**South Carolina General Assembly**

125th Session, 2023-2024

**S. 4**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Jackson

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate

Summary: Local Government Planning

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/30/2022 Senate Prefiled

11/30/2022 Senate Referred to Committee on **Judiciary**

1/10/2023 Senate Introduced and read first time ([Senate Journal‑page 17](h:\sj\20230110.docx))

1/10/2023 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 17](h:\sj\20230110.docx))

2/8/2023 Scrivener's error corrected

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**VERSIONS OF THIS BILL**

[12/01/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/4_20221201.docx)

[02/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4_20230208.docx)

A bill

to amend the South Carolina Code of Laws by adding Section 6-39-10, section 6-39-20, and section 6-39-30 so as to REDUCE CERTAIN ADMINISTRATIVE AND PERMITTING COSTS AND BARRIERS TO THE CONSTRUCTION OF HOUSING WHILE MAINTAINING SAFETY, PUBLIC HEALTH, AND THE GENERAL WELFARE WITH RESPECT TO CONSTRUCTION AND OCCUPANCY; by adding Section 6-39-20; by adding Section 6-39-30; by amending Section 5-25-120, relating to Inspectors of buildings, so as to ALLOW A BUILDER TO HIRE A CERTIFIED THIRD-PARTY INSPECTOR TO PERFORM THE DUTIES OF THE LOCAL INSPECTOR OF BUILDINGS AS THEY RELATE TO THAT BUILDER; and by amending Section 40-3-290, relating to Exceptions from coverage of chapter 40, so as to REVISE AN EXEMPTION FOR PLANS AND SPECIFICATIONS FOR CERTAIN DWELLINGS.

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

SECTION 1. Title 6 of the S.C. Code is amended by adding:

CHAPTER 39

South Carolina Home Attainability Act

Section 6‑39‑10. (A) By adopting this act, it is the General Assembly’s intent to reduce, to the extent practicable, administrative and permitting costs and barriers to the construction of housing while maintaining safety, public health, and the general welfare with respect to construction and occupancy.

(B) When adopting regulations or amending a comprehensive plan, a local government shall study ways to increase the affordability of housing by considering ordinances and policies that include but are not limited to:

(1) waiving or deferring system development charges; and

(2) adopting or amending criteria for property tax exemptions or property tax freezes.

Section 6‑39‑20. (A) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within fifteen days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period.

(B) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the plan or plat within thirty days after the date the plan or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period.

(C) Notwithstanding subsections (A) or (B), the parties may extend the thirty day period described by those subsections for a period not to exceed thirty days if:

(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(2) the municipal authority or governing body, as applicable, approves the extension request.

Section 6‑39‑30. The combination of all taxes and fees charged to a builder or developer by a city, county, or a political subdivision, or all on the construction of a home or group of homes shall not exceed ten percent of the sales price of said home or group of homes.

SECTION 2. Section 5‑25‑120 of the S.C. Code is amended to read:

Section 5‑25‑120. (A.) The chief of a fire department shall also be the local inspector of buildings for the city or town for which he is appointed and shall perform the duties required herein and make all reports required by the State law, by city or town ordinances or by the State Fire Marshal. He shall make all inspections and perform such duties as may be required by the State Fire Marshal. But any city or town may appoint and reasonably remunerate a local inspector of buildings, in which case the chief of the fire department shall be relieved of the duties herein imposed.

(B) A city or town or a county shall allow a builder to hire a certified third‑party inspector to perform the duties of the local inspector of buildings as they relate to that builder.

SECTION 3. Section 40‑3‑290(C)(3) of the S.C. Code is amended to read:

(3) an attached or detached one‑family and two‑family dwellings, including townhouses, in compliance with the prescriptive requirements of the South Carolina Residential Code. All other buildings and structures classified for residential occupancies or uses in the South Carolina Building Code that are beyond the scope of the South Carolina Residential Code are not exempt from the provisions of this chapter;

SECTION 4. This act takes effect upon approval by the Governor.

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