

## Session 122 - (2017-2018)

**H\*3516 (Rat #0051, Act #0040 of 2017) General Bill, By Simrill, Lucas, White, G.M. Smith, Pope, Stringer, W. Newton, Bales, Clary, Cole, Delleney, Herbkersman, Hixon, Sandifer, Douglas, Knight, Erickson, Henegan, Ridgeway, Williams, Jefferson, Ott, Govan, Henderson, V.S. Moss, Martin, Spires, Funderburk, D.C. Moss, Brown, Whipper, Cobb-Hunter, Felder, Bernstein, J.E. Smith, Clemmons, Clyburn, Daning, Cogswell, Davis, B. Newton, Anthony, Crosby, S. Rivers, Thigpen, Hosey, Murphy, Hardee, Weeks, King, Sottile and Anderson**

**Similar (S 0054, S 0384, S 0600, S 0813)**

**Summary:** SC Infrastructure and Economic Development Reform Act

AN ACT TO AMEND SECTION 57-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPOSIT OF FUNDS WITH THE DEPARTMENT OF TRANSPORTATION, SO AS TO CREATE THE INFRASTRUCTURE MAINTENANCE TRUST FUND; TO AMEND SECTION 12-28-310, RELATING TO THE MOTOR FUEL USER FEE, SO AS TO PHASE-IN AN INCREASE OF TWELVE CENTS ON THE FEE OVER SIX YEARS; TO AMEND SECTIONS 56-11-410 AND 56-11-450, BOTH RELATING TO THE ROAD TAX, SO AS TO INCREASE THE ROAD TAX IN THE SAME MANNER AS THE MOTOR FUEL USER FEE; TO AMEND SECTION 56-3-620, AS AMENDED, RELATING TO THE BIENNIAL REGISTRATION OF A MOTOR VEHICLE, SO AS TO INCREASE THE FEE FOR THE REGISTRATION; BY ADDING SECTION 56-3-627 SO AS TO REQUIRE THE PAYMENT OF AN INFRASTRUCTURE MAINTENANCE FEE UPON FIRST REGISTERING ANY VEHICLE AND CERTAIN OTHER ITEMS IN THIS STATE AND TO SPECIFY THE MANNER IN WHICH THE FEE IS CALCULATED, CREDITED, AND ADMINISTERED; BY ADDING SECTION 56-3-645 SO AS TO IMPOSE A ROAD USE FEE ON CERTAIN MOTOR VEHICLES THAT OPERATE ON FUEL THAT IS NOT SUBJECT TO THE MOTOR FUEL USER FEE; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCREASE THE MAXIMUM TAX ON CERTAIN ITEMS; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ANY ITEM SUBJECT TO THE INFRASTRUCTURE MAINTENANCE FEE; TO AMEND SECTION 12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO PROVIDE THAT MOTOR VEHICLES AND MOTORCYCLES ARE NOT SUBJECT TO THE TAX; TO REPEAL SECTION 12-36-2647 RELATING TO THE CREDITING OF CERTAIN MOTOR VEHICLE TAX REVENUES; TO AMEND ARTICLE 23, CHAPTER 37, TITLE 12, RELATING TO MOTOR CARRIERS, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE ARTICLE DOES NOT APPLY TO A SMALL COMMERCIAL VEHICLE, TO PROVIDE THAT CERTAIN VEHICLES ARE ASSESSED AND APPORTIONED BASED ON A ROAD USE FEE INSTEAD OF PROPERTY TAXES, TO PROVIDE THAT THE ROAD USE FEE IS DUE AT THE SAME TIME AS REGISTRATION FEES, TO PROVIDE FOR THE DISTRIBUTION OF THE ROAD USE FEE, AND TO EXEMPT CERTAIN SEMITRAILERS, TRAILERS, LARGE COMMERCIAL MOTOR VEHICLES, AND BUSES FROM AD VALOREM TAXATION; TO AMEND SECTION 56-3-376, RELATING TO THE REGISTRATION OF MOTOR VEHICLES, SO AS TO PROVIDE A REGISTRATION SYSTEM FOR LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 56-3-120, RELATING TO EXEMPTIONS FROM THE REGISTRATION PROCESS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-610, RELATING TO THE PAYMENT OF REGISTRATION FEES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-660, RELATING TO REGISTRATION FEES, SO AS TO PROVIDE THAT FEES FOR LICENSING AND REGISTRATION AND THE ROAD USE FEE MAY BE CREDITED OR PRORATED IF THE FEE EXCEEDS FOUR HUNDRED DOLLARS INSTEAD OF EIGHT HUNDRED DOLLARS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 58-23-620, RELATING TO THE IMPOSITION OF LOCAL FEES, SO AS TO APPORTION CERTAIN LICENSE FEES AND TAXES; BY ADDING SECTION 12-37-2600 SO AS TO EXEMPT MOTOR CARRIERS FROM AD VALOREM TAXES ON LARGE COMMERCIAL MOTOR VEHICLES AND BUSES; TO AMEND SECTION 12-37-2610, AS AMENDED, RELATING TO THE TAX YEAR FOR MOTOR VEHICLES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-37-2650, RELATING TO THE ISSUANCE OF TAX NOTICES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-28-2355, RELATING TO INSPECTION FEE REVENUES, SO AS TO DELETE A PROVISION THAT CREDITED THE DEPARTMENT OF AGRICULTURE WITH TEN PERCENT OF THE REVENUES; TO REPEAL SECTION 12-28-530 RELATING TO THE MOTOR FUEL USER FEE ON FUEL INVENTORY; TO AMEND SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF THE MOTOR FUEL USER FEE TO COUNTIES, SO AS TO ALLOW FOR CERTAIN ADDITIONAL ALLOCATIONS, AND TO DISTRIBUTE ADDITIONAL REVENUES TO EACH COUNTY; BY ADDING SECTION 57-1-380 SO AS TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PREPARE A TRANSPORTATION ASSET MANAGEMENT PLAN FOR THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 11-43-167, RELATING TO FEES AND FINES CREDITED TO THE STATE HIGHWAY FUND, SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO REDUCE CERTAIN AMOUNTS TRANSFERRED TO THE STATE-FUNDED RESURFACING PROGRAM; TO REPEAL SECTION 11-43-165 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; BY ADDING

