

Session 116 - (2005-2006)

H 4503 General Bill, By Edge, Harrison, Harrell, Merrill, Bingham, Young, Loftis, Perry, Haskins, Witherspoon, Bailey, Cato, Vaughn, Altman, Sandifer, G.R. Smith, Walker, Jefferson, Mack, Vick, Hardwick, Clemons, Bales, Neilson, Mahaffey, Clark, Simrill, Viers, Duncan, Thompson, G.M. Smith, Lucas, M.A. Pitts, Rice, Hinson and Davenport

Summary: Just Compensation for Land Use Restrictions Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO REFORM CERTAIN EMINENT DOMAIN PROCEDURES BY ADDING SECTION 4-9-32 SO AS TO PROVIDE FOR PROCEDURES REQUIRED OF A COUNTY BEFORE IT MAY EXERCISE EMINENT DOMAIN; BY ADDING SECTIONS 28-2-65 AND 28-2-67 SO AS TO PROVIDE THAT THE OWNER OF CONDEMNED PROPERTY HAS THE RIGHT OF FIRST REFUSAL TO REDEEM HIS PROPERTY IF THE CONDEMNING ENTITY DOES NOT USE THE PROPERTY FOR THE INTENDED PUBLIC USE OR IT CONTEMPLATES A SALE TO ANOTHER PARTY; BY ADDING SECTION 28-3-25 SO AS TO REQUIRE WRITTEN APPROVAL BEFORE CERTAIN PUBLIC BODIES MAY EXERCISE EMINENT DOMAIN; BY ADDING CHAPTER 4 TO TITLE 28 SO AS TO ENACT THE "JUST COMPENSATION FOR LAND USE RESTRICTIONS ACT" PROVIDING A PROCESS FOR CALCULATING AND OBTAINING JUST COMPENSATION WHEN A LAND USE REGULATION AFFECTS A LAND'S VALUE; BY ADDING SECTION 31-7-26 SO AS TO PROVIDE THAT THE TAX INCREMENT FINANCING ACT (TIF) FOR COUNTIES DOES NOT APPLY TO AGRICULTURAL REAL PROPERTY; TO AMEND SECTION 4-9-30, RELATING TO A COUNTY'S AUTHORITY TO EXERCISE EMINENT DOMAIN, SO AS TO LIMIT THE EXERCISE OF EMINENT DOMAIN FOR SLUM CLEARANCE AND REDEVELOPMENT OF A BLIGHTED AREA BY A COUNTY; TO AMEND SECTION 5-7-50, RELATING TO A MUNICIPALITY'S AUTHORITY TO EXERCISE EMINENT DOMAIN, SO AS TO LIMIT THE EXERCISE OF EMINENT DOMAIN FOR SLUM CLEARANCE AND REDEVELOPMENT OF A BLIGHTED AREA AND TO PROVIDE REQUIRED PROCEDURES BEFORE THE EXERCISE; TO AMEND SECTION 28-2-30, RELATING TO DEFINITIONS FOR PURPOSES OF EXERCISING EMINENT DOMAIN, SO AS TO DEFINE "BLIGHTED", "JUST COMPENSATION", AND "PUBLIC USE"; TO AMEND SECTIONS 28-3-20 AND 28-3-30, BOTH RELATING TO STATE AUTHORITIES WITH EMINENT DOMAIN POWER, SO AS TO SPECIFY PUBLIC ENTITIES OTHER THAN COUNTIES AND MUNICIPALITIES INCLUDING CERTAIN INSTITUTIONS OF HIGHER LEARNING, THE STATE PORTS AUTHORITY, AND THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 31-7-30, AS AMENDED, RELATING TO TIF FOR COUNTIES, SO AS TO DEFINE "AGRICULTURAL REAL PROPERTY" AND "BLIGHTED"; BY ADDING SECTION 6-33-25, RELATING TO TIF FOR MUNICIPALITIES, SO AS TO EXCLUDE AGRICULTURAL PROPERTY FROM ITS PROVISIONS; TO AMEND SECTION 6-33-30, RELATING TO TIF FOR MUNICIPALITIES, SO AS TO DEFINE "AGRICULTURAL REAL PROPERTY" AND "BLIGHTED"; BY ADDING SECTION 31-6-25, RELATING TO TIF FOR REDEVELOPMENT PROJECTS, SO AS TO EXCLUDE AGRICULTURAL PROPERTY FROM ITS PROVISIONS; AND TO AMEND SECTION 31-6-30, AS AMENDED, RELATING TO TIF FOR REDEVELOPMENT PROJECTS, SO AS TO REDEFINE "AGRICULTURAL REAL PROPERTY" AND "BLIGHTED" AREAS.

