**South Carolina General Assembly**

125th Session, 2023-2024

**S. 163**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Climer and Gustafson

Companion/Similar bill(s): 3118, 3509, 3510, 3567

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate

Summary: Commerce Department

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/30/2022 Senate Prefiled

 11/30/2022 Senate Referred to Committee on **Labor, Commerce and Industry**

 1/10/2023 Senate Introduced and read first time (Senate Journal‑page 89)

 1/10/2023 Senate Referred to Committee on **Labor, Commerce and Industry** (Senate Journal‑page 89)

 2/8/2023 Scrivener's error corrected

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=163&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/30/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/163_20221130.docx)

[02/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/163_20230208.docx)

A bill

to amend the South Carolina Code of Laws by adding Section 13-1-55 so as to PROHIBIT THE DEPARTMENT OF COMMERCE FROM OFFERING OR AWARDING INCENTIVES TO CERTAIN COMPANIES OWNED OR CONTROLLED BY THE PEOPLE’S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY, AND TO PROHIBIT ANY COMPANY RECEIVING AN INCENTIVE FROM CONTRACTING WITH SUCH PROHIBITED COMPANIES; and to add SECTION 4-12-30(Q) TO PROHIBIT A COUNTY FROM ENTERING INTO AN AGREEMENT TO OFFER A FEE IN LIEU OF TAXES TO CERTAIN COMPANIES OWNED OR CONTROLLED BY THE PEOPLE’S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

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

SECTION 1. Article 1, Chapter 1, Title 13 of the S.C. Code is amended by adding:

 Section 13‑1‑55. (A) The Department of Commerce, including any division thereof, may not offer or award any incentive or development grant to any company or development that is at least fifty percent owned or controlled by a company that is owned, in whole or in part, by, or is a subsidiary of a company that is owned, by the People’s Republic of China or the Chinese Communist Party.

 (B) Any company who is offered or awarded incentives from the department must sign a statement agreeing that the company will not contract with any company prohibited from receiving an incentive or grant pursuant to subsection (A).

 (C) For purposes of this section:

 (1) “Company” or “development” means a sole proprietorship, organization, association, corporation, partnership, venture, or other entity, or its subsidiary or affiliate, that exists for profit‑making purposes or to otherwise secure economic advantage.

 (2) “Incentive” or “development grant” means tax credits, deductions, exemptions, exclusions, fees in lieu of taxes, monetary benefits, subsidies, rebates, information required by the Governmental Accounting Standards Board regarding economic incentives, awards from the Governor’s Closing Fund, assistance from the State provided on a discretionary basis to attract or retain business operations, and other preferential tax benefits given to businesses for the purpose of recruitment.

SECTION 2. Section 4‑12‑30 of the S.C. Code is amended by adding

 (Q) No county may enter into an agreement to offer a fee in lieu of taxes to any company or development that is at least fifty percent owned or controlled by a company that is owned, in whole or in part, by, or is a subsidiary of a company that is owned by, the People’s Republic of China or the Chinese Communist Party.

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

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