**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3863**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Govan, Simrill, Pendarvis, Sandifer, McDaniel, Robinson, Henderson‑Myers, Garvin, Thayer, Matthews, Henegan, Brawley, J.L. Johnson, Howard, Anderson, Rivers, S. Williams, Gilliard, Murray, Jefferson, R. Williams, Alexander, Hosey, Clyburn, Rose, Ott, Hill and Gagnon

Document Path: l:\council\bills\cc\15990zw21.docx

Companion/Similar bill(s): 528

Introduced in the House on February 10, 2021

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Local Government Planning

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/10/2021 House Introduced and read first time ([House Journal‑page 3](file:///h:\hj\20210210.docx))

2/10/2021 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 3](file:///h:\hj\20210210.docx))

2/18/2021 House Member(s) request name added as sponsor: Anderson, Rivers, S.Williams, Gilliard, Murray, Jefferson, R.Williams

2/24/2021 House Member(s) request name added as sponsor: Alexander

2/25/2021 House Member(s) request name added as sponsor: Hosey, Clyburn

3/9/2021 House Member(s) request name added as sponsor: Rose

3/10/2021 House Member(s) request name added as sponsor: Ott

3/24/2021 House Member(s) request name added as sponsor: Hill, Gagnon

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**VERSIONS OF THIS BILL**

[2/10/2021](file:///p:\pprever\2021-22\3863_20210210.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA HOME ATTAINABILITY ACT” BY ADDING CHAPTER 39 TO TITLE 6 SO AS TO REDUCE CERTAIN ADMINISTRATIVE AND PERMITTING COSTS AND BARRIERS TO THE CONSTRUCTION OF HOUSING WHILE MAINTAINING SAFETY, PUBLIC HEALTH, AND THE GENERAL WELFARE WITH RESPECT TO CONSTRUCTION AND OCCUPANCY; TO AMEND SECTION 5‑25‑120, RELATING TO THE INSPECTION OF BUILDINGS, SO AS TO ALLOW A BUILDER TO HIRE A CERTIFIED THIRD‑PARTY INSPECTOR TO PERFORM THE DUTIES OF THE LOCAL INSPECTOR OF BUILDINGS AS THEY RELATE TO THAT BUILDER; AND TO AMEND SECTION 40‑3‑290, RELATING TO PERSONS AND ACTIVITIES EXEMPT FROM LICENSURE OR REGULATION BY THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO REVISE AN EXEMPTION FOR PLANS AND SPECIFICATIONS FOR CERTAIN DWELLINGS.

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

SECTION 1. Title 6 of the 1976 Code is amended by adding:

“CHAPTER 39

South Carolina Home Attainability Act

Section 6‑39‑10. This chapter may be known and cited as the ‘South Carolina Home Attainability Act’.

Section 6‑39‑20. (A) By adopting this act, it is the General Assembly’s intent to reduce, to the extent practicable, administrative and permitting costs and barriers to the construction of housing while maintaining safety, public health, and the general welfare with respect to construction and occupancy.

(B) When adopting regulations or amending a comprehensive plan, a local government shall study ways to increase the affordability of housing by considering ordinances and policies that include but are not limited to:

(1) waiving or deferring system development charges; and

(2) adopting or amending criteria for property tax exemptions or property tax freezes.

Section 6‑39‑30. (A) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within fifteen days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period.

(B) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the plan or plat within thirty days after the date the plan or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period.

(C) Notwithstanding subsections (A) or (B), the parties may extend the thirty‑day period described by those subsections for a period not to exceed thirty days if:

(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(2) the municipal authority or governing body, as applicable, approves the extension request.

Section 6‑39‑40. The combination of all taxes and fees charged to a builder or developer by a city, county, or a political subdivision, or all on the construction of a home or group of homes shall not exceed ten percent of the sales price of said home or group of homes.”

SECTION 2. Section 5‑25‑120 of the 1976 Code is amended to read:

“Section 5‑25‑120. (A) The chief of a fire department shall also be the local inspector of buildings for the city or town for which he is appointed and shall perform the duties required herein and make all reports required by the State law, by city or town ordinances or by the State Fire Marshal. He shall make all inspections and perform such duties as may be required by the State Fire Marshal. But any city or town may appoint and reasonably remunerate a local inspector of buildings, in which case the chief of the fire department shall be relieved of the duties herein imposed.

(B) A city or town or a county shall allow a builder to hire a certified third‑party inspector to perform the duties of the local inspector of buildings as they relate to that builder.”

SECTION 3. Section 40‑3‑290(C)(3) of the of the 1976 Code is amended to read:

“(3) ~~a~~ an attached or detached single‑family or two‑family dwelling, as defined in Group R3 of the Standard Building Code, regardless of size, with each unit having a grade level exit and sheds, storage buildings, and garages incidental to the dwelling;”

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

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