01/24/06	House	Introduced and read first time HJ-30
01/24/06	House	Referred to Committee on Judiciary HJ-32
01/25/06	House	Member(s) request name added as sponsor: Jefferson
01/25/06	House	Member(s) request name removed as sponsor: Umphlett, Haley, Limehouse
01/31/06	House	Member(s) request name added as sponsor: Mack, Ott
02/01/06	House	Member(s) request name added as sponsor: Vick, Hardwick
02/09/06	House	Member(s) request name removed as sponsor: Ott
02/15/06	House	Committee report: Favorable with amendment Judiciary HJ-6
02/16/06	House	Member(s) request name added as sponsor: Clemons, Bales, Neilson
02/16/06		Scrivener's error corrected
02/21/06	House	Member(s) request name added as sponsor: Mahaffey, Clark
02/21/06	House	Requests for debate-Rep(s). Harrison, Edge, JE Smith, Funderburk, JH Neal, McLeod, Ballentine, Hosey, Jefferson, Clyburn, Umphlett, Pinson, Rivers, Emory, Cotty, Merrill, Duncan, Altman, Scarborough, R Brown, Davenport, Perry, Vaughn, Battle, Thompson, and Hodges HJ-105
02/22/06	House	Member(s) request name added as sponsor: Simrill, Viers
02/22/06	House	Debate adjourned until Thursday, February 23, 2006 HJ-50
02/23/06	House	Debate adjourned until Tuesday, February 28, 2006 HJ-29
02/28/06	House	Debate adjourned until Wednesday, March 1, 2006 HJ-17
03/01/06	House	Member(s) request name added as sponsor: Duncan
03/01/06	House	Debate adjourned until Tuesday, March 7, 2006 HJ-13

03/07/06	House	Member(s) request name added as sponsor: Thompson, G.M.Smith, Lucas
03/08/06	House	Member(s) request name added as sponsor: M.A.Pitts, Rice
03/08/06	House	Debate adjourned until Tuesday, March 14, 2006 HJ-35
03/14/06	House	Member(s) request name added as sponsor: Hinson, Davenport
03/14/06	House	Debate adjourned until Wednesday, March 15, 2006 HJ-38
03/15/06	House	Amended HJ-56
03/15/06	House	Read second time HJ-94
03/15/06	House	Roll call Yeas-105 Nays-8 HJ-94
03/16/06	House	Read third time and sent to Senate HJ-30
03/16/06		Scrivener's error corrected
03/21/06	Senate	Introduced and read first time SJ-8
03/21/06	Senate	Referred to Committee on Judiciary SJ-8
03/21/06	Senate	Referred to Subcommittee: Gregory (ch), Ford, Elliott, Rankin, Sheheen, Campsen
05/18/06	Senate	Recalled from Committee on Judiciary SJ-78
05/25/06	Senate	Amended SJ-194
05/25/06	Senate	Read second time SJ-194
05/25/06	Senate	Unanimous consent for third reading on next legislative day SJ-194
05/26/06		Scrivener's error corrected
05/26/06	Senate	Read third time and returned to House with amendments SJ-2
05/31/06	House	Senate amendment amended HJ-44
05/31/06	House	Returned to Senate with amendments HJ-44
05/31/06	Senate	Non-concurrence in House amendment SJ-309
06/01/06	House	House insists upon amendment and conference committee appointed Reps. Harrison, Edge, and Coleman HJ-51
06/01/06	Senate	Conference committee appointed Gregory, Sheheen, and Campsen SJ-89
06/14/06	Senate	Free conference powers granted SJ-188
06/14/06	Senate	Free conference committee appointed Gregory, Sheheen, and Campsen SJ-188
06/14/06	Senate	Free conference report adopted SJ-188
06/14/06	House	Free conference powers rejected HJ-236
06/14/06	House	Free conference powers rejected HJ-244