

Municipal Association of South Carolina Legislative Report  
May 4, 2012

Bill number	Short Title	Description	Current Action
<b>LOCAL GOVERNMENT FUND</b>			
H4710	Allows the General Assembly to cut the Local Government Fund	Suspends the provision in the code of laws that prevents amending or repealing the state aid to subdivisions act for fiscal year 2012-2013. It also allows counties to transfer among appropriated state revenues as needed to ensure the delivery of services.	House passed on 03.08.12; Senate referred to Finance committee.
<b>RETIREMENT REFORM</b>			
H4967	Makes changes to the state retirement system	Makes changes to the state retirement system, state police officers retirement system and the General Assembly retirement system.	House passed on 03.22.12; Senate Finance committee reported out favorably with amendments on 05.03.12.
<b>TAXES</b>			
H4998	Reduces commercial property tax rates	Reduces the assessment ratio on commercial and other applicable real property from 6 to 5 percent of value.	House introduced on 03.13.12; the House Ways and Means Economic Development, Capital Improvement and Other Taxes subcommittee gave this bill a favorable report on 03.20.12; full House Ways and Means committee adjourned debate on 03.26.12 and 04.18.12.
H4993	Property tax exemptions for manufacturing and business personal property	Reduces the property tax assessment ratio from 10.5 percent to 6 percent over a four year period for industrial property and business personal property.	House introduced on 03.13.12; the House Ways and Means Economic Development, Capital Improvement and Other Taxes subcommittee gave this bill a favorable report on 03.20.12; full House Ways and Means committee adjourned debate on 03.26.12 and 04.18.12.
H3787	Deletes certain requirements for counties and municipalities on accommodations expenditures	Gives the administrative law court the authority to hear certain legal challenges related to tourism expenditures by cities and counties and eliminates the Tourism Expenditure Review Committee.	House Ways and Means Licenses, Fees, Insurance Tax and Other Charges subcommittee carried this bill over to work on a compromise on 03.20.12.

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<b>BROKERS' TAX</b>			
S1419	Makes changes to state surplus lines brokers law to conform to federal law	Changes the law to bring the state into compliance with the existing federal law, the Dodd-Frank Wall Street Reform and Consumer Protection Act.	Passed by the Senate on 04.19.12; House Labor, Commerce and Industry Insurance subcommittee reported the bill out favorably with an amendment on 05.03.12.
<b>TELECOMMUNICATIONS</b>			
H3508	Makes changes to the law relating to government-owned telecommunications service providers	Requires governments providing Internet access to comply with the 2002 Telecommunications Act and would exempt from this law cities or counties that applied for a federal grant to provide broadband services by December 31, 2011, and expended at least \$25,000 for this purpose.	House passed on 02.18.11; Senate Judiciary passed out favorably with an amendment on 03.27.12. Currently on the Senate calendar in interrupted debate.
<b>FREEDOM OF INFORMATION ACT</b>			
H3235	Changes the amount and time period to return records requested under FOIA	Requires records to be furnished at current market value to the person requesting the records. This bill also requires a public body to furnish records for inspection or copying immediately but no later than 30 days after the date of the formal request. An amendment removes the exemption for legislators.	Passed by the House on 05.01.12; referred to the Senate Judiciary committee.
<b>TORT REFORM</b>			
S772	Removes the cap imposed by the Tort Claims Act	Removes the cap on economic damages imposed by the Tort Claims Act. An amendment adopted by a Senate Judiciary subcommittee strikes the bill and inserts new language to give local governments the option to create a fund to pay for damages over caps. The amendment also increases the cap from \$300,000 and \$600,000 to consumer price index.	Senate Judiciary subcommittee gave this bill a favorable report with an amendment on 03.28.12. Senate Judiciary committee amended the bill to no longer only apply to amusement parks and passed out favorably on 04.10.12; on the Senate contested calendar.

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<b>UTILITIES</b>			
H4487	Relocation of public water and sewer lines	Establishes a study committee to study the costs related to relocating water and sewer lines that are maintained and operated by a public water system or a public sewer system that are located within the right-of-way for a state transportation improvement project.	House passed on 05.02.12; referred to the Senate Transportation committee.
<b>FIREWORKS</b>			
S1066	Allows local governing bodies to regulate fireworks	Permits a local governing body to regulate the time and place for the discharge of fireworks. An amendment was added in subcommittee that strikes "and place" in the bill.	Senate Judiciary committee gave this bill a favorable report with an amendment on 03.13.12; currently on the Senate contested calendar.
S1163	State regulation of the retail sale of fireworks	Outlines that the retail sale of fireworks is solely subject to state regulations and except for an ordinance imposing a business license tax, the sale is not subject to regulation by ordinances of political subdivisions including zoning ordinances if the fireworks retailer has a valid state retail license, complies with state safety and building code requirements and as a valid fireworks license issued by the State Board of Pyrotechnic Safety.	A Senate Labor, Commerce and Industry subcommittee carried this bill over on 03.28.12.

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<b>REHABILITATION OF ABANDONED AND DILAPIDATED BUILDINGS</b>			
H4628	Rehabilitation of Abandoned and Dilapidated Buildings Act	Develops a process for a city to petition the circuit court to appoint receiver after all other options have been exhausted to rehabilitate abandoned and dilapidated buildings.	House introduced on 01.18.12; House Judiciary Local Laws subcommittee carried this bill over on 02.29.12.
S1117	Rehabilitation of Abandoned and Dilapidated Buildings Act	Develops a process for a city to petition the circuit court to appoint receiver after all other options have been exhausted to rehabilitate abandoned and dilapidated buildings.	Senate introduced on 01.18.12; A Senate Judiciary subcommittee has carried this bill over twice on 02.15.12 and 03.28.12.
H4802	SC Abandoned Buildings Revitalization Act	Allows a taxpayer making investments of at least \$500,000 in rehabilitation of an abandoned building to receive specified income tax credits or credits against the property tax liability.	House passed on 04.26.12; Senate referred to the Senate Finance committee.
<b>PUBLIC SAFETY</b>			
H4451	Illegal to use an electronic communication device while driving a vehicle	Makes it illegal for a person to use an electronic communication device while driving a vehicle. The amendment prohibits anyone under 18 years old from using a cell phone unless he has a hands free device. The amendment also prohibits anyone from using a cell phone while driving in a school zone or work zone.	House passed on 03.08.12; Senate Judiciary committee passed favorably with amendments on 04.24.12; on the Senate contested calendar.
<b>WASTE MANAGEMENT</b>			
H4721	Business Freedom to Choose Act (Flow control)	Outlines that an ordinance that restricts solid waste disposal at permitted facilities located outside a county's boundaries or impedes a recycling program is inconsistent with the law. An amendment that was added in committee would protect counties from liability if they had a flow-control ordinance in place prior to this legislation being passed.	House passed on 03.08.12; Senate Medical Affairs committee gave a favorable report on 03.22.12; on Senate contested calendar with a minority report.
<b>GAMING</b>			
S1065	Clarifies the ban on video gaming machines	Clarifies that existing regulations on bingo and raffles do not allow any devices prohibited under the state's current video gambling ban.	On the Senate contested calendar with a minority report.
H4675	Clarifies the ban on video gaming machines	Clarifies that existing regulations on bingo and raffles do not allow any devices prohibited under the state's current video gambling ban.	House passed on 04.26.12; Senate referred to the Senate Judiciary committee.