SECTION 12-6-3780 SO AS TO ALLOW FOR A REFUNDABLE INCOME TAX CREDIT FOR CERTAIN PREVENTATIVE MAINTENANCE ON A PRIVATE PASSENGER MOTOR VEHICLE, AND TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CALCULATED AND OFFSET; BY ADDING SECTION 11-11-240 SO AS TO CREATE THE SAFETY MAINTENANCE ACCOUNT TO OFFSET THE AMOUNT OF THE PREVENTATIVE MAINTENANCE CREDIT; BY ADDING SECTION 12-6-3632 SO AS TO PHASE- IN A CREDIT EQUAL TO ONE HUNDRED TWENTY-FIVE PERCENT OF ANY EARNED INCOME TAX CREDIT ALLOWED; TO AMEND SECTION 12-6-3330, RELATING TO THE TWO-WAGE EARNER CREDIT, SO AS TO PHASE-IN AN INCREASE IN THE MULTIPLIER THAT DETERMINES THE MAXIMUM CREDIT AMOUNT; TO AMEND SECTION 12-6-3385, RELATING TO THE INCOME TAX CREDIT FOR TUITION, SO AS TO INCREASE THE AMOUNT OF THE CREDIT FOR BOTH FOUR-YEAR INSTITUTIONS AND TWO-YEAR INSTITUTIONS; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO PHASE IN AN EXEMPTION OF A PERCENTAGE OF MANUFACTURING PROPERTY; TO REPEAL SECTION 57-1-460 RELATING TO THE DEPARTMENT OF TRANSPORTATION SECRETARY'S EVALUATION AND APPROVAL OF ROUTINE OPERATION, MAINTENANCE, AND EMERGENCY REPAIRS; TO REPEAL SECTION 57-1-470 RELATING TO THE DEPARTMENT OF TRANSPORTATION COMMISSION'S REVIEW OF ROUTINE MAINTENANCE AND EMERGENCY REPAIR REQUESTS APPROVED BY THE SECRETARY; TO AMEND SECTION 57-1-310, AS AMENDED, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO ADD AN AT-LARGE MEMBER AND TO SPECIFY THE MANNER IN WHICH THE MEMBERS ARE APPROVED; TO AMEND SECTION 57-1-325, AS AMENDED, RELATING TO THE SUBMISSION OF TRANSPORTATION DISTRICT APPOINTMENTS, SO AS TO SPECIFY THE MANNER IN WHICH THE LEGISLATIVE DELEGATION MAY APPROVE THE APPOINTEE; TO AMEND SECTION 57-1-340, AS AMENDED, RELATING TO THE OATH OF OFFICE FOR A COMMISSION MEMBER, SO AS TO MAKE A CONFORMING CHANGE; TO REPEAL ARTICLE 7, CHAPTER 1, TITLE 57 RELATING TO THE JOINT TRANSPORTATION REVIEW COMMITTEE; TO AMEND SECTION 57-1-350, AS AMENDED, RELATING TO THE RULES AND PROCEDURES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE A MINIMUM OF SIX REGULAR MEETINGS ANNUALLY, TO PROHIBIT A MEMBER FROM BEING INVOLVED IN THE DAY-TO-DAY OPERATIONS OF THE DEPARTMENT, AND TO PROHIBIT A MEMBER FROM HAVING AN INTEREST IN A GRANT OR AWARD OF THE DEPARTMENT; TO AMEND SECTION 57-1-360, AS AMENDED, RELATING TO THE CHIEF INTERNAL AUDITOR OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE ALL FINAL AUDIT REPORTS BE PUBLISHED ON THE WEBSITE MAINTAINED BY THE DEPARTMENT AND THE STATE AUDITOR; TO AMEND SECTION 57-1-430, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REQUIRE THE SECRETARY TO PREPARE AND PUBLISH CERTAIN ANNUAL REPORTS; AND TO AMEND SECTION 57-1-330, AS AMENDED, RELATING TO THE TERMS OF OFFICE FOR MEMBERS OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO MAKE A CONFORMING CHANGE. - ratified title

