COMMITTEE REPORT

February 3, 2010

**S. 976**

Introduced by Senators Cleary and Rose

S. Printed 2/3/10--S. [SEC 2/4/10 2:34 PM]

Read the first time January 12, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 976) to amend Section 4‑9‑30, as amended, Code of Laws of South Carolina, 1976, relating to powers of a county government, so as to authorize, etc., respectfully

**REPORT:**

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

JOHN L. SCOTT, JR. for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

There is no fiscal impact on the General Fund of the State or on federal and/or other funds.

**LOCAL GOVERNMENT IMPACT:**

The Fiscal Impact Statement Team (FIST) of local governments was contacted to determine the impact of this bill on local governments. Two counties responded. One county indicated there would be no fiscal impact. One of the larger counties indicated that there could be additional costs in personnel and requirements if the county adopted such an ordinance upon enactment of this bill. The bill is permissive in nature.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 4‑9‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF A COUNTY GOVERNMENT, SO AS TO AUTHORIZE THE GOVERNING BODY OF A COUNTY TO ADOPT BY ORDINANCE THE REQUIREMENT THAT A PROPERTY OWNER SHALL KEEP A LOT OR OTHER PROPERTY CLEAN AND FREE OF RUBBISH SO AS NOT TO CONSTITUTE A PUBLIC NUISANCE AND PROVIDE A PROCEDURE FOR ENFORCEMENT OF THE ORDINANCE.

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

SECTION 1. Section 4‑9‑30 of the 1976 Code, as last amended by Act 113 of 1999, is further amended by adding at the end:

“(18)(a) to provide by ordinance that the owner of a lot or property in the county shall keep that lot or property clean and free of rubbish, debris, and other unhealthy and unsightly material or conditions that constitute a public nuisance.

(b) to provide by ordinance for notification to the owner of conditions needing correction, require that the owner take action as necessary to correct the conditions, provide the terms and conditions under which an employee of the county or a person employed for that purpose may go upon the property to correct the conditions, and provide that the cost of the lot or property clean up becomes a lien upon the real estate and is collectable as a county tax.”

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

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