**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3768**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Chalk

Document Path: l:\council\bills\gjk\20214sd09.docx

Introduced in the House on March 25, 2009

Introduced in the Senate on April 27, 2010

Currently residing in the Senate Committee on **Finance**

Summary: Sales and use tax

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/25/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\03-25-09.docx)‑54

3/25/2009 House Referred to Committee on **Ways and Means** [HJ](file:///h:\HJ%20Archive\2009\03-25-09.docx)‑54

4/15/2010 House Committee report: Favorable **Ways and Means** [HJ](file:///h:\HJ%20Archive\2010\04-15-10.docx)‑14

4/22/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\04-22-10.docx)‑30

4/22/2010 House Roll call Yeas‑99 Nays‑1 [HJ](file:///h:\HJ%20Archive\2010\04-22-10.docx)‑30

4/22/2010 House Unanimous consent for third reading on next legislative day [HJ](file:///h:\HJ%20Archive\2010\04-22-10.docx)‑32

4/23/2010 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2010\04-23-10.docx)‑2

4/27/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\04-27-10.docx)‑7

4/27/2010 Senate Referred to Committee on **Finance** [SJ](file:///h:\SJ%20Archive\2010\04-27-10.docx)‑7

**VERSIONS OF THIS BILL**

[3/25/2009](file:///p:\pprever\2009-10\3768_20090325.docx)

[4/15/2010](file:///p:\pprever\2009-10\3768_20100415.docx)

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Indicates New Matter

COMMITTEE REPORT

April 15, 2010

**H. 3768**

Introduced by Rep. Chalk

S. Printed 4/15/10--H.

Read the first time March 25, 2009.

**THE COMMITTEE ON WAYS AND MEANS**

To whom was referred a Bill (H. 3768) to amend Section 4‑10‑25, as amended, Code of Laws of South Carolina, 1976, relating to the exemption of certain construction contracts from a local option, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

DANIEL T. COOPER for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The South Carolina Department of Revenue reports there is no fiscal impact with the adoption of this bill.

**LOCAL GOVERNMENT IMPACT:**

The FIST network of local governments was surveyed to determine the impact of this bill. Respondents indicated that there is no fiscal impact with the adoption of this bill.

**SPECIAL NOTES:**

The Board of Economic Advisors is the appropriate entity to address any revenue impact associated with this bill.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 4‑10‑25, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF CERTAIN CONSTRUCTION CONTRACTS FROM A LOCAL OPTION SALES TAX FOR COUNTY OR MUNICIPAL OPERATIONS UNDER WHICH TANGIBLE PERSONAL PROPERTY IS TO BE DELIVERED AFTER THE IMPOSITION DATE OF THE TAX, SO AS TO REVISE THE TERMS AND CONDITIONS UNDER WHICH THESE CONSTRUCTION CONTRACTS ARE EXEMPT.

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

SECTION 1. Section 4‑10‑25 of the 1976 Code, as last amended by Act 181 of 1993, is further amended to read:

“Section 4‑10‑25. The gross proceeds of sales of tangible personal property delivered after the imposition date of the tax levied under Section 4‑10‑20 in a county, either under the terms of a construction contract executed before the imposition date, or a written bid submitted before the imposition date, culminating in a construction contract entered into ~~before or after the imposition date~~ within six months of the written bid, are exempt from the local sales and use tax provided in Section 4‑10‑20 if a verified copy of the contract is filed with the South Carolina Department of Revenue ~~within six months after the imposition of the local sales and use tax~~.”

SECTION 2. This act takes effect upon approval by the Governor.

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