**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 8 TO TITLE 31 SO AS TO ENACT THE “SOUTH CAROLINA ROADS FOR ECONOMIC DEVELOPMENT ACT”, TO DEFINE TERMS, TO ALLOW A TRANSPORTATION IMPROVEMENT PROJECT TO BE FUNDED WITH A PERCENTAGE OF SALES TAX REVENUE WITHIN THE DISTRICT SO LONG AS THE PERCENTAGE IS APPROVED BY THE LOCAL GOVERNING BODY AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY, TO SPECIFY THE MANNER IN WHICH SURPLUS FUNDS ARE DISTRIBUTED, AND TO PROVIDE THE MANNER IN WHICH THE TRANSPORTATION IMPROVEMENT PLAN IS ADOPTED AND ITS REVENUES ARE EXPENDED.

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

SECTION 1. Title 31 of the 1976 Code is amended by adding:

“CHAPTER 8

South Carolina

Roads for Economic Development Act

Section 31‑8‑10. This chapter may be cited as the ‘South Carolina Roads for Economic Development Act’.

Section 31‑8‑20. (A) The General Assembly finds that:

(1) Section 14(10), Article X of the Constitution of South Carolina provides that the General Assembly may authorize by general law that indebtedness for the purpose of redevelopment within political subdivisions may be incurred and that the debt service of such indebtedness be provided from the added increments of tax revenues to result from the project.

(2) Improving transportation is essential in reversing the path of redevelopment areas. An increasing demand for transportation improvement must be provided from a limited tax base. Incentives must be provided for transportation in redevelopment areas which are, or threaten to become, predominantly slum or blighted.

(3) There exists in many political subdivisions of this State blighted, conservation, and sprawl areas; the sprawl and conservation areas are rapidly deteriorating and declining and may soon become blighted areas if their decline is not checked; the stable economic and physical development of the blighted areas, conservation areas, and sprawl areas are endangered by the presence of blighting factors as manifested by progressive and advanced deterioration of structures, by the overuse of housing and other facilities, by a lack of physical maintenance of existing structures, by obsolete and inadequate community facilities, and a lack of sound community planning, by obsolete platting, diversity of ownership, excessive tax, and special assessment delinquencies, or by a combination of these and other factors; that as a result of the existence of blighted areas, areas requiring conservation, and sprawl areas, there is an excessive and disproportionate expenditure of public funds, inadequate public and private investment, unmarketability of property, growth in delinquencies and crime, and substandard housing conditions and zoning law violations in such areas together with an abnormal exodus of families and businesses so that the decline of these areas impairs the value of private investments and threatens the sound growth and the tax base of such areas, and threatens the health, safety, morals, and welfare of the public.

(4) In order to promote and protect the health, safety, morals, and welfare of the public, blighted conditions need to be eradicated and conservation measures instituted, sprawl areas controlled, and redevelopment of such areas undertaken; to remove and alleviate adverse conditions it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in such areas by improving transportation in such areas. The eradication of blighted areas and treatment and improvement of sprawl areas and conservation areas by redevelopment and transportation projects is declared to be essential to the public interest.

(5) The use of incremental tax revenues derived from the sales tax in transportation improvement project areas for the payment of improving transportation in the area is of benefit to the taxing districts because taxing districts located in the transportation improvement project areas would not derive the full benefits of increased sales tax revenues without the benefits of tax increment financing, all surplus tax revenues are turned over to the taxing districts in transportation improvement project areas, and all taxing districts benefit from the removal of blighted conditions, the eradication of conditions requiring conservation measures, and control of sprawl conditions.

(B) The General Assembly intends to implement the authorization granted in Section 14, Article X of the Constitution of this State. The authorization in this chapter provides for this State an essential method for financing redevelopment. The governing bodies of the counties are vested with all powers consistent with the Constitution necessary, useful, and desirable to enable them to accomplish redevelopment in areas which are or threaten to become blighted and to sufficiently meet all constitutional requirements pertaining to incurring indebtedness for the purpose of redevelopment and funding the debt service of such indebtedness from the added increment of tax revenues to result from such redevelopment as provided in Section 14(10), Article X of the Constitution of this State. The indebtedness incurred pursuant to Section 14(10), Article X of the Constitution is exempt from all debt limitations imposed by Article X. The powers granted in this chapter must be in all respects exercised for the benefit of the inhabitants of the State, for the increase of its commerce, and for the promotion of its welfare and prosperity.

