**South Carolina General Assembly**

119th Session, 2011-2012

**A186, R231, H3657**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Cooper and Ott

Document Path: l:\council\bills\bbm\9966htc11.docx

Companion/Similar bill(s): 427

Introduced in the House on February 10, 2011

Introduced in the Senate on April 28, 2011

Last Amended on April 26, 2011

Passed by the General Assembly on May 29, 2012

Governor's Action: June 7, 2012, Signed

Summary: County tax collectors

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/10/2011 House Introduced and read first time ([House Journal‑page 9](file:///h%3A%5Chj%20archive%5C2011%5C02-10-11.docx))

 2/10/2011 House Referred to Committee on **Ways and Means** ([House Journal‑page 9](file:///h%3A%5Chj%20archive%5C2011%5C02-10-11.docx))

 4/6/2011 House Committee report: Favorable with amendment **Ways and Means** ([House Journal‑page 62](file:///h%3A%5Chj%20archive%5C2011%5C04-06-11.docx))

 4/7/2011 Scrivener's error corrected

 4/13/2011 House Debate adjourned ([House Journal‑page 71](file:///h%3A%5Chj%20archive%5C2011%5C04-13-11.docx))

 4/13/2011 House Debate adjourned until Thursday, April 14, 2011 ([House Journal‑page 79](file:///h%3A%5Chj%20archive%5C2011%5C04-13-11.docx))

 4/14/2011 House Debate adjourned until Tuesday, April 26, 2011 ([House Journal‑page 15](file:///h%3A%5Chj%20archive%5C2011%5C04-14-11.docx))

 4/26/2011 House Amended ([House Journal‑page 52](file:///h%3A%5Chj%20archive%5C2011%5C04-26-11.docx))

 4/26/2011 House Read second time ([House Journal‑page 52](file:///h%3A%5Chj%20archive%5C2011%5C04-26-11.docx))

 4/26/2011 House Roll call Yeas‑103 Nays‑0 ([House Journal‑page 52](file:///h%3A%5Chj%20archive%5C2011%5C04-26-11.docx))

 4/27/2011 House Read third time and sent to Senate ([House Journal‑page 7](file:///h%3A%5Chj%20archive%5C2011%5C04-27-11.docx))

 4/28/2011 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h%3A%5Csj%20archive%5C2011%5C04-28-11.docx))

 4/28/2011 Senate Referred to Committee on **Finance** ([Senate Journal‑page 7](file:///h%3A%5Csj%20archive%5C2011%5C04-28-11.docx))

 5/22/2012 Senate Recalled from Committee on **Finance** ([Senate Journal‑page 3](file:///h%3A%5Csj%20archive%5C2012%5C05-22-12.docx))

 5/23/2012 Senate Read second time ([Senate Journal‑page 13](file:///h%3A%5Csj%20archive%5C2012%5C05-23-12.docx))

 5/23/2012 Senate Roll call Ayes‑31 Nays‑0 ([Senate Journal‑page 13](file:///h%3A%5Csj%20archive%5C2012%5C05-23-12.docx))

 5/29/2012 Senate Read third time and enrolled ([Senate Journal‑page 9](file:///h%3A%5Csj%20archive%5C2012%5C05-29-12.docx))

 6/5/2012 Ratified R 231

 6/7/2012 Signed By Governor

 6/18/2012 Effective date 06/07/12

 6/18/2012 Act No. 186

**VERSIONS OF THIS BILL**

[2/10/2011](file:///p%3A%5Cpprever%5C2011-12%5C3657_20110210.docx)

[4/6/2011](file:///p%3A%5Cpprever%5C2011-12%5C3657_20110406.docx)

[4/7/2011](file:///p%3A%5Cpprever%5C2011-12%5C3657_20110407.docx)

[4/26/2011](file:///p%3A%5Cpprever%5C2011-12%5C3657_20110426.docx)

[5/22/2012](file:///p%3A%5Cpprever%5C2011-12%5C3657_20120522.docx)

(A186, R231, H3657)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑45‑17 SO AS TO PROVIDE MINIMUM CONTINUING EDUCATION COURSE REQUIREMENTS FOR COUNTY TAX COLLECTORS AND PROVIDE EXCEPTIONS; BY ADDING SECTION 12‑59‑85 SO AS TO ALLOW A COUNTY FORFEITED LAND COMMISSION TO REFUSE TO ACCEPT TITLE TO PROPERTY WHEN REFUSAL IS IN THE PUBLIC INTEREST; AND TO AMEND SECTIONS 12‑51‑50, AS AMENDED, AND 12‑51‑70, RELATING TO DELINQUENT TAX SALES, SO AS TO PROVIDE FOR THE SALES DATE AND TO INCREASE FROM THREE HUNDRED TO FIVE HUNDRED DOLLARS THE DAMAGES FOR WHICH A DEFAULTING BIDDER IS LIABLE.**

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

**County tax collector education requirements**

SECTION 1. Chapter 45, Title 12 of the 1976 Code is amended by adding:

 “Section 12‑45‑17. (A) A person serving as the county tax collector shall complete satisfactorily a minimum of six hours of annual continuing education courses that the department establishes or causes to be established. The content, cost, and dates of the courses must be determined by the department.

 (B) The department, for reasonable cause, may excuse a person serving as the county tax collector from attending these courses for any year.

 (C) The provisions of this section do not apply to a county treasurer who is also the county tax collector and completes satisfactorily the requirements of Section 12‑45‑15.”

**Forfeited land commission**

SECTION 2. Article 1, Chapter 59, Title 12 of the 1976 Code is amended by adding:

 “Section 12‑59‑85. After land has been bid in by the county auditor and before it has been conveyed to the county’s forfeited land commission, the forfeited land commission or a majority of its members may refuse to accept title to the property if the commission determines that to accept title would be against the interest of the public.”

**Tax sale date**

SECTION 3. Section 12‑51‑50 of the 1976 Code, as last amended by Act 399 of 2000, is further amended to read:

 “Section 12‑51‑50. The property duly advertised must be sold, by the person officially charged with the collection of delinquent taxes, at public auction at the courthouse or other convenient place within the county, if designated and advertised, on the advertised date for legal tender payable in full by cash, cashier’s check, certified check, or money order on the date of the sale. If the defaulting taxpayer or the grantee of record of the property has more than one item advertised to be sold, as soon as sufficient funds have been accrued to cover all of the delinquent taxes, assessments, penalties, and costs, further items must not be sold.”

**Default bidder**

SECTION 4. Section 12‑51‑70 of the 1976 Code is amended to read:

 “Section 12‑51‑70. If the successful bidder fails to remit in legal tender within the time specified, the person officially charged with the collection of delinquent taxes shall cancel that bid and duly readvertise the same property for sale, in the same manner, on a subsequent delinquent tax sale date. The defaulting bidder is liable for no more than five hundred dollars damages upon default, which may be collected by suit by the person officially charged with the collection of delinquent taxes in the name of the taxing authority.”

**Time effective**

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 5th day of June, 2012.

Approved the 7th day of June, 2012.

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