**South Carolina General Assembly**

121st Session, 2015-2016

**A14, R27, S673**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Sheheen

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Companion/Similar bill(s): 4012

Introduced in the Senate on April 16, 2015

Introduced in the House on April 29, 2015

Last Amended on April 28, 2015

Passed by the General Assembly on May 1, 2015

Governor's Action: May 7, 2015, Signed

Summary: Hospital Public Service District

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/16/2015 Senate Introduced and read first time ([Senate Journal‑page 4](file:///h%3A%5CSJ%20Archive%5C2015%5C04-16-15.docx))

 4/16/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 4](file:///h%3A%5CSJ%20Archive%5C2015%5C04-16-15.docx))

 4/22/2015 Senate Recalled from Committee on **Judiciary** ([Senate Journal‑page 2](file:///h%3A%5CSJ%20Archive%5C2015%5C04-22-15.docx))

 4/23/2015 Senate Amended ([Senate Journal‑page 81](file:///h%3A%5CSJ%20Archive%5C2015%5C04-23-15.docx))

 4/23/2015 Senate Read second time ([Senate Journal‑page 81](file:///h%3A%5CSJ%20Archive%5C2015%5C04-23-15.docx))

 4/23/2015 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 81](file:///h%3A%5CSJ%20Archive%5C2015%5C04-23-15.docx))

 4/28/2015 Senate Amended ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2015%5C04-28-15.docx))

 4/28/2015 Senate Read second time ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2015%5C04-28-15.docx))

 4/28/2015 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2015%5C04-28-15.docx))

 4/29/2015 House Introduced and read first time ([House Journal‑page 4](file:///h%3A%5CHJ%20Archive%5C2015%5C04-29-15.docx))

 4/29/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 4](file:///h%3A%5CHJ%20Archive%5C2015%5C04-29-15.docx))

 4/29/2015 House Recalled from Committee on **Judiciary** ([House Journal‑page 130](file:///h%3A%5CHJ%20Archive%5C2015%5C04-29-15.docx))

 4/29/2015 Scrivener's error corrected

 4/30/2015 House Read second time ([House Journal‑page 12](file:///h%3A%5CHJ%20Archive%5C2015%5C04-30-15.docx))

 4/30/2015 House Roll call Yeas‑101 Nays‑0 ([House Journal‑page 13](file:///h%3A%5CHJ%20Archive%5C2015%5C04-30-15.docx))

 4/30/2015 House Unanimous consent for third reading on next legislative day ([House Journal‑page 14](file:///h%3A%5CHJ%20Archive%5C2015%5C04-30-15.docx))

 5/1/2015 House Read third time and enrolled ([House Journal‑page 2](file:///h%3A%5CHJ%20Archive%5C2015%5C05-01-15.docx))

 5/7/2015 Ratified R 27

 5/7/2015 Signed By Governor

 5/13/2015 Effective date 05/07/15

 5/14/2015 Act No. 14

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=673&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/16/2015](file:///p%3A%5Cpprever%5C2015-16%5C673_20150416.docx)

[4/22/2015](file:///p%3A%5Cpprever%5C2015-16%5C673_20150422.docx)

[4/23/2015](file:///p%3A%5Cpprever%5C2015-16%5C673_20150423.docx)

[4/28/2015](file:///p%3A%5Cpprever%5C2015-16%5C673_20150428.docx)

[4/29/2015](file:///p%3A%5Cpprever%5C2015-16%5C673_20150429.docx)

[4/29/2015-A](file:///p%3A%5Cpprever%5C2015-16%5C673_20150429A.docx)

(A14, R27, S673)

**AN ACT TO AMEND SECTION 4‑9‑82, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF ASSETS BY A HOSPITAL PUBLIC SERVICE DISTRICT, SO AS TO SPECIFY THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO A TRANSACTION THAT INCLUDES THE HOSPITAL PUBLIC SERVICE DISTRICT’S ENTRY INTO A LEASE OF ANY OR ALL OF ITS REAL PROPERTY ASSOCIATED WITH THE DELIVERY OF HOSPITAL SERVICES REGARDLESS OF THE LENGTH OF THE TERM OF THE REAL PROPERTY LEASE OR WHETHER OR NOT THE TRANSACTION ALSO INCLUDES THE SALE OR LEASE OF OTHER ASSETS OF THE DISTRICT, AND TO PROVIDE APPLICATION LIMITATIONS.**

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

**Transfer of assets by a hospital public service district, exception for leases**

SECTION 1. Section 4‑9‑82 of the 1976 Code, as last amended by Act 94 of 1999, is further amended by adding an appropriately lettered subsection at the end to read:

 “( ) Notwithstanding any other provision of law, the provisions of this section do not apply to any transaction that includes the hospital public service district’s entry into a lease of any or all of its real property associated with the delivery of hospital services regardless of:

 (1) the length of the term of the real property lease; or

 (2) whether or not the transaction also includes the sale or lease of other assets of the district.”

**Applicability limitations**

SECTION 2. Section 4‑9‑82(C) of the 1976 Code, as added by Act 94 of 1999, is amended to read:

 “(C) Provided, however, that the requirements of subsection (B) do not apply to a transfer by a hospital public service district that owns or controls less than one hundred forty‑five licensed or otherwise authorized acute care hospital beds and is located entirely within a county with a population of less than forty thousand persons, and the:

 (1) transfer is to a not‑for‑profit entity whose governing board is appointed by the Governor, upon the recommendation of the legislative delegation from the county where the hospital public service district is located, and which otherwise is in compliance with subsection (A); or

 (2) transfer is to an entity created pursuant to the provisions of Chapter 31, Title 33, or the provisions of Chapter 35, Title 33, or the provisions of Articles 15 and 16, Chapter 7, Title 44, and whose governing board is appointed by the Governor, upon recommendation of the legislative delegation from the county where the hospital public service district is located; or

 (3) transfer is to another governmental entity.”

**Time effective**

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

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