(C) All action taken by any political subdivision in carrying out the purposes of this chapter shall perform essential governmental functions.

(D) Pursuant to the authorization granted in Section 13, Article VIII of the Constitution of this State, if a transportation improvement project area is located in more than one county, the powers granted herein may be exercised jointly.

Section 31‑8‑30. Unless the context clearly indicates otherwise:

(1) ‘Blighted area’ means any improved or vacant area within the boundaries of a transportation improvement project area located within the territorial limits of a county where:

if improved, industrial, commercial, and residential buildings or improvements, because of a combination of five or more of the following factors: age; dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; excessive vacancies; overcrowding of structures and community facilities; presence of or potential environmental hazard; lack of ventilation, light, storm drainage, or sanitary facilities; inadequate utilities; inadequate transportation infrastructure; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; lack of community planning, are detrimental to the public safety, health, morals, or welfare.

(2) ‘Conservation area’ means any vacant or improved area within the boundaries of a transportation improvement project area located within the territorial limits of a county that is not yet a blighted area but, because of a combination of three or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; presence of or potential environmental hazard; lack of ventilation, light, storm drainage, or sanitary facilities; inadequate utilities; inadequate transportation infrastructure; excessive land coverage; depreciation of physical maintenance; lack of community planning; agricultural foreclosures; static or declining agricultural land rental rates; depopulation; area‑wide economic decline; or static per capita income, is detrimental to the public safety, health, morals, or welfare and may become a blighted area.

(3) ‘Sprawl area’ means a vacant or improved area within the boundaries of a transportation improvement project area located within the territorial limits of a county that is not yet a blighted area nor a conservation area but, because of the existence of one or more of the following conditions, has the potential to become blighted or in need of conservation:

(a) The sprawl area is an unincorporated urban zone, UUZ, which is an area within the unincorporated portion of the county issuing the finding and has a population density equal to or greater than the average population density of the incorporated municipalities within the territorial limits of the county issuing the finding.

(b) The sprawl area is a linear service zone, LSZ, which is an area within the territorial limits of a county issuing the finding which is or is likely to become an area no more than two miles wide at its widest point and no less than three miles in length and which, due to development within the zone, represents an impediment to vehicular and pedestrian traffic so that the county finds its existence a detriment to the:

( i) economic health and well‑being of the county;

(ii) health or safety of the persons living, working, or traveling through the zone; or

(iii) efficient provision of governmental services both within and without the zone.

(c) The sprawl area is a rural redevelopment zone, RRZ, which is an area within the territorial limits of a county issuing the finding which consists primarily of vacant land which, if provided with certain environmental, energy, transportation, or communications infrastructure, could be developed as a planned community consisting of a minimum of one thousand contiguous acres of land, inclusive of flooded land or other forms of redevelopment, without regard to minimum acreage requirements, suitable for planned communities, other residential clusters, light industry, tourism and recreation facilities, retail centers, and locations suitable for manufacturing facilities.

(4) ‘Obligations’ means bonds, notes, or other evidence of indebtedness issued by a political subdivision to carry out a transportation improvement project.

(5) ‘Political subdivision’ means a county or a municipality.

(6) ‘Sales tax initial baseline amount’ or ‘initial sales tax baseline amount’ means the total sales taxes collected pursuant to Section 12‑26‑910 for sales occurring in the transportation improvement project area during the twelve month period immediately preceding the month in which a governmental entity approves a transportation improvement plan pursuant to Section 31‑8‑80.

(7) ‘Sales tax current baseline amount’ or the ‘current sales tax baseline amount’ for any fiscal year means the product obtained by multiplying the sales tax initial baseline amount by a fraction in which the denominator is the total sales tax collected statewide pursuant to Section 12‑36‑910 during the fiscal year immediately preceding the governmental entity’s approval of a transportation improvement plan pursuant Section 31‑8‑80, and the numerator is the total sales tax collected statewide pursuant to Section 12‑36‑910 during the most recently completed fiscal year.

(8) ‘Sales tax initial increment’ or ‘initial sales tax increment’ means that portion of annual sales taxes collected pursuant to Section 12‑36‑910, for sales occurring in the transportation improvement project area for the period commencing on the first day of the month immediately following the month in which a governmental entity approves a transportation improvement plan pursuant to Section 31‑8‑80 and ending on the last day of the fiscal year, which exceeds that portion of the initial sales tax baseline amount attributable to an equal number of months. If a transportation improvement plan is approved by a governmental entity in the last month of the fiscal year, the initial sales tax increment is zero dollars.

