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COMMITTEE REPORT

February 11, 2021

**H. 3029**

Introduced by Reps. Huggins, Garvin, Allison, Ballentine and Wooten

S. Printed 2/11/21--H.

Read the first time January 12, 2021.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3029) to amend Section 59‑53‑1784, Code of Laws of South Carolina, 1976, relating to the disposal of surplus property by the Midlands Technical College Enterprise Campus Authority, 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 59‑53‑1784(C) of the 1976 Code is amended to read:

“(C)(1) The authority is exempt from all regulations and general laws including, but not limited to, Sections 1‑11‑58 and 1‑11‑65, governing disposal of surplus government property, whether real, personal, or mixed.

(2) The exemption provided in item (1) includes an exemption for the sale of real property but only if the sale is for a price not less than a market value determined by an appraisal conforming to the Department of Administration’s appraisal standards and the transfer of title is by quit claim deed. After the recording of the deed for the sold real property, the authority shall file with the Department of Administration and the State Fiscal Accountability Authority a copy of the recorded deed and a copy of the appraisal.”

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

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

The Authority is currently exempt from all regulations and general laws governing the disposal of surplus government property. This bill adds the stipulation that the sale price for real property must be equal to or greater than market value. The market value for the real property must be determined by an appraisal conforming to the Department of Administration’s (Admin’s) appraisal standards. In addition, transfer of title must be by quit claim deed. The Authority will be required to file a copy of the recorded deed and the appraisal with Admin and the State Fiscal Accountability Authority.

SBTCE is responsible for the oversight of technical colleges. This bill does not materially alter the responsibilities or activities of the Authority or SBTCE. Therefore, this bill will have no expenditure impact.

**State Revenue**

Proviso 93.15 of the most recently passed Appropriations Act stipulates that a portion of the proceeds from the sale of surplus, state-owned real properties shall be retained by Admin and used for the deferred maintenance of state-owned buildings. However, by this same proviso, the sale of real property by the Authority is excluded from this provision. If property were to be sold, other funds revenues of the Authority would increase by the amount of the sale.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 59‑53‑1784, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO REQUIRE THE AUTHORITY TO FILE CERTAIN DOCUMENTS WITH THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND ACT 189 OF 2018, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE SUNSET PROVISION.

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

SECTION 1. Section 59‑53‑1784(C) of the 1976 Code is amended to read:

“(C)(1) The authority is exempt from all regulations and general laws including, but not limited to, Sections 1‑11‑58 and 1‑11‑65, governing disposal of surplus government property, whether real, personal, or mixed.

(2) The exemption provided in item (1) includes an exemption for the sale of real property but only if the sale is for a price not less than a market value determined by an appraisal conforming to the Department of Administration’s appraisal standards and the transfer of title is by quit claim deed. After the recording of the deed for the sold real property, the authority shall file with the Department of Administration and the State Fiscal Accountability Authority a copy of the recorded deed and a copy of the appraisal.”

SECTION 2. The authority of the Midlands Technical College Enterprise Campus Authority to dispose of surplus property, as established by Act 189 of 2018 and contained in Section 59‑53‑1784(C) of the 1976 Code, and as amended by SECTION 1 of this act, is permanently enacted by the provisions of this act.

SECTION 3. SECTION 2 of Act 189 of 2018 is repealed.

SECTION 4. This act takes effect upon approval by the Governor.

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