

Session 121 - (2015-2016)

H*3313 (Rat #0250, Act #0251 of 2016) General Bill, By Pope, Simrill, Ballentine, Felder, Atwater, Bedingfield, Spires, Clary, Collins, Delleney, Hamilton, Hiott, Hixon, V.S. Moss, Norman, Stringer, Toole, W.J. McLeod and Newton
Similar (S 0401)

Summary: Roll- back tax due on a parcel

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE THAT FOR PURPOSES OF CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE FOR CONSERVATION OR OPEN SPACE USE OF THE PARCEL, THE VALUE MUST BE BASED ON THE GREEN SPACE FOR CONSERVATION OR OPEN SPACE USE IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, AND TO PROVIDE OTHER QUALIFICATIONS; TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT, TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER-OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE, AND TO PROVIDE THAT ROLL-BACK TAXES MUST NOT BE APPLIED SOLELY BECAUSE THE OWNER OF THE PROPERTY FAILS TO APPLY FOR AN AGRICULTURAL ASSESSMENT SO LONG AS THE ACTUAL USE OF THE PROPERTY REMAINS AGRICULTURAL, AND TO PROVIDE THAT IF THE PROPERTY ASSESSMENT IS CHANGED FROM AGRICULTURAL OR THE PROPERTY IS ASSESSED ROLL-BACK TAXES, THE PROPERTY MUST CONTINUE TO BE ASSESSED AS AGRICULTURAL AND THE ROLL-BACK TAXES MAY NOT BE APPLIED UNTIL THE FINAL APPEAL DATE; AND BY ADDING SECTION 12-43-370 SO AS TO AUTHORIZE A COUNTY TO ALLOW A TAXPAYER TO ELECT TO RECEIVE HIS PROPERTY TAX BILL AND RECEIPT IN ELECTRONIC FORM, AND TO PROVIDE ADMINISTRATIVE REQUIREMENTS. - ratified title

| | | |
|----------|--------|--|
| 01/14/15 | House | Introduced and read first time (House Journal-page 77) |
| 01/14/15 | House | Referred to Committee on Ways and Means (House Journal-page 77) |
| 04/23/15 | House | Committee report: Favorable with amendment Ways and Means (House Journal-page 122) |
| 04/28/15 | | Scrivener's error corrected |
| 04/28/15 | House | Amended (House Journal-page 121) |
| 04/29/15 | House | Member(s) request name added as sponsor: W.J.McLeod, Newton |
| 04/29/15 | House | Read second time (House Journal-page 114) |
| 04/29/15 | House | Roll call Yeas-107 Nays-0 (House Journal-page 115) |
| 04/30/15 | House | Read third time and sent to Senate (House Journal-page 10) |
| 05/04/15 | Senate | Introduced and read first time (Senate Journal-page 9) |
| 05/04/15 | Senate | Referred to Committee on Finance (Senate Journal-page 9) |
| 03/23/16 | Senate | Committee report: Favorable with amendment Finance (Senate Journal-page 13) |
| 04/13/16 | Senate | Committee Amendment Adopted (Senate Journal-page 34) |
| 04/13/16 | Senate | Amended (Senate Journal-page 34) |
| 05/12/16 | Senate | Amended (Senate Journal-page 30) |
| 05/16/16 | | Scrivener's error corrected |
| 05/18/16 | Senate | Amended (Senate Journal-page 47) |
| 05/24/16 | Senate | Read second time (Senate Journal-page 27) |
| 05/24/16 | Senate | Roll call Ayes-42 Nays-0 (Senate Journal-page 27) |
| 05/26/16 | Senate | Read third time and returned to House with amendments (Senate Journal-page 20) |
| 06/01/16 | House | Concurred in Senate amendment and enrolled (House Journal-page 92) |
| 06/01/16 | House | Roll call Yeas-92 Nays-0 (House Journal-page 93) |
| 06/02/16 | | Ratified R 250 |
| 06/07/16 | | Signed By Governor |
| 06/14/16 | | Effective date 06/07/16 |
| 06/14/16 | | Act No. 251 |