- 01/18/17 House Introduced and read first time (House Journal-page 13)**
- 01/18/17 House Referred to Committee on Ways and Means (House Journal-page 13)**
- 01/19/17 House Member(s) request name added as sponsor: Douglas, Knight, Erickson**
- 01/24/17 House Member(s) request name added as sponsor: Henegan, Ridgeway, Williams, Jefferson, Ott, Govan**
- 01/25/17 House Member(s) request name added as sponsor: Henderson**
- 01/26/17 House Member(s) request name added as sponsor: V.S.Moss**
- 01/31/17 House Member(s) request name added as sponsor: Martin, Spires, Funderburk, D.C.Moss**
- 02/01/17 House Member(s) request name added as sponsor: Brown, Whipper, Cobb-Hunter**
- 02/02/17 House Member(s) request name added as sponsor: Felder, Bernstein**
- 02/07/17 House Member(s) request name added as sponsor: J.E.Smith, Clemmons**
- 02/09/17 House Member(s) request name added as sponsor: Clyburn**
- 02/14/17 House Member(s) request name added as sponsor: Daning**
- 02/14/17 House Committee report: Majority favorable with amend., minority unfavorable Ways and Means (House Journal-page 30)**
- 02/15/17 House Member(s) request name added as sponsor: Cogswell**
- 02/21/17 House Member(s) request name added as sponsor: Davis, B.Newton, Anthony, Crosby, S.Rivers, Thigpen, Hosey, Murphy**
- 02/22/17 House Member(s) request name added as sponsor: Hardee, Weeks**
- 02/23/17 House Member(s) request name added as sponsor: King**
- 02/23/17 House Debate adjourned until Tues., 2-28-17 (House Journal-page 12)**
- 02/28/17 House Member(s) request name added as sponsor: Sottile**

