COMMITTEE REPORT

March 27, 2019

**H. 3457**

Introduced by Reps. Kirby, Wheeler and Jordan

S. Printed 3/27/19--H.

Read the first time January 8, 2019.

**THE COMMITTEE ON WAYS AND MEANS**

To whom was referred a Bill (H. 3457) to amend Section 6‑1‑320, Code of Laws of South Carolina, 1976, relating to millage rate increase limitations, so as to allow a municipality without an, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 6‑1‑320(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“(3)(a) A municipality without an operating millage on January 1, 2019, or a municipality that incorporates after January 1, 2019, may impose an operating millage sufficient to generate one‑third of the municipality’s general fund expenses in the previous fiscal year.

(b) Notwithstanding subitem (a), a municipality without an operating millage on January 1, 2019, that previously imposed an operating millage but repealed the millage, may re‑impose an operating millage up to an amount equal to its last millage plus the cumulative amount of the increases that would have been allowed pursuant to item (1) since 2007 or since the millage was repealed, whichever is more recent. In calculating the millage amount for reimposition, appropriate amounts must be adjusted to account for rollback millage pursuant to Section 12‑37‑251(E). For purposes of item (2), a municipality that re‑imposes millage pursuant to this subitem is deemed to have imposed the maximum millage for the years prior to the reimposition.

(c) After the operating millage is imposed pursuant to this item, the millage is subject to the limitations on increases set forth in item (1).”

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

Renumber sections to conform.

Amend title to conform.

G. MURRELL SMITH, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 6‑1‑320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2019, OR A MUNICIPALITY THAT INCORPORATES AFTER JANUARY 1, 2019, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.

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

SECTION 1. Section 6‑1‑320(A) of the 1976 Code is amended by adding an appropriately numbered item to read:

“( ) A municipality without an operating millage on January 1, 2019, or a municipality that incorporates after January 1, 2019, may impose an operating millage. After the operating millage is imposed, it is subject to the limitations on increases set forth in item (1).”

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

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