(9) ‘Sales tax current increment’ or ‘current sales tax increment’ means that portion of the annual sales taxes collected pursuant to Section 12‑36‑910, for sales occurring in the transportation improvement project area, which exceeds the current sales tax baseline amount for all fiscal years after the fiscal year in which the transportation improvement plan is approved by a governmental entity pursuant to Section 31‑8‑80.

(10) ‘Taxing districts’ means the State of South Carolina, counties, incorporated municipalities, schools, special purpose districts, and public and any other municipal corporations or districts with the power to levy taxes. Taxing districts include school districts which have taxes levied on their behalf.

(11) ‘Transportation improvement project’ means a project to improve state‑owned streets, roads, highways, or bridges and mass transit facilities owned by the State or a political subdivision.

(12) ‘Transportation improvement project area’ means an area designated by the political subdivision, which is not less in the aggregate than one and one‑half acres and in respect to which the political subdivision has made a finding that there exists conditions that cause the area to be classified as a blighted area, a conservation area, or a sprawl area, or a combination of two or three of them. The total aggregate amount of all transportation improvement project areas of any one county may not exceed five percent of the total acreage of the political subdivision but this limit does not apply with respect to these parts of a transportation improvement project area comprised of a conservation area or a sprawl area.

(13) ‘Transportation improvement project costs’ means and includes the sum total of all reasonable or necessary costs incurred or estimated to be incurred and any costs incidental to a transportation improvement project. The costs include, without limitation:

(a) costs of studies and surveys, plans, and specifications; professional service costs including, but not limited to, architectural, engineering, legal, marketing, financial, planning, or special services;

(b) property assembly costs including, but not limited to, acquisition of land and other property, real or personal, or rights or interest therein, demolition of buildings, and the clearing and grading of land;

(c) costs of rehabilitation, reconstruction, repair, or remodeling of a transportation improvement project;

(d) costs of the construction and long‑term maintenance of a transportation improvement project;

(e) financing costs including, but not limited to, all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued pursuant to the provisions of this chapter accruing during the estimated period of construction of any transportation improvement project for which the obligations are issued and including reasonable reserves related thereto;

(f) relocation costs, including relocation or removal costs of federal, state, or local governmental facilities or activities, to the extent that a county determines that relocation costs must be paid or required by federal or state law.

Section 31‑8‑40. Within five years after the date of adoption of an ordinance providing for the approval of a transportation improvement plan pursuant to Section 31‑8‑80, a political subdivision may issue initial obligations pursuant to chapter to finance the transportation improvement project. These obligations may be secured by the special tax allocation funds set forth in Section 31‑8‑70 for the redevelopment project area and must be retired in the manner provided in the ordinance authorizing the issuance of the obligations or as specified by the State Fiscal Accountability Authority by the receipts of incremental taxes or from other revenues the sources of which do not include taxes or licenses as specified in Section 31‑8‑110. In the ordinance the political subdivision may pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 31‑8‑70 to the payment of the improvement project costs and obligations. However, a pledge of amounts in the special tax allocation funds must provide for distribution to the taxing districts of monies not required for payment of project costs and securing of the obligations and the excess funds are surplus funds. In the event a political subdivision only pledges a portion of the monies in the special tax allocation fund for the payment of transportation project costs or obligations, any funds remaining in the special tax allocation fund after complying with the requirements of the pledge are also considered surplus funds. All surplus funds must be distributed as they are identified to the taxing districts in the transportation project area by being paid by the political subdivision to the county treasurer. The county treasurer immediately shall thereafter make distribution to the respective taxing districts and any other funding sources in the same proportion as the total amount contributed by that district or source to the special tax allocation fund bears to the total amount contributed to the special tax allocation fund by all districts and other sources combined, as of the date when the distribution of surplus funds are made. In addition to obligations secured by the special tax allocation fund, the political subdivision may pledge for a period not greater than the term of the obligations toward payment of the obligations any part of the revenues remaining after payment of operation and maintenance, of all or part of any transportation project. The obligations may be issued in one or more series, may bear such date or dates, may mature at such time or times not exceeding thirty years from their respective dates, may bear such rate or rates of interest as the governing body shall determine, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment, at such place or places, may be subject to such terms of redemption, with or without premium, may be declared or become due before the maturity date thereof, may provide for the replacement of mutilated, destroyed, stolen, or lost bonds, may be authenticated in such manner and upon compliance with such conditions, and may contain such other terms and covenants, as may be provided by the governing body of the political subdivision. If the governing body determines to sell any obligations the obligations must be sold at public or private sale in such manner and upon such terms as the governing body considers best for the interest of the political subdivision.

