**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3419**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Bales

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Introduced in the House on February 3, 2009

Currently residing in the House Committee on **Ways and Means**

Summary: Property tax

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/3/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\02-03-09.docx)‑10

2/3/2009 House Referred to Committee on **Ways and Means** [HJ](file:///h:\HJ%20Archive\2009\02-03-09.docx)‑11

**VERSIONS OF THIS BILL**

[2/3/2009](file:///p:\pprever\2009-10\3419_20090203.docx)

**A** **BILL**

TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION, ASSESSMENT RATIOS, AND VALUATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO ALLOW THE AUDITOR TO EXTEND THE DEADLINE FOR FILING THE APPLICATION FOR THE FOUR PERCENT ASSESSMENT RATIO FOR OWNER‑OCCUPIED PROPERTY AND THE APPLICATION FOR AGRICULTURAL USE VALUE AND TO ELIMINATE THE REQUIREMENT THAT AN EXTENSION MAY BE GRANTED ONLY ON A SHOWING OF REASONABLE CAUSE.

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

SECTION 1. A. Section 12‑43‑220(c)(2)(viii) of the 1976 Code is amended to read:

“(viii) Failure to file within the prescribed time constitutes abandonment of the owner’s right for this classification for the current tax year, but the ~~local taxing authority~~auditor may extend the time for filing ~~upon a showing satisfactory to it that the person had reasonable cause for not filing before the first penalty date~~.”

B. Section 12‑43‑220(d)(3) of the 1976 Code is amended to read:

“(3) Agricultural real property does not come within the provisions of this section unless the owners of the real property or their agents make a written application therefor on or before the first penalty date for taxes due for the first tax year in which the special assessment is claimed. The application for the special assessment must be made to the assessor of the county in which the agricultural real property is located, on forms provided by the county and approved by the department and a failure to apply constitutes a waiver of the special assessment for that year. The ~~governing body~~auditor may extend the time for filing ~~upon a showing satisfactory to it that the person had reasonable cause for not filing on or before the first penalty date~~. No additional annual filing is required while the use of the property remains bona fide agricultural and the ownership remains the same. The owner shall notify the assessor within six months of a change in use. For failure to notify the assessor of a change in use, in addition to any other penalties provided by law, a penalty of ten percent and interest at the rate of one‑half of one percent a month must be paid on the difference between the amount that was paid and the amount that should have been paid, but not less than thirty dollars nor more than the current year’s taxes.”

SECTION 2. This act takes effect upon approval by the Governor.

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