CHAPTER 11

Recreation Land Trust Fund

**SECTION 51‑11‑10.** Recreation Land Trust Fund created; purpose; administration.

There is hereby created the Recreation Land Trust Fund, hereafter referred to as the trust fund, which shall be kept separate from any other funds of the State. The trust fund shall be under the control of and administered by the Director of the Department of Parks, Recreation and Tourism for the purposes of acquiring recreational lands, the development of utilities and roads on lands owned or controlled by the department, and for such related professional and technical services, legal fees, court costs or such other costs as may be involved in the acquisition and development of such lands. The State Treasurer shall be the custodian of the fund, and all moneys and securities in the fund shall be held in trust by the State Treasurer.

HISTORY: 1962 Code Section 51‑79.11; 1974 (58) 2070; 1993 Act No. 181, Section 1278, eff July 1, 1993.

Effect of Amendment

The 1993 amendment substituted “Director of the Department of Parks, Recreation and Tourism” for “State Parks, Recreation and Tourism Commission” and “department” for “Commission”.

CROSS REFERENCES

Amusements and athletics generally, see Sections 52‑1‑20 et seq.

Department of Parks, Recreation and Tourism reorganized, see Section 1‑30‑80.

Environmental protection and conservation, see Sections 48‑1‑10 et seq.

Public finance generally, see Sections 11‑1‑10 et seq.

Attorney General’s Opinions

Validity of city ordinance regulating hours of certain types of businesses is dependent on nature of business regulated; amusement center, which has pool tables and video machines, and which sells food and drinks, can operate after 1:30 p.m. on Sunday, so long as such business is not classified as pool hall so as to be subject to provisions of Sections 52‑11‑10 et seq., which prohibit operation of pool hall on Sunday. 1985 Op Atty Gen, No. 85‑124, p 336.

A county may “match funds” with the State Recreation Land Trust Fund with either cash or other land. 1974‑75 Op Atty Gen, No 3936, p 18.

**SECTION 51‑11‑15.** Grants to local governments for acquisition of recreational land.

The Director of the Department of Parks, Recreation and Tourism may make grants to local governments from the Recreation Land Trust Fund for the acquisition of recreational lands in accordance with guidelines to be promulgated by the department.

HISTORY: 1979 Act No. 199, Part II Section 3; 1993 Act No. 181, Section 1278, eff July 1, 1993.

Effect of Amendment

The 1993 amendment substituted “Director of the Department of Parks, Recreation and Tourism” for “South Carolina Parks, Recreation and Tourism Commission” and “department” for “Commission”.

**SECTION 51‑11‑20.** Restriction on use of trust fund.

No funds provided for in this chapter shall be expended to acquire property by eminent domain nor shall such funds be expended for any property without the approval of the State Fiscal Accountability Authority or Department of Administration, as applicable. The moneys in the trust fund shall be carried forward each year and used only for the purposes provided for in this chapter.

HISTORY: 1962 Code Section 51‑79.12; 1974 (58) 2070; 1993 Act No. 181, Section 1278, eff July 1, 1993.

Code Commissioner’s Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

Effect of Amendment

The 1993 amendment reprinted this section with no apparent change.

**SECTION 51‑11‑30.** Transfer of Tricentennial Fund.

The State Treasurer shall transfer to the Department of Parks, Recreation and Tourism that portion of the former Tricentennial Fund consisting of nine hundred eighty‑two thousand, seven dollars and fifty cents recovered in litigation as a result of defects in certain buildings owned by the former Tricentennial Commission. Five hundred thousand dollars of such moneys shall be deposited in the trust fund and the balance shall be used by the department for capital improvements as it sees fit.

HISTORY: 1962 Code Section 51‑79.13; 1974 (58) 2070; 1993 Act No. 181, Section 1278, eff July 1, 1993.

Effect of Amendment

The 1993 amendment substituted “Department of Parks, Recreation and Tourism” for “State Parks, Recreation and Tourism Commission” and “department” for “Commission”.

**SECTION 51‑11‑40.** South Carolina Outdoor Recreation Plan of 1970.

The department shall file a copy of its South Carolina Outdoor Recreation Plan of 1970 with the Secretary of State. The plan, and amendments thereto, and such formulas and priorities promulgated by the department for the purpose of administering it, shall serve as a guide for the expenditure of these funds.

HISTORY: 1962 Code Section 51‑79.14; 1974 (58) 2070; 1993 Act No. 181, Section 1278, eff July 1, 1993.

Effect of Amendment

The 1993 amendment substituted “department” for “Commission”.

**SECTION 51‑11‑50.** Approval of expenditures.

No funds provided for in this chapter shall be expended without prior approval of the State Fiscal Accountability Authority.

HISTORY: 1962 Code Section 51‑79.15; 1974 (58) 2070; 1993 Act No. 181, Section 1278, eff July 1, 1993.

Code Commissioner’s Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

Effect of Amendment

The 1993 amendment reprinted this section with no apparent change.

**SECTION 51‑11‑60.** General Assembly shall receive reports of expenditures.

The Department of Parks, Recreation and Tourism shall report by letter to the General Assembly not later than January fifteenth of each year all funds expended pursuant to this chapter for the previous year, including the amount of such funds expended and the uses to which such expenditures were applied.

HISTORY: 1962 Code Section 51‑79.16; 1974 (58) 2070; 1993 Act No. 181, Section 1278, eff July 1, 1993.

Effect of Amendment

The 1993 amendment substituted “Department of Parks, Recreation and Tourism” for “State Parks, Recreation and Tourism Commission”.

CROSS REFERENCES

General Assembly, see Sections 2‑1‑20 et seq.