A certified copy of the ordinance authorizing the issuance of the obligations must be filed with the treasurer of each county in which any portion of a redevelopment project is situated and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A political subdivision also may issue its obligations to refund in whole or in part obligations previously issued by the political subdivision under the authority of this chapter, whether at or prior to maturity, and all references in this chapter to ‘obligations’ are considered to include these refunding obligations. The debt incurred by a political subdivision pursuant to this chapter is exclusive of any statutory limitation upon the indebtedness a taxing district may incur. All obligations issued pursuant to this chapter shall contain a statement on the face of the obligation specifying the sources from which payment is to be made and shall state that the full faith, credit, and taxing powers are not pledged for the obligations.

The trustee or depositary under any indenture may be such persons or corporations as the governing body designates, or they may be nonresidents of South Carolina or incorporated under the laws of the United States or the laws of other states of the United States.

Section 31‑8‑50. The proceeds from obligations issued under authority of this chapter must be applied only for the purpose for which they were issued. Any premium and accrued interest received in any such sale must be applied to the payment of the principal of or the interest on the obligations sold. Any portion of the proceeds not needed for transportation project costs must be remitted to the general fund of this State.

Section 31‑8‑60. The obligations authorized by this chapter and the income from the obligations and all security agreements and indentures executed as security for the obligations made pursuant to the provisions of this chapter and the revenue derived from the obligations are exempt from all taxation in the State of South Carolina except for inheritance, estate, or transfer taxes and all security agreements and indentures made pursuant to the provisions of this chapter are exempt from all state stamp and transfer taxes.

Section 31‑8‑70. (A) A political subdivision must create a special tax allocation fund for the payment of transportation project costs and obligations following the adoption of an ordinance providing for approval of a transportation plan pursuant to Section 31‑8‑80, provided that:

(1) a sales tax increment exists; or

(2) the political subdivision has issued obligations based on projected sales tax increments.

(B) If there is an initial sales tax increment or current sales tax increment in future fiscal years, the Department of Revenue shall calculate the amount of the initial sales tax increment or current sales tax increment that is equal to the percentage approved by the State Fiscal Accountability Authority to be applied toward the funding of a redevelopment plan, and shall, no later than the end of the first quarter following the conclusion of the fiscal year, transfer the amount of sales tax revenue to the county for deposit only in the special tax allocation fund created by the county for the payment of the redevelopment project costs and obligations.

(C) Any ordinance adopted based on acts of the political subdivision occurring before the effective date of this chapter must incorporate by reference and adopt those prior acts undertaken in accordance with the procedures of this chapter as if they had been undertaken pursuant to this chapter.

(D) When obligations issued under this chapter have been retired and transportation project costs incurred under this chapter have been paid or budgeted pursuant to the transportation plan, as evidenced by resolution of the governing body of the political subdivision, all surplus funds then remaining in the special tax allocation fund must be remitted by the county treasurer immediately to the general fund of this State.

(E) Upon the payment of all transportation project costs, retirement of all obligations of a political subdivision issued pursuant to this chapter, and the distribution of any surplus monies pursuant to this section, the political subdivision shall adopt an ordinance dissolving the tax allocation fund for the transportation improvement project area and terminating the designation of the transportation project area as a transportation project area for purposes of this chapter. Thereafter, the rates of the taxing districts must be extended and taxes levied, collected, and distributed in the manner applicable in the absence of the adoption of a transportation plan and the issuance of obligations pursuant to this chapter.

(F) If five years have passed from the time a transportation project area is designated and the county has not issued obligations under this chapter to finance the transportation project, upon the expiration of the five‑year term, the political subdivision shall adopt an ordinance terminating the designation of the transportation project area.

