**South Carolina General Assembly**

122nd Session, 2017-2018

**A80, R117, H3927**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Simrill, Herbkersman, J.E. Smith, Bernstein, G.M. Smith and Weeks

Document Path: l:\council\bills\agm\19136wab17.docx

Introduced in the House on March 7, 2017

Introduced in the Senate on March 29, 2017

Last Amended on May 3, 2017

Passed by the General Assembly on May 10, 2017

Governor's Action: May 19, 2017, Signed

Summary: Interest rates on bonds approved by Fiscal Accountability Authority

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/7/2017 House Introduced and read first time ([House Journal‑page 77](file:///h:\hj\20170307.docx))

3/7/2017 House Referred to Committee on **Ways and Means** ([House Journal‑page 77](file:///h:\hj\20170307.docx))

3/7/2017 House Member(s) request name added as sponsor: J.E.Smith, Bernstein

3/8/2017 House Member(s) request name added as sponsor: G.M.Smith, Weeks

3/22/2017 House Committee report: Favorable **Ways and Means** ([House Journal‑page 44](file:///h:\hj\20170322.docx))

3/23/2017 House Read second time ([House Journal‑page 36](file:///h:\hj\20170323.docx))

3/23/2017 House Roll call Yeas‑99 Nays‑5 ([House Journal‑page 36](file:///h:\hj\20170323.docx))

3/23/2017 House Unanimous consent for third reading on next legislative day ([House Journal‑page 38](file:///h:\hj\20170323.docx))

3/23/2017 Scrivener's error corrected

3/24/2017 House Read third time and sent to Senate ([House Journal‑page 2](file:///h:\hj\20170324.docx))

3/29/2017 Senate Introduced and read first time ([Senate Journal‑page 14](file:///h:\sj\20170329.docx))

3/29/2017 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 14](file:///h:\sj\20170329.docx))

4/27/2017 Senate Committee report: Favorable with amendment **Labor, Commerce and Industry**

5/3/2017 Senate Committee Amendment Adopted ([Senate Journal‑page 46](file:///h:\sj\20170503.docx))

5/4/2017 Senate Read second time ([Senate Journal‑page 23](file:///h:\sj\20170504.docx))

5/4/2017 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 23](file:///h:\sj\20170504.docx))

5/8/2017 Senate Read third time and returned to House with amendments ([Senate Journal‑page 17](file:///h:\sj\20170508.docx))

5/10/2017 House Concurred in Senate amendment and enrolled ([House Journal‑page 30](file:///h:\hj\20170510.docx))

5/10/2017 House Roll call Yeas‑102 Nays‑3 ([House Journal‑page 30](file:///h:\hj\20170510.docx))

5/15/2017 Ratified R 117

5/19/2017 Signed By Governor

5/25/2017 Effective date 5/19/17

5/31/2017 Act No. 80

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3927&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[3/7/2017](file:///p:\pprever\2017-18\3927_20170307.docx)

[3/22/2017](file:///p:\pprever\2017-18\3927_20170322.docx)

[3/23/2017](file:///p:\pprever\2017-18\3927_20170323.docx)

[4/27/2017](file:///p:\pprever\2017-18\3927_20170427.docx)

[5/3/2017](file:///p:\pprever\2017-18\3927_20170503.docx)

(A80, R117, H3927)

