**South Carolina General Assembly**

124th Session, 2021-2022

**A39, R52, H4064**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.M. Smith, Sandifer and Weeks

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Introduced in the House on March 11, 2021

Introduced in the Senate on April 7, 2021

Last Amended on April 20, 2021

Passed by the General Assembly on April 27, 2021

Governor's Action: May 6, 2021, Signed

Summary: Manufacturing exemption exclusion

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/11/2021 House Introduced and read first time ([House Journal‑page 12](file:///h%3A%5Chj%5C20210311.docx))

 3/11/2021 House Referred to Committee on **Ways and Means** ([House Journal‑page 12](file:///h%3A%5Chj%5C20210311.docx))

 3/17/2021 House Member(s) request name added as sponsor: Weeks

 3/18/2021 House Committee report: Favorable with amendment **Ways and Means** ([House Journal‑page 42](file:///h%3A%5Chj%5C20210318.docx))

 4/6/2021 House Amended ([House Journal‑page 89](file:///h%3A%5Chj%5C20210406.docx))

 4/6/2021 House Read second time ([House Journal‑page 89](file:///h%3A%5Chj%5C20210406.docx))

 4/6/2021 House Roll call Yeas‑112 Nays‑0 ([House Journal‑page 90](file:///h%3A%5Chj%5C20210406.docx))

 4/7/2021 House Read third time and sent to Senate ([House Journal‑page 14](file:///h%3A%5Chj%5C20210407.docx))

 4/7/2021 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20210407.docx))

 4/7/2021 Senate Referred to Committee on **Finance** ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20210407.docx))

 4/14/2021 Senate Committee report: Favorable with amendment **Finance** ([Senate Journal‑page 9](file:///h%3A%5Csj%5C20210414.docx))

 4/15/2021 Scrivener's error corrected

 4/20/2021 Senate Committee Amendment Adopted ([Senate Journal‑page 24](file:///h%3A%5Csj%5C20210420.docx))

 4/20/2021 Senate Read second time ([Senate Journal‑page 24](file:///h%3A%5Csj%5C20210420.docx))

 4/20/2021 Senate Roll call Ayes‑44 Nays‑0 ([Senate Journal‑page 24](file:///h%3A%5Csj%5C20210420.docx))

 4/21/2021 Senate Read third time and returned to House with amendments ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20210421.docx))

 4/27/2021 House Concurred in Senate amendment and enrolled ([House Journal‑page 113](file:///h%3A%5Chj%5C20210427.docx))

 4/27/2021 House Roll call Yeas‑113 Nays‑0 ([House Journal‑page 113](file:///h%3A%5Chj%5C20210427.docx))

 5/6/2021 Signed By Governor

 5/4/2021 Ratified R 52

 5/13/2021 Effective date 05/06/21

 5/13/2021 Act No.  39

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**VERSIONS OF THIS BILL**

[3/11/2021](file:///p%3A%5Cpprever%5C2021-22%5C4064_20210311.docx)

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[4/6/2021](file:///p%3A%5Cpprever%5C2021-22%5C4064_20210406.docx)

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(A39, R52, H4064)

**AN ACT TO AMEND SECTION 12‑37‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION REGARDLESS OF WHETHER THE PROPERTY IS USED FOR MANUFACTURING; AND TO APPROPRIATE FUNDS FROM THE FISCAL YEAR 2019‑2020 CONTINGENCY RESERVE FUND TO THE TRUST FUND FOR TAX RELIEF.**

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

SECTION 1. Section 12‑37‑220(B)(52)(a) of the 1976 Code is amended to read:

 “(a)(i) 14.2857 percent of the property tax value of manufacturing property assessed for property tax purposes pursuant to Section 12‑43‑220(a)(1). The exemption allowed by this item does not apply to property owned or leased by a public utility, as defined in Section 58‑3‑5, that is regulated by the Public Service Commission, regardless of whether the property is used for manufacturing. For purposes of this item, if the exemption is applied to real property, then it must be applied to the property tax value as it may be adjusted downward to reflect the limit imposed pursuant to Section 6, Article X of the South Carolina Constitution, 1895;

 (ii) To the extent any such monies are refunded or otherwise credited under this item to a public utility that is regulated by the Public Service Commission, regardless of whether the property is used for manufacturing, any such refund or credits must be flowed through to customers as a reduction in rates, as appropriate.”

SECTION 2. There is appropriated sixty‑seven million fifty‑five thousand dollars from the Fiscal Year 2019‑2020 Contingency Reserve Fund to the Trust Fund for Tax Relief. The Board of Economic Advisors is directed to make any necessary adjustments among its forecasts for recurring and nonrecurring revenue resulting from the appropriation contained herein.

SECTION 3. This act takes effect upon approval by the Governor and first applies to property tax years beginning after 2020.

Ratified the 4th day of May, 2021.

Approved the 6th day of May, 2021.

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