Section 31‑8‑80. (A) Prior to the issuance of any obligations under this chapter, the political subdivision shall set forth by way of ordinance the following:

(1) a copy of the transportation improvement plan containing a statement of the objectives of a political subdivision with regard to the plan;

(2) a statement indicating the need for and proposed use of the proceeds of the obligations in relationship to the transportation improvement plan;

(3) a statement containing the cost estimates of the transportation improvement plan and transportation project and the projected sources of revenue to be used to meet the costs including estimates of tax increments and the total amount of indebtedness to be incurred;

(4) a list of all real property in the transportation project area and a list of all businesses in the transportation improvement project area that are currently paying sales tax pursuant to Section 12‑36‑910;

(5) the duration of the transportation improvement plan;

(6) a statement of the estimated impact of the transportation redevelopment plan upon the revenues of all taxing districts in which a redevelopment project area is located and any anticipated creation of temporary or permanent jobs as a direct result of the planned redevelopment, and, if residential development is included in the plan, the estimated impact on public school enrollment;

(7) findings that:

(a) the transportation improvement project area is a blighted, conservation, or sprawl area and that private initiatives alone are unlikely to alleviate these conditions without substantial public assistance;

(b) property values in the area would remain static, decline, or be held materially below their best and highest potential without public intervention; and

(c) redevelopment is in the interest of the health, safety, and general welfare of the citizens of the county.

(B) Before approving any transportation improvement plan pursuant to this chapter, the governing body of the county must hold a public hearing on the transportation improvement plan after published notice in a newspaper of general circulation in the county in which the political subdivision and any taxing district affected by the transportation improvement plan is located not less than fifteen days and not more than thirty days prior to the hearing. The notice shall include:

(1) the time and place of the public hearing;

(2) the boundaries of the proposed transportation improvement project area;

(3) a notification that all interested persons will be given an opportunity to be heard at the public hearing;

(4) a description of the transportation improvement plan and transportation project; and

(5) the maximum estimated term of obligations to be issued under the transportation improvement plan.

Not less than ninety days prior to the date set for the public hearing, the county must give notice to the Department of Revenue, the Joint Bond Review Committee, the State Fiscal Accountability Authority, and the Department of Transportation, and in addition to the other requirements of the notice set forth in this section, the notice shall indicate the percentage of the sales tax increment, not to exceed seventy‑five percent, that the county proposes to use for payment of redevelopment project costs or obligations.

(C) If a taxing district receiving appropriate notice pursuant to subsection (B)(5) does not file an objection to the transportation improvement plan at or prior to the date of the public hearing, the taxing district is considered to have consented to the transportation improvement plan and the issuance of obligations under this chapter to finance the transportation improvement project, provided that the actual term of obligations issued is equal to or less than the term stated in the notice of public hearing. The political subdivision may issue obligations to finance the transportation improvement project to the extent that each affected taxing district consents to the transportation improvement plan. The tax increment for a taxing district that does not consent to the transportation improvement plan must not be included in the special tax allocation fund.

(D) If the State Fiscal Accountability Authority approves the use of a designated percentage of the sales tax increment prior to adoption of the transportation improvement plan, the political subdivision may issue obligations to finance the transportation improvement projects identified in the transportation improvement plan to the extent that the percentage of the sales tax increment responsibly allows, and any sales tax increments not needed to pay the debt service on the obligations may be used to fund transportation improvement project costs designated in the transportation improvement plan. In consenting to the use of the sales tax increment, the State Fiscal Accountability Authority may limit its approval to a lesser percentage of the sales tax increment than proposed by the political subdivision. Prior to approval, the State Fiscal Accountability Authority must make the following findings:

(1) the transportation improvement plan includes a clear and convincing indication that the percentage of sales tax increment approved to fund the transportation improvement plan is anticipated to be less than the additional sales tax revenues generated as a result of the proposed transportation improvement plan; and

(2) the transportation improvement plan is anticipated to produce significant temporary or permanent new jobs and the new jobs, combined with additional State revenues and other benefits derived from the proposed transportation improvement plan, justify investing the percentage of incremental sales tax revenues being committed.

(E) Prior to the adoption of an ordinance approving a transportation improvement plan pursuant to this section, changes may be made in the transportation improvement plan which do not alter the exterior boundaries or do not substantially affect the general land use established in the plan or substantially change the nature of the transportation improvement project, without further hearing or notice, provided that notice of the changes is given by mail to each affected taxing district and by publication in a newspaper or newspapers of general circulation within the taxing districts not less than ten days prior to the adoption of the changes by ordinance. Notice of the adoption of the ordinance must be published by the political subdivision in a newspaper having general circulation in the affected taxing districts. Any interested party may, within twenty days after the date of publication of the notice of adoption of the transportation improvement plan, but not afterwards, challenge the validity of such adoption by action de novo in the court of common pleas in the county in which the redevelopment plan is located.

