**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4162**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Clemmons, Viers, Edge, Hardwick and Hearn

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Introduced in the House on October 27, 2009

Currently residing in the House **Horry Delegation**

Summary: Local Option Tourism Development Fee

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

10/27/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\10-27-09.docx)‑16

10/27/2009 House Referred to **Horry Delegation** [HJ](file:///h:\HJ%20Archive\2009\10-27-09.docx)‑16

**VERSIONS OF THIS BILL**

[10/27/2009](file:///p:\pprever\2009-10\4162_20091027.docx)

**A** **BILL**

TO PROVIDE THAT WHEN THE LOCAL OPTION MUNICIPAL TOURISM DEVELOPMENT FEE IS IMPOSED IN A MUNICIPALITY IN HORRY COUNTY, THE FEE REVENUE ALLOWED TO BE USED FOR PROPERTY TAX RELIEF FOR OWNER‑OCCUPIED RESIDENTIAL PROPERTY AND FOR TOURISM‑RELATED CAPITAL PROJECTS ARE FIRST AVAILABLE FOR THOSE USES BEGINNING IN THE SECOND RATHER THAN THE THIRD YEAR OF IMPOSITION OF THE FEE, TO PROVIDE THAT THIS PROPERTY TAX RELIEF MUST BE GIVEN IN THE FORM OF A CREDIT AGAINST THE MUNICIPAL PROPERTY TAX LIABILITY ON EACH PARCEL OF OWNER‑OCCUPIED RESIDENTIAL PROPERTY LOCATED IN THE MUNICIPALITY, TO PROVIDE FOR THE CALCULATION OF THE CREDIT, AND TO PROVIDE FOR THE USE OF CREDITS IN EXCESS OF THE MUNICIPAL PROPERTY TAX LIABILITY.

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

SECTION 1. When the Local Option Tourism Development (LOTD) Fee is imposed in a municipality in Horry County, the fee revenues otherwise available beginning in the third year of imposition of the fee for property tax relief for owner‑occupied residential property and for tourism‑related capital projects instead become available beginning in the second year of the imposition of the fee. The property tax relief referred to in the LOTD must be in the form of a credit against the municipal property tax liability on each parcel of owner‑occupied residential property in the municipality calculated in the manner as the property tax credit allowed pursuant to Section 4‑10‑40(B) of the 1976 Code for Local Option Sales Tax revenues credited to the Property Tax Credit Fund established pursuant to that tax, mutatis mutandis. The appraised value of the property to which the credit applies must reflect that value as limited pursuant to Section 12‑37‑3140(B) of the 1976 Code. This credit must be applied after all other applicable credits are first applied. If the credit amount exceeds the municipal property tax liability of the owner‑occupied residential property, then the excess credit must be added to amounts allowed to be used for tourism‑related capital projects. If those fee revenues are not used for such projects, then they instead must be used to provide a credit against all taxable property in the municipality not eligible for the residential credit and this additional credit similarly must be calculated in the same manner as the property tax credit allowed pursuant to Section 4-10-40(B) of the 1976 Code with the appraised value of real property adjusted to reflect that value as limited pursuant to Section 12-37-3140(B) of the 1976 Code.

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

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