**AN ACT** **TO AMEND SECTION 41‑43‑100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWER OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO ISSUE CERTAIN BONDS TO FINANCE INDUSTRIAL DEVELOPMENT PROJECTS UNDER THE SOUTH CAROLINA JOBS‑ECONOMIC DEVELOPMENT FUND ACT, SO AS TO DELETE THE REQUIREMENT THAT THE AUTHORITY APPROVE INTEREST RATES ON SUCH BONDS AND TO SPECIFY APPROVAL OF SUCH INTEREST RATES BY THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT IS NOT REQUIRED; TO AMEND SECTION 41‑43‑110, AS AMENDED, RELATING TO THE POWER OF THE AUTHORITY TO ISSUE CERTAIN BONDS UNDER THE SOUTH CAROLINA JOBS‑ECONOMIC DEVELOPMENT FUND ACT, SO AS TO MAKE CONFORMING CHANGES, TO PROVIDE THE AUTHORITY ANNUALLY SHALL REPORT RELATED ACTIVITIES TO THE JOINT BOND REVIEW COMMITTEE, AND TO PROVIDE THE AUTHORITY SHALL PUBLISH LISTS OF BONDS APPROVED BY THE AUTHORITY AND RELEVANT INFORMATION ON ITS WEBSITE; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JUNE 1, 2017.**

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

**Approval of Coordinating Council for Economic Development not required**

SECTION 1. Section 41‑43‑100 of the 1976 Code, as last amended by Act 121 of 2014, is further amended to read:

“Section 41‑43‑100. In addition to other powers vested in the authority by existing laws, the authority has all powers granted the counties and municipalities of this State pursuant to the provisions of Chapter 29, Title 4, including the issuance of bonds by the authority and the refunding of bonds issued under that chapter. The authority may issue bonds upon receipt of a certified resolution by the county or municipality in which the project, as defined in Chapter 29, Title 4, is or will be located, containing the findings pursuant to Section 4‑29‑60 and evidence of a public hearing held not less than fifteen days after publication of notice in a newspaper of general circulation in the county in which the project is or will be located. The authority may combine for the purposes of a single offering bonds to finance more than one project. The interest rate of bonds issued pursuant to this section is not subject to approval by the South Carolina Coordinating Council for Economic Development.”

**Approval of Coordinating Council for Economic Development not required, reports, publication of bond lists**

SECTION 2. Section 41‑43‑110(A) of the 1976 Code, as last amended by Act 121 of 2014, is further amended to read:

“(A) The authority may issue bonds to provide funds for any program authorized by this chapter. The bonds authorized by this chapter are limited obligations of the authority. The principal and interest are payable solely out of the revenues derived by the authority. The bonds issued do not constitute an indebtedness of the State or the authority within the meaning of any state constitutional provision or statutory limitation. They are an indebtedness payable solely from a revenue producing source or from a special source that does not include revenues from any tax or license. The bonds do not constitute nor give rise to a pecuniary liability of the State or the authority or a charge against the general credit of the authority or the State or taxing powers of the State and this fact must be plainly stated on the face of each bond. The bonds may be executed and delivered at any time as a single issue or from time to time as several issues, may be in such form and denominations, may be of such tenor, may be in coupon or registered form, may be payable in such installments and at such time, may be subject to terms of redemption, may be payable at such place, may bear interest at such rate payable at such place and evidenced in such manner, and may contain such provisions not inconsistent herewith, all of which are provided in the resolution of the authority authorizing the bonds. Subject to approval by the South Carolina Coordinating Council for Economic Development as to their issuance and sale, any bonds issued under this section may be sold at public or private sale as may be determined to be most advantageous. The bonds may be sold at public or private sale and, if by private sale, the authority shall designate the syndicate manager or managers. The authority may pay all expenses, premiums, insurance premiums, and commissions which it considers necessary from proceeds of the bonds or program funds in connection with the sale of bonds. The interest rate of bonds issued pursuant to this section is not subject to approval by the South Carolina Coordinating Council for Economic Development. The authority shall report its activities undertaken pursuant to this subsection to the Joint Bond Review Committee. The report shall be due annually on July thirty‑first. The authority also shall publish on its website a complete list of bonds authorized by the authority pursuant to this subsection. The list shall include information concerning the authorized bonds that the authority deems relevant.”

**Time effective**

SECTION 3. This act takes effect June 1, 2017.

Ratified the 15th day of May, 2017.

Approved the 19th day of May, 2017.

\_\_\_\_\_\_\_\_\_\_