**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4145**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Murphy and Bannister

Document Path: LC-0191DG23.docx

Introduced in the House on March 14, 2023

Introduced in the Senate on May 11, 2023

Last Amended on May 10, 2023

Currently residing in the House

Summary: Redevelopment fees

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/14/2023 House Introduced and read first time (House Journal‑page 5)

 3/14/2023 House Referred to Committee on **Ways and Means** (House Journal‑page 5)

 5/4/2023 House Committee report: Favorable **Ways and Means** (House Journal‑page 6)

 5/9/2023 House Debate adjourned (House Journal‑page 25)

 5/10/2023 House Requests for debate-Rep(s). Landing, Cromer, Pace, White, Bustos, May, Burns, TA Morgan, AM Morgan, McCabe, Robbins, Gatch (House Journal‑page 99)

 5/10/2023 House Amended (House Journal‑page 135)

 5/10/2023 House Read second time (House Journal‑page 135)

 5/10/2023 House Roll call Yeas-102 Nays-11 (House Journal‑page 136)

 5/11/2023 House Read third time and sent to Senate (House Journal‑page 55)

 5/11/2023 Senate Introduced and read first time (Senate Journal‑page 10)

 5/11/2023 Senate Referred to Committee on **Finance** (Senate Journal‑page 10)

 5/11/2023 Scrivener's error corrected

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**VERSIONS OF THIS BILL**

[03/14/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4145_20230314.docx)

[05/04/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4145_20230504.docx)

[05/10/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4145_20230510.docx)

[05/11/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4145_20230511.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

May 10, 2023

H. 4145

Introduced by Reps. Murphy and Bannister

S. Printed 05/10/23--H. [SEC 5/11/2023 3:05 PM]

Read the first time March 14, 2023

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-10-88, RELATING TO REDEVELOPMENT FEES REMITTED BY THE DEPARTMENT OF REVENUE, SO AS TO REMOVE AN ANNUAL MAXIMUM AND TO REMOVE A SUNSET PROVISION; AND by AMENDing ACT 356 OF 2002 so as TO DELETE A PROVISION REQUIRING THE SHARING OF CERTAIN REVENUE.

 Amend Title To Conform

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

SECTION 1. Section 12-10-88 of the S.C. Code is amended to read:

 Section 12-10-88. (A) Subject to the conditions provided in subsection (B), South Carolina individual income tax withholding equal to five percent of all South Carolina wages paid with respect to employees that are employed by a federal employer at a closed or realigned federal installation must be remitted by the department to the redevelopment authority vested with authority under Section 31-12-40(A) to oversee the closed or realigned federal installation. The amounts of withholding collected and remitted to the applicable redevelopment authority are referred to as “redevelopment fees”.

 (B) The department shall remit the redevelopment fees during the period described in subsection (C) for each calendar quarter for which the redevelopment authority provides the department with a timely statement from the federal employer that employs the employees working at the closed or realigned federal installation setting forth the number of employees employed at the installation, the total wages paid to these employees, and the total amount of South Carolina withholding withheld from the employees for each quarter. In order to receive the redevelopment fees for the applicable quarter, the redevelopment authority shall submit the statement within thirty days of the later of the date that the federal employer's South Carolina withholding tax return is due or the date the federal employer files the withholding tax return. The department may extend the time for submission of the statement at its discretion.

 (C) Redevelopment fees may be remitted to the applicable redevelopment authority for any quarter beginning on or after the date that the applicable redevelopment authority first submits the information described in subsection (B) to the department. If the redevelopment authority fails to provide the department with the required statement within the requisite time limits, no redevelopment fees must be remitted for that quarter. Notwithstanding subsection (A), the redevelopment fee remitted by the department in any fiscal year may not exceed the amount remitted in Fiscal Year 2014-2015.

 (D) Neither the federal employer nor the applicable redevelopment authority is required to meet the requirements of Section 12-10-50 for subsection (A) to apply and the restrictions contained in Section 12-10-80(C) do not apply to redevelopment fees.

 (E) For purposes of this section “closed or realigned federal installation” means:

 (1) until January 1, 2028, June 30, 2043, a federal defense site in which permanent employment was reduced by three thousand or more jobs from the level of such jobs on December 31, 1990, or a federal military base or installation which has been closed or realigned under:

 (a) the Defense Base Closure and Realignment Act of 1990;

 (b) Title 11 of the Defense Authorization Amendments and Base Closure and Realignment Act; or

 (c) Section 2687 of Title 10, United States Code.

SECTION 2.  SECTION 15 of Act 356 of 2002 is amended to read:

 SECTION 15. Notwithstanding any other provision of law the Charleston Naval Complex Redevelopment Authority (RDA), upon receiving ownership from the United States of America, shall convey certain parcels of real property to the City of North Charleston as per the mutual agreement described hereafter. These parcels shall be delineated through a mutual agreement between the City of North Charleston and the South Carolina State Ports Authority that takes into account the respective needs of each entity in the property south of Necessary Street. All conveyances shall be at no consideration once the City of North Charleston and the South Carolina State Ports Authority have entered into a memorandum of understanding and agreement for the operation of breakbulk, roll on roll off, and container terminals and dock operations on appropriate properties that are subject to the oversight or control of the Charleston Naval Complex Redevelopment Authority. The City of North Charleston shall honor all existing leases as negotiated by the Charleston Naval Complex Redevelopment Authority prior to the effective date of this section. Furthermore, all properties conveyed shall retain any Tax Increment Finance District status, any state or federal grants applied to the area, and any state revenues currently directed to the Charleston Redevelopment Authority on a per acre basis for the relative properties conveyed to the City of North Charleston. In addition, any revenues received from the State under the Rural Development Act relating to the number of federal employees at the naval complex shall be shared pursuant to the location of the jobs on the complex.

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

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