(F) After adoption of an ordinance approving a transportation improvement plan, any alteration in the exterior boundaries, general land uses established pursuant to the transportation improvement plan, maximum term of maturity of obligations to be issued under the plan, or the transportation improvement project must be approved by resolution of each affected taxing district in accordance with the procedures provided in this chapter for the initial approval of a transportation improvement project and designation of a transportation improvement project area.

Section 31‑8‑90. When there are any persons residing in the area covered by the transportation improvement plan:

(1) the transportation improvement plan shall include:

(a) an assessment of the displacement impact of the transportation improvement project and provisions for the relocation of all persons who would be displaced by the project, provided that no residents may be displaced by a transportation improvement project unless housing is made available to them pursuant to the terms of this section; and

(b) provisions for the creation of housing opportunities to the extent feasible to enable a substantial number of the displaced persons to relocate within or in close proximity to the area covered by the transportation improvement plan.

(2) Prior to authorizing the demolition of any residential units in connection with a tax increment financing plan, the governing body of the political subdivision must ensure that the transportation improvement plan complies with the requirements of this section and further that standard housing is made available to all persons to be displaced.

(3) Persons displaced by a transportation improvement plan are entitled to the benefits and protections available pursuant to Section 28‑11‑10. The costs of the relocation are proper expenditures for the proceeds of any obligations issued pursuant to this chapter.

Section 31‑8‑100. If a political subdivision and the State Fiscal Accountability Authority approve the use of sales tax increments to fund the transportation improvement plan, the Department of Revenue must determine and certify the sales tax initial baseline amount for the redevelopment project area. In addition, by the end of the first quarter of each fiscal year, the Department of Revenue must determine the current sales tax baseline amount for the fiscal year.

Section 31‑8‑110. Revenues received by the political subdivision from any property, building, or facility owned by the political subdivision or any agency or authority established by the political subdivision in the transportation improvement project area may be used to pay transportation improvement project costs or reduce outstanding obligations of the political subdivision incurred under this chapter for transportation improvement project costs. If the obligations are used to finance the extension or expansion of a system as defined in Section 6‑21‑40 in the transportation improvement project area, all or a portion of the revenues of the system, whether or not located entirely within the transportation improvement project area, including the revenues of the transportation improvement project, may be pledged to secure the obligations issued under this chapter. The political subdivision is fully empowered to use any of the powers granted by either or both of the provisions of Chapter 17, Title 6 (The Revenue Bond Refinancing Act of 1937) or the provisions of Chapter 21, Title 6 (Revenue Bond Act for Utilities). In exercising the powers conferred by the provisions, the political subdivision may make any pledges and covenants authorized by any provision of those chapters. The political subdivision may place the revenues in the special tax allocation fund or a separate fund which must be held by the political subdivision or financial institution designated by the political subdivision. Revenue received by the political subdivision from the sale or other disposition of real property acquired by the political subdivision with the proceeds of obligations issued pursuant to the provisions of this chapter must be deposited by the political subdivision in the special tax allocation fund or a separate fund which must be held by the political subdivision or financial institution designated by the political subdivision. Proceeds of grants may be pledged by the political subdivision and deposited in the special tax allocation fund or a separate fund.

Section 31‑8‑120. Counties and municipalities through intergovernmental agreements jointly may adopt transportation improvement plans and authorize obligations as provided under the provisions of this chapter and Chapter 6 of this title. Counties by intergovernmental agreement incorporated into individual county ordinances, may establish a multicounty or regional authority for both the establishing of a transportation improvement plan and transportation improvement projects if the documented economic impacts of projects extend beyond the boundaries of a single county. All actions to develop such plans and projects must be taken by the governing bodies of the respective counties participating in the grouping or authority pursuant to the contractual terms of the intergovernmental agreements establishing such groupings or authority.

Section 31‑8‑130. Nothing in this chapter relieves any government‑owned telecommunications service provider from any of the provisions of Sections 58‑9‑2600 through 58‑9‑2650.”

SECTION 2. This act takes effect July 1, 2014.

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