**South Carolina General Assembly**

123rd Session, 2019-2020

**A50, R70, S440**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Talley and Reese

Document Path: l:\s-res\sft\015reha.sp.sft.docx

Companion/Similar bill(s): 3682

Introduced in the Senate on January 29, 2019

Introduced in the House on March 20, 2019

Last Amended on May 8, 2019

Passed by the General Assembly on May 9, 2019

Governor's Action: May 16, 2019, Signed

Summary: SC Textiles Communities Revitalization Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/29/2019 Senate Introduced and read first time ([Senate Journal‑page 5](file:///h:\sj\20190129.docx))

1/29/2019 Senate Referred to Committee on **Finance** ([Senate Journal‑page 5](file:///h:\sj\20190129.docx))

3/12/2019 Senate Committee report: Favorable with amendment **Finance** ([Senate Journal‑page 47](file:///h:\sj\20190312.docx))

3/13/2019 Scrivener's error corrected

3/14/2019 Senate Committee Amendment Adopted ([Senate Journal‑page 27](file:///h:\sj\20190314.docx))

3/14/2019 Senate Read second time ([Senate Journal‑page 27](file:///h:\sj\20190314.docx))

3/14/2019 Senate Roll call Ayes‑38 Nays‑0 ([Senate Journal‑page 27](file:///h:\sj\20190314.docx))

3/19/2019 Senate Read third time and sent to House ([Senate Journal‑page 12](file:///h:\sj\20190319.docx))

3/20/2019 House Introduced and read first time ([House Journal‑page 10](file:///h:\hj\20190320.docx))

3/20/2019 House Referred to Committee on **Ways and Means** ([House Journal‑page 10](file:///h:\hj\20190320.docx))

5/2/2019 House Committee report: Favorable **Ways and Means** ([House Journal‑page 12](file:///h:\hj\20190502.docx))

5/8/2019 House Amended ([House Journal‑page 120](file:///h:\hj\20190508.docx))

5/8/2019 House Read second time ([House Journal‑page 120](file:///h:\hj\20190508.docx))

5/8/2019 House Roll call Yeas‑103 Nays‑0 ([House Journal‑page 121](file:///h:\hj\20190508.docx))

5/9/2019 Scrivener's error corrected

5/9/2019 House Read third time and returned to Senate with amendments ([House Journal‑page 130](file:///h:\hj\20190509.docx))

5/9/2019 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 106](file:///h:\sj\20190509.docx))

5/13/2019 Ratified R 70

5/16/2019 Signed By Governor

5/31/2019 Effective date See Act for Effective Date

6/5/2019 Act No.  50

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=440&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/29/2019](file:///p:\pprever\2019-20\440_20190129.docx)

[3/12/2019](file:///p:\pprever\2019-20\440_20190312.docx)

[3/13/2019](file:///p:\pprever\2019-20\440_20190313.docx)

[3/14/2019](file:///p:\pprever\2019-20\440_20190314.docx)

[5/2/2019](file:///p:\pprever\2019-20\440_20190502.docx)

[5/8/2019](file:///p:\pprever\2019-20\440_20190508.docx)

[5/9/2019](file:///p:\pprever\2019-20\440_20190509.docx)

(A50, R70, S440)

**AN ACT TO AMEND SECTION 12‑65‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS; AND BY ADDING SECTION 12‑67‑170 SO AS TO PROVIDE FOR AN EXTENSION OF THE PLACED IN SERVICE DATE FOR A REHABILITATED ABANDONED BUILDING UNDER CERTAIN CIRCUMSTANCES.**

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

**South Carolina Textiles Communities Revitalization Act definitions**

SECTION 1. Section 12‑65‑20(4) and (8) of the 1976 Code, as last amended by Act 265 of 2018, is further amended to read:

“(4)(a) ‘Textile mill site’ means the textile mill together with the land and other improvements on it which were used directly for textile manufacturing operations or ancillary uses. However, the area of the site is limited to the land located within the boundaries where the textile manufacturing, dying, or finishing facility structure is located and does not include land located outside the boundaries of the structure or devoted to ancillary uses.

(b) Notwithstanding the provisions of item (4)(a), with respect to (i) any site acquired by a taxpayer before January 1, 2008, (ii) a site located on the Catawba River near Interstate 77, or (iii) a site which, on the date the notice of intent to rehabilitate is filed, is located in a distressed area of a county in this State, as designated by the applicable council of government, ‘textile mill site’ means the textile mill structure, together with all land and improvements which were used directly for textile manufacturing operations or ancillary uses, or were located on the same parcel or a contiguous parcel within one thousand feet of any textile mill structure or ancillary uses. For purposes of this subitem, ‘contiguous parcel’ means any separate tax parcel sharing a common boundary with an adjacent parcel or separated only by a private or public road.

(8)(a) ‘Rehabilitation expenses’ means the expenses or capital expenditures incurred in the rehabilitation, renovation, or redevelopment of the textile mill site, including without limitations, the demolition of existing buildings, environmental remediation, site improvements and the construction of new buildings and other improvements on the textile mill site, but excluding the cost of acquiring the textile mill site or the cost of personal property located at the textile mill site. For expenses associated with a textile mill site to qualify for the credit, the textile mill and buildings on the textile mill site must be either renovated or demolished.

(b) Notwithstanding subitem (a), for the purpose of calculating the credit with regard to new or rehabilitated buildings on ‘contiguous parcels’ pursuant to item (4)(b), ‘rehabilitation expenses’ do not include expenses that increase the amount of square footage of the buildings that existed on that contiguous parcel immediately preceding the time at which the textile mill became abandoned by more than two hundred percent.”

**Placed in service date extension for rehabilitated abandoned buildings**

SECTION 2. A. Notwithstanding Section 1 of Act 265 of 2018, and Section 1.B. of Act 57 of 2013, upon the repeal of Chapter 67, Title 12 of the 1976 Code, any carryforward credits shall continue to be allowed until the five or eight year time period in Section 12‑67‑140 is completed.

B. Chapter 67, Title 12 of the 1976 Code is amended by adding:

“Section 12‑67‑170. Notwithstanding any other provision of this chapter, if a taxpayer files a notice of intent to rehabilitate and has been rehabilitating an abandoned building continuously for the preceding year and is more than sixty percent complete, then the taxpayer must be allowed to extend the placed in service date until ninety days after completion of construction, provided construction continues diligently until that date. Nothing in this section may be construed to allow a taxpayer to earn a credit allowed by this chapter before the applicable phase or portion of the building site is placed in service.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor and first applies to tax years beginning after 2017.

Ratified the 13th day of May, 2019.

Approved the 16th day of May, 2019.

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