Governor's Action: June 3, 2016, Signed

Summary: Exemptions from impact fees

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/3/2015 House Prefiled

 12/3/2015 House Referred to Committee on **Ways and Means**

 1/12/2016 House Introduced and read first time ([House Journal‑page 60](file:///h%3A%5CHJ%20Archive%5C2016%5C01-12-16.docx))

 1/12/2016 House Referred to Committee on **Ways and Means** ([House Journal‑page 60](file:///h%3A%5CHJ%20Archive%5C2016%5C01-12-16.docx))

 1/14/2016 House Member(s) request name added as sponsor: Pitts

 4/20/2016 House Committee report: Favorable with amendment **Ways and Means** ([House Journal‑page 351](file:///h%3A%5CHJ%20Archive%5C2016%5C04-20-16.docx))

 4/26/2016 House Amended ([House Journal‑page 20](file:///h%3A%5CHJ%20Archive%5C2016%5C04-26-16.docx))

 4/26/2016 House Read second time ([House Journal‑page 20](file:///h%3A%5CHJ%20Archive%5C2016%5C04-26-16.docx))

 4/26/2016 House Roll call Yeas‑90 Nays‑5 ([House Journal‑page 21](file:///h%3A%5CHJ%20Archive%5C2016%5C04-26-16.docx))

 4/27/2016 House Read third time and sent to Senate ([House Journal‑page 14](file:///h%3A%5CHJ%20Archive%5C2016%5C04-27-16.docx))

 4/28/2016 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h%3A%5CSJ%20Archive%5C2016%5C04-28-16.docx))

 4/28/2016 Senate Referred to Committee on **Finance** ([Senate Journal‑page 7](file:///h%3A%5CSJ%20Archive%5C2016%5C04-28-16.docx))

 5/25/2016 Senate Recalled from Committee on **Finance** ([Senate Journal‑page 2](file:///h%3A%5CSJ%20Archive%5C2016%5C05-25-16.docx))

 5/31/2016 Senate Read second time ([Senate Journal‑page 59](file:///h%3A%5CSJ%20Archive%5C2016%5C05-31-16.docx))

 5/31/2016 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 59](file:///h%3A%5CSJ%20Archive%5C2016%5C05-31-16.docx))

 6/1/2016 Senate Read third time and enrolled ([Senate Journal‑page 25](file:///h%3A%5CSJ%20Archive%5C2016%5C06-01-16.docx))

 6/2/2016 Ratified R 262

 6/3/2016 Signed By Governor

 6/9/2016 Effective date 06/03/16

 6/9/2016 Act No. 229

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4416&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/3/2015](file:///p%3A%5Cpprever%5C2015-16%5C4416_20151203.docx)

[4/20/2016](file:///p%3A%5Cpprever%5C2015-16%5C4416_20160420.docx)

[4/26/2016](file:///p%3A%5Cpprever%5C2015-16%5C4416_20160426.docx)

[5/25/2016](file:///p%3A%5Cpprever%5C2015-16%5C4416_20160525.docx)

(A229, R262, H4416)

**AN ACT** **TO AMEND SECTION 6‑1‑970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTIONS FROM IMPACT FEES, SO AS TO ADD EXEMPTIONS FOR CERTAIN SCHOOLS AND VOLUNTEER FIRE DEPARTMENTS; AND TO AMEND SECTION 6‑1‑920, RELATING TO THE DEFINITION OF “PUBLIC FACILITIES”, SO AS TO ADD CERTAIN PUBLIC EDUCATION FACILITIES.**

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

**Exemptions from impact fees**

SECTION 1. Section 6‑1‑970 of the 1976 Code is amended to read:

 “Section 6‑1‑970. The following structures or activities are exempt from impact fees:

 (1) rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;

 (2) remodeling or repairing a structure that does not result in an increase in the number of service units;

 (3) replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of service units does not increase;

 (4) placing a construction trailer or office on a lot during the period of construction on the lot;

 (5) constructing an addition on a residential structure which does not increase the number of service units;

 (6) adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system’s capacity;

 (7) all or part of a particular development project if:

 (a) the project is determined to create affordable housing; and

 (b) the exempt development’s proportionate share of system improvements is funded through a revenue source other than development impact fees;

 (8) constructing a new elementary, middle, or secondary school; and

 (9) constructing a new volunteer fire department.”

**Public facilities**

SECTION 2. Section 6‑1‑920(18) of the 1976 Code is amended by adding an appropriately lettered subitem to read:

 “( ) public education facilities for grades K‑12 including, but not limited to, schools, offices, classrooms, parking areas, playgrounds, libraries, cafeterias, gymnasiums, health and music rooms, computer and science laboratories, and other facilities considered necessary for the proper public education of the state’s children.”

**Time effective**

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

Ratified the 2nd day of June, 2016.

Approved the 3rd day of June, 2016.

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