02/28/17 House Debate adjourned until Wed., 3-1-17 (House Journal-page 13)  
03/01/17 House Member(s) request name added as sponsor: Anderson  
03/01/17 House Amended (House Journal-page 15)  
03/01/17 House Read second time (House Journal-page 15)  
03/01/17 House Roll call Yeas-97 Nays-18 (House Journal-page 68)  
03/02/17 House Read third time and sent to Senate (House Journal-page 20)  
03/02/17 Senate Introduced and read first time (Senate Journal-page 9)  
03/02/17 Senate Referred to Committee on Finance (Senate Journal-page 9)  
03/02/17 Scrivener's error corrected  
03/07/17 Scrivener's error corrected  
03/15/17 Senate Committee report: Favorable with amendment Finance (Senate Journal-page 10)  
03/16/17 Scrivener's error corrected  
03/29/17 Senate Motion For Special Order Failed (Senate Journal-page 58)  
03/29/17 Senate Roll call Ayes-23 Nays-18 (Senate Journal-page 58)  
04/06/17 Senate Debate interrupted (Senate Journal-page 136)  
04/18/17 Senate Debate interrupted (Senate Journal-page 31)  
04/19/17 Senate Committee Amendment Adopted (Senate Journal-page 18)  
04/19/17 Senate Roll call Ayes-21 Nays-17 (Senate Journal-page 18)  
04/19/17 Senate Debate interrupted (Senate Journal-page 18)  
04/20/17 Senate Debate interrupted (Senate Journal-page 25)  
04/25/17 Senate Amended (Senate Journal-page 34)  
04/25/17 Senate Debate interrupted (Senate Journal-page 34)  
04/26/17 Senate Amended (Senate Journal-page 11)  
04/26/17 Senate Read second time (Senate Journal-page 11)  
04/27/17 Senate Read third time and returned to House with amendments (Senate Journal-page 45)  
04/27/17 Senate Roll call Ayes-30 Nays-9 (Senate Journal-page 45)  
05/03/17 House Non-concurrence in Senate amendment (House Journal-page 29)  
05/03/17 House Roll call Yeas-7 Nays-107 (House Journal-page 31)  
05/03/17 Senate Senate insists upon amendment and conference committee appointed Campbell, Sheheen, Turner (Senate Journal-page 21)  
05/03/17 House Conference committee appointed Simrill, Rutherford, White (House Journal-page 37)  
05/08/17 Senate Free conference powers granted (Senate Journal-page 49)  
05/08/17 Senate Roll call Ayes-32 Nays-11 (Senate Journal-page 49)  
05/08/17 Senate Free conference committee appointed Sheheen, Campbell, Turner (Senate Journal-page 49)  
05/08/17 Senate Free conference report adopted (Senate Journal-page 55)  
05/08/17 Senate Roll call Ayes-32 Nays-12 (Senate Journal-page 55)  
05/09/17 House Free conference powers granted (House Journal-page 10)  
05/09/17 House Roll call Yeas-102 Nays-16 (House Journal-page 14)  
05/09/17 House Free conference committee appointed Simrill, Rutherford, White (House Journal-page 15)  
05/09/17 House Free conference report adopted (House Journal-page 15)  
05/09/17 House Roll call Yeas-99 Nays-20 (House Journal-page 52)  
05/09/17 House Ordered enrolled for ratification (House Journal-page 57)  
05/09/17 Ratified R 51  
05/09/17 Vetoed by Governor  
05/10/17 House Veto overridden by originating body Yeas-95 Nays-18  
05/10/17 Senate Veto overridden Ayes-32 Nays-12 (Senate Journal-page 44)  
05/19/17 Effective date See Act  
05/25/17 Act No. 40