**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 3786**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Long, Bales, Martin, Burns, Chumley, Daning, Magnuson, Loftis, G.R. Smith, Simrill, B. Newton, Fry, Jordan, Elliott, Pope, Atkinson, Yow, Anthony, Williams, Bannister, Bedingfield, Forrester, Henderson, Herbkersman, Hill, Hixon, Lowe, V.S. Moss, Putnam, Sandifer, Toole, Tallon, Huggins and S. Rivers

Document Path: l:\council\bills\bbm\9614dg17.docx

Companion/Similar bill(s): 281

Introduced in the House on February 16, 2017

Currently residing in the House Committee on **Ways and Means**

Summary: Roll-back taxes

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/16/2017 House Introduced and read first time ([House Journal‑page 19](file:///h:\hj\20170216.docx))

2/16/2017 House Referred to Committee on **Ways and Means** ([House Journal‑page 19](file:///h:\hj\20170216.docx))

3/7/2017 House Member(s) request name added as sponsor: Tallon

1/23/2018 House Member(s) request name added as sponsor: Huggins

2/14/2018 House Member(s) request name added as sponsor: S.Rivers

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**VERSIONS OF THIS BILL**

[2/16/2017](file:///p:\pprever\2017-18\3786_20170216.docx)

**A** **BILL**

TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLASSIFICATION OF PROPERTY AND ASSESSMENT RATIOS FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO LIMIT ROLLBACK TAXES TO ONE YEAR WHEN LAND CLASSIFIED AS AGRICULTURAL REAL PROPERTY IS APPLIED TO ANOTHER USE.

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

SECTION 1. Section 12‑43‑220(d)(4) of the 1976 Code, as last amended by Act 251 of 2016, is further amended to read:

“(4) Except as provided pursuant to Section 12‑43‑222, when real property which is in agricultural use and is being valued, assessed, and taxed under the provisions of this article, is applied to a use other than agricultural, it is subject to additional taxes, ~~hereinafter~~ referred to as ~~roll-back~~ rollback taxes, in an amount equal to the difference, if any, between the taxes paid or payable on the basis of the valuation and the assessment authorized ~~hereunder~~ pursuant to this item and the taxes that would have been paid or payable had the real property been valued, assessed, and taxed as other real property in the taxing district, in the current tax year (the year of change in use) and ~~each of the five tax years~~ the last tax year immediately preceding in which the real property was valued, assessed, and taxed as ~~herein~~ provided in this item. If in the tax year in which a change in use of the real property occurs the real property was not valued, assessed, and taxed under this article, then the real property is subject to ~~roll‑back~~ rollback taxes for ~~each of the five~~ the last tax ~~years~~ year immediately preceding in which the real property was valued, assessed, and taxed ~~hereunder~~ pursuant to this item. In determining the amounts of the ~~roll‑back~~ rollback taxes chargeable on real property which has undergone a change in use, the assessor ~~shall~~ for ~~each of~~ the ~~roll‑back~~ rollback tax ~~years~~ year involved shall ascertain:

(A) the fair market value without consideration of the standing timber of such real property under the valuation standard applicable to other real property in the same classification;

(B) the amount of the real property assessment for the particular tax year by multiplying such fair market value by the appropriate assessment ratio provided in this article;

(C) the amount of the additional assessment on the real property for the particular tax year by deducting the amount of the actual assessment on the real property for that year from the amount of the real property assessment determined under (B) of this section;

(D) the amount of the ~~roll‑back~~ rollback for that tax year by multiplying the amount of the additional assessment determined under (C) of this section by the property tax rate of the taxing district applicable for that tax year.”

SECTION 2. This act takes effect upon approval by the Governor and applies for agricultural real property changed to another use after 2016.

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