**South Carolina General Assembly**

120th Session, 2013-2014

**A249, R279, S964**

**STATUS INFORMATION**

General Bill

Sponsors: Senator L. Martin

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Introduced in the Senate on January 21, 2014

Introduced in the House on May 6, 2014

Last Amended on May 27, 2014

Passed by the General Assembly on May 29, 2014

Governor's Action: June 6, 2014, Signed

Summary: Property tax millage

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/21/2014 Senate Introduced and read first time ([Senate Journal‑page 12](file:///H%3A%5CSJ%20Archive%5C2014%5C01-21-14.docx))

 1/21/2014 Senate Referred to Committee on **Finance** ([Senate Journal‑page 12](file:///H%3A%5CSJ%20Archive%5C2014%5C01-21-14.docx))

 3/26/2014 Senate Committee report: Majority favorable with amend., minority unfavorable **Finance** ([Senate Journal‑page 30](file:///H%3A%5CSJ%20Archive%5C2014%5C03-26-14.docx))

 3/27/2014 Scrivener's error corrected

 4/30/2014 Senate Committee Amendment Amended and Adopted ([Senate Journal‑page 60](file:///H%3A%5CSJ%20Archive%5C2014%5C04-30-14.docx))

 4/30/2014 Senate Amended ([Senate Journal‑page 60](file:///H%3A%5CSJ%20Archive%5C2014%5C04-30-14.docx))

 4/30/2014 Senate Read second time ([Senate Journal‑page 60](file:///H%3A%5CSJ%20Archive%5C2014%5C04-30-14.docx))

 4/30/2014 Senate Roll call Ayes‑30 Nays‑11 ([Senate Journal‑page 60](file:///H%3A%5CSJ%20Archive%5C2014%5C04-30-14.docx))

 5/1/2014 Senate Read third time and sent to House ([Senate Journal‑page 21](file:///H%3A%5CSJ%20Archive%5C2014%5C05-01-14.docx))

 5/6/2014 House Introduced and read first time ([House Journal‑page 19](file:///H%3A%5CHJ%20Archive%5C2014%5C05-06-14.docx))

 5/6/2014 House Referred to Committee on **Ways and Means** ([House Journal‑page 19](file:///H%3A%5CHJ%20Archive%5C2014%5C05-06-14.docx))

 5/15/2014 House Committee report: Favorable with amendment **Ways and Means** ([House Journal‑page 45](file:///H%3A%5CHJ%20Archive%5C2014%5C05-15-14.docx))

 5/27/2014 House Amended ([House Journal‑page 99](file:///H%3A%5CHJ%20Archive%5C2014%5C05-27-14.docx))

 5/27/2014 House Read second time ([House Journal‑page 99](file:///H%3A%5CHJ%20Archive%5C2014%5C05-27-14.docx))

 5/27/2014 House Roll call Yeas‑64 Nays‑30 ([House Journal‑page 100](file:///H%3A%5CHJ%20Archive%5C2014%5C05-27-14.docx))

 5/28/2014 House Read third time and returned to Senate with amendments ([House Journal‑page 13](file:///H%3A%5CHJ%20Archive%5C2014%5C05-28-14.docx))

 5/28/2014 Scrivener's error corrected

 5/29/2014 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 106](file:///H%3A%5CSJ%20Archive%5C2014%5C05-29-14.docx))

 6/5/2014 Ratified R 279

 6/6/2014 Signed By Governor

 6/13/2014 Effective date 06/06/14

 6/16/2014 Act No. 249

**VERSIONS OF THIS BILL**

[1/21/2014](file:///p%3A%5Cpprever%5C2013-14%5C964_20140121.docx)

[3/26/2014](file:///p%3A%5Cpprever%5C2013-14%5C964_20140326.docx)

[3/27/2014](file:///p%3A%5Cpprever%5C2013-14%5C964_20140327.docx)

[4/30/2014](file:///p%3A%5Cpprever%5C2013-14%5C964_20140430.docx)

[5/15/2014](file:///p%3A%5Cpprever%5C2013-14%5C964_20140515.docx)

[5/27/2014](file:///p%3A%5Cpprever%5C2013-14%5C964_20140527.docx)

[5/28/2014](file:///p%3A%5Cpprever%5C2013-14%5C964_20140528.docx)

(A249, R279, S964)

**AN ACT TO AMEND SECTION 6‑1‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, SO AS TO PROVIDE THAT THE GOVERNING BODY OF A FIRE DISTRICT THAT EXISTED ON JANUARY 1, 2014, WHICH SERVES LESS THAN SEVEN HUNDRED HOMES, MAY ADOPT AN ORDINANCE OR RESOLUTION REQUESTING THE GOVERNING BODY OF THE COUNTY TO CONDUCT A REFERENDUM TO SUSPEND THE MILLAGE RATE INCREASE LIMITATION FOR FIRE DISTRICT GENERAL OPERATING EXPENSES, AND TO PROVIDE THAT THE GOVERNING BODY OF A COUNTY MAY ADOPT AN ORDINANCE, SUBJECT TO REFERENDUM, TO SUSPEND THE MILLAGE RATE INCREASE LIMITATION FOR THE PURPOSE OF IMPOSING A SPECIAL MILLAGE NOT TO EXCEED SIX‑TENTHS OF A MILL FOR COUNTY MENTAL HEALTH SERVICES.**

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

**Exception to millage rate increase limitation for fire district operations**

SECTION 1. Section 6‑1‑320 of the 1976 Code, as last amended by Act 57 of 2011, is further amended by adding an appropriately lettered subsection at the end to read:

 “( )(1) Notwithstanding the limitation upon millage rate increases contained in subsection (A), a fire district’s governing body may adopt an ordinance or resolution requesting the governing body of the county to conduct a referendum to suspend the millage rate limitation for general operating purposes of the fire district. If the governing body of the county agrees to hold the referendum and subject to the results of the referendum, the millage rate limitation may be suspended and the millage rate may be increased for general operating purposes of the fire district. The referendum must be held at the time of the general election, and upon a majority of the qualified voters within the fire district voting favorably in the referendum, the millage rate may be increased in the next fiscal year. The referendum must include the amount of the millage increase. The actual millage levy may not exceed the millage increase specified in the referendum.

 (2) This subsection only applies to a fire district that existed on January 1, 2014, and serves less than seven hundred homes.”

**Exception to millage rate increase limitation for mental health services**

SECTION 2. Section 6‑1‑320 of the 1976 Code, as last amended by Act 57 of 2011, is further amended by adding an appropriately lettered subsection at the end to read:

 “( ) Notwithstanding the limitation upon millage rate increases contained in subsection (A), the governing body of a county may adopt an ordinance, subject to a referendum, to suspend the millage rate limitation for the purpose of imposing up to six‑tenths of a mill for mental health. The referendum must be held at the time of the general election, and upon a majority of the qualified voters within the county voting favorably in the referendum, this special millage may be imposed in the next fiscal year. The state election laws apply to the referendum mutatis mutandis. This special millage may be removed only upon a majority vote of the local governing body. The amounts collected from the increased millage:

 (1) must be deposited into a mental health services fund separate and distinct from the county general fund and all other county funds;

 (2) must be dedicated only to expenditures for mental health services in the county; and

 (3) must not be used to supplant existing funds for mental health programs in the county.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 5th day of June, 2014.

Approved the 6th day of June, 2014.

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