~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 24, 2010

**S. 1024**

Introduced by Senator O’Dell

S. Printed 3/24/10--S.

Read the first time January 12, 2010.

**THE COMMITTEE ON FINANCE**

To whom was referred a Bill (S. 1024) to amend Section 12‑37‑220, as amended, Code of Laws of South Carolina, 1976, relating to property tax exemptions, so as to allow the surviving spouse, etc., respectfully

**REPORT:**

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

HUGH K. LEATHERMAN, SR. for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**REVENUE IMPACT 1/**

This bill is not expected to impact state revenues. Local property tax revenues will be reduced by $9,600 in FY 2010-11.

## Explanation

This bill allows the property tax exemption on owner-occupied homes currently given to persons with Parkinson’s Disease, Multiple Sclerosis or Amyotrophic Lateral Sclerosis causing the same ambulatory difficulties as persons with paraparesis or hemiparesis to be extended to a surviving spouse. Based on data from the Department of Revenue, 48 homes are currently exempt by this section. Extending this exemption to a surviving spouse is projected to reduce local property tax revenues by $9,600 in FY 2010-11.

*Approved By:*

William C. Gillespie

Board of Economic Advisors

1/ This statement meets the requirement of Section 2-7-71 for a state revenue impact by the BEA, or Section 2-7-76 for a local revenue impact or Section 6-1-85(B) for an estimate of the shift in local property tax incidence by the Office of Economic Research.

**A** **BILL**

TO AMEND SECTION 12‑37‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ALLOW THE SURVIVING SPOUSE OF A DECEDENT WHO WAS ELIGIBLE FOR THE EXEMPTION OF THE DWELLING OWNED BY A PERSON WITH CERTAIN SPECIFIC ILLNESSES CAUSING THE SAME AMBULATORY DIFFICULTIES AS PERSONS WITH PARAPARESIS OR HEMIPARESIS.

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

SECTION 1. Section 12‑37‑220(B)(2)(a) of the 1976 Code, as last amended by Act 161 of 2005, is further amended to read:

“(a) The dwelling house in which he resides and a lot not to exceed one acre of land owned in fee or for life, or jointly with a spouse, by a paraplegic or hemiplegic person, is exempt from all property taxation provided the person furnishes satisfactory proof of his disability to the Department of Revenue. The exemption is allowed to the surviving spouse of the person so long as the spouse does not remarry, resides in the dwelling, and obtains the fee or a life estate in the dwelling. To qualify for the exemption, the dwelling house must be the domicile of the person who qualifies for the exemption. For purposes of this item, a hemiplegic person is a person who has paralysis of one lateral half of the body resulting from injury to the motor centers of the brain. For the purposes of this exemption, ‘paraplegic’ or ‘hemiplegic’ includes a person with Parkinson’s Disease, Multiple Sclerosis, or Amyotrophic Lateral Sclerosis, which has caused the same ambulatory difficulties as a person with paraparesis or hemiparesis. A doctor’s statement is required stating that the person’s disease has caused these same ambulatory difficulties. ~~A surviving spouse of a person receiving the exemption under this subsection is not allowed the exemption.~~”

SECTION 2. This act takes effect upon approval by the Governor and applies for property tax years beginning after 2009.

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