AMENDED

May 12, 2020

**H. 5306**

Introduced by Reps. Chumley, Burns, Hiott, Magnuson, Haddon, R. Williams, V.S. Moss, Martin, Willis, Jones, Forrest, Hixon, Spires, Wooten, Ott, Hill and Ligon

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Read the first time February 27, 2020.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27‑1‑80 SO AS TO PROVIDE THAT WHEN REAL PROPERTY WHICH IS IN AGRICULTURAL USE AND IS BEING VALUED, ASSESSED, AND TAXED UNDER THE PROVISIONS OF ARTICLE 3, CHAPTER 43, TITLE 12 IS APPLIED TO A USE OTHER THAN AGRICULTURAL USE, ANY NEW RESIDENCE OR STRUCTURE BUILT ON THAT REAL PROPERTY IS SUBJECT TO A RECIPROCAL SETBACK AT THE TIME A CONSTRUCTION PERMIT IS ISSUED AT LEAST EQUAL TO THAT WHICH APPLIES TO ADJACENT REAL PROPERTY WHICH IS IN AGRICULTURAL USE AND IS BEING VALUED, ASSESSED, AND TAXED AS SUCH IF THAT ADJACENT PROPERTY IS CURRENTLY SUBJECT TO MANDATORY SETBACKS FROM PROPERTY LINES, AND TO PROVIDE FOR A WAIVER OF THE ABOVE REQUIREMENTS WITHIN A CERTAIN TIMEFRAME.

Amend Title To Conform

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

SECTION 1. Chapter 1, Title 27 of the 1976 Code is amended by adding:

“Section 27‑1‑80. Any agricultural operation that has previously satisfied residential setback requirements is deemed compliant for an expansion of the operation. All other setbacks required by Section 46‑45‑80 still apply.”

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

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