**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4263**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Chalk and Wylie

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Introduced in the House on January 12, 2010

Currently residing in the House Committee on **Education and Public Works**

Summary: Department of Transportation

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2009 House Prefiled

12/15/2009 House Referred to Committee on **Education and Public Works**

1/12/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑49

1/12/2010 House Referred to Committee on **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑50

**VERSIONS OF THIS BILL**

[12/15/2009](file:///p:\pprever\2009-10\4263_20091215.docx)

**A** **BILL**

TO AMEND SECTION 57‑5‑340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF TRANSPORTATION’S SALE OR DISPOSAL OF REAL PROPERTY, SO AS TO PROVIDE THAT FUNDS DERIVED FROM THE SALE OF RIGHTS OF WAY IN EXCESS OF THE DEPARTMENT’S COST SHALL FIRST PAY ANY OUTSTANDING DEBT ON THE HIGHWAY PROJECT WITH ANY REMAINING BALANCES DISTRIBUTED AMONG THE COUNTIES AS “C” FUNDS.

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

SECTION 1. Section 57‑5‑340 of the 1976 Code is amended to read:

“Section 57‑5‑340. The department shall continuously inventory all of its real property. When, in the ~~judgement~~ judgment of the department any real estate acquired as provided in this chapter is no longer necessary for the proper operation of the department or highway systems, the department shall vigorously attempt to sell the property by advertising for competitive bids in local newspapers or by direct negotiations, but in every case of the sale or transfer of any real estate by the commission or the department, the sale or transfer shall be made public by publishing notice of it in the minutes of the next succeeding meeting of the commission. The commission and the department shall convey by deed, signed by the Secretary of the Department of Transportation and the Deputy Director of the Division of Finance and Administration, any real estate disposed of under this section. Any funds derived from the sale of surplus property by authority of this section shall be credited to the funding category from which funds were drawn to finance the department’s acquisition of the property. However, any funds derived from the sale of ~~right-of-way~~ rights of way, which the department has purchased, in excess of the department’s ~~cost~~ costs, shall ~~be~~ first pay any outstanding debt on that highway project, with any remaining balance distributed among the counties as ~~C~~ ‘C’ funds pursuant to Section 12‑28‑2740. Department costs are any direct costs associated with the sale of the real property, including the costs of appraisals and closing fees.”

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

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