**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3268**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.R. Smith, Bedingfield, Willis, Allison, Putnam, Chumley, Dillard, Hamilton, Henderson, Knight, Loftis, Nanney and Robinson‑Simpson

Document Path: l:\council\bills\ggs\22488zw13.docx

Companion/Similar bill(s): 295

Introduced in the House on January 9, 2013

Introduced in the Senate on April 23, 2013

Last Amended on April 17, 2013

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

Summary: Special purpose district which provides recreational services

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/9/2013 House Introduced and read first time ([House Journal‑page 17](file:///h:\HJ%20Archive\2013\01-09-13.docx))

1/9/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 17](file:///h:\HJ%20Archive\2013\01-09-13.docx))

3/6/2013 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 44](file:///h:\HJ%20Archive\2013\03-06-13.docx))

3/20/2013 House Member(s) request name removed as sponsor: Stringer

3/20/2013 House Debate adjourned until Tues., 4‑9‑13 ([House Journal‑page 84](file:///h:\HJ%20Archive\2013\03-20-13.docx))

4/9/2013 House Debate adjourned until Tues., 4‑16‑13 ([House Journal‑page 28](file:///h:\HJ%20Archive\2013\04-09-13.docx))

4/16/2013 House Debate adjourned until Wed., 4‑17‑13 ([House Journal‑page 12](file:///h:\HJ%20Archive\2013\04-16-13.docx))

4/17/2013 House Amended ([House Journal‑page 24](file:///h:\HJ%20Archive\2013\04-17-13.docx))

4/17/2013 House Read second time ([House Journal‑page 24](file:///h:\HJ%20Archive\2013\04-17-13.docx))

4/17/2013 House Roll call Yeas‑99 Nays‑5 ([House Journal‑page 25](file:///h:\HJ%20Archive\2013\04-17-13.docx))

4/18/2013 House Read third time and sent to Senate ([House Journal‑page 42](file:///h:\HJ%20Archive\2013\04-18-13.docx))

4/23/2013 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2013\04-23-13.docx))

4/23/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2013\04-23-13.docx))

**VERSIONS OF THIS BILL**

[1/9/2013](file:///p:\pprever\2013-14\3268_20130109.docx)

[3/6/2013](file:///p:\pprever\2013-14\3268_20130306.docx)

[4/17/2013](file:///p:\pprever\2013-14\3268_20130417.docx)

AMENDED

April 17, 2013

**H. 3268**

Introduced by Reps. G.R. Smith, Bedingfield, Willis, Allison, Putnam, Chumley, Dillard, Hamilton, Henderson, Knight, Loftis, Nanney and Robinson‑Simpson

S. Printed 4/17/13--H.

Read the first time January 9, 2013.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑11‑2028 SO AS TO ALLOW THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, WHICH PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO VOLUNTARILY DISSOLVE ITSELF AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY IF ACCEPTED BY RESOLUTION OF ITS GOVERNING BODY; TO REQUIRE A PUBLIC HEARING TO BE CONDUCTED BEFORE TAKING A SUPERMAJORITY VOTE OF ITS GOVERNING BODY AND THE GOVERNING BODY OF THE COUNTY; TO REQUIRE THE GOVERNING BODY OF THE COUNTY TO COMPLY WITH THE PROVISIONS OF SECTION 6‑11‑2140; TO PROVIDE FOR CALCULATING THE MILLAGE LIMITATION FOR A COUNTY WHEN A SPECIAL PURPOSE DISTRICT TRANSFERS ITS ASSETS AND LIABILITIES TO A COUNTY; AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A SPECIAL PURPOSE DISTRICT THAT PROVIDES BOTH RECREATIONAL AND AGING SERVICES.

Amend Title To Conform

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

SECTION 1. Article 15, Chapter 11, Title 6 of the 1976 Code is amended by adding:

“Section 6‑11‑2028. (A) Notwithstanding the provisions of this article, the assets and liabilities of a special purpose district that:

(1) is created by act of the General Assembly that does not require a referendum;

(2) provides only recreational services; and

(3) has as its boundary the same as the county in which it is located may be transferred to the governing body of the county in which the special purpose district is located if the governing body of the special purpose district and the governing body of the county each pass by a supermajority of two‑thirds vote of members present and voting resolutions that transfer the special purpose district’s assets and liabilities to the governing body of the county in which the special purpose district is located. The governing body of the special purpose district must hold a public hearing prior to the passage by a supermajority of two‑thirds vote of the resolutions by the governing body of the special purpose district and the governing body of the county. The provisions of this section are applicable only if the governing body of the county also adopts a resolution agreeing to follow the provisions of Section 6‑11‑2140.

(B) For purposes of calculating the millage limitation imposed pursuant to Section 6‑1‑320 for a county, any millage for operating purposes imposed by the dissolved special purpose district is considered to be imposed by the county.

(C) The provisions of this section do not apply to a special purpose district that provides both recreational and aging services.

(D) The provisions of this section expire two years from the effective date of this act.”

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

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