**South Carolina General Assembly**

118th Session, 2009-2010

**A232, R282, H4663**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Sandifer, Bales, Cato, McEachern, Hamilton, Loftis, G.R. Smith, Wylie, Stringer, Willis, Clemmons, Barfield, Ballentine, Whitmire, White, Toole, Huggins, Pinson, Gunn, Norman, Millwood, Simrill, Delleney, Owens, Bannister, Rice, Erickson, D.C. Moss, Stewart, Mitchell, Bowen, J.E. Smith, Dillard, Herbkersman, Chalk, Haley, Viers, Anderson, T.R. Young, Nanney and Vick

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Introduced in the House on March 2, 2010

Introduced in the Senate on April 29, 2010

Last Amended on May 13, 2010

Passed by the General Assembly on May 25, 2010

Governor's Action: June 7, 2010, Signed

Summary: Fire sprinkler system

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/2/2010 House Introduced and read first time [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C03-02-10.docx)‑35

 3/2/2010 House Referred to Committee on **Labor, Commerce and Industry** [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C03-02-10.docx)‑35

 3/3/2010 House Member(s) request name added as sponsor: Cobb‑Hunter, Cato, McEachern, Hamilton, Loftis, G.R.Smith, Wylie, Stringer, Willis, Clemmons, Barfield, Ballentine, Whitmire, White, Toole, Huggins, Pinson

 3/4/2010 House Member(s) request name added as sponsor: Gunn, Norman, Millwood, Simrill, Delleney, D.C.Moss, Owens, Bannister, Rice, Erickson

 3/9/2010 House Member(s) request name added as sponsor: Stewart

 3/10/2010 House Member(s) request name added as sponsor: Mitchell, Bowen, J.E.Smith

 3/11/2010 House Member(s) request name added as sponsor: Dillard

 3/16/2010 House Member(s) request name added as sponsor: Herbkersman

 3/17/2010 House Member(s) request name added as sponsor: Chalk

 3/23/2010 House Member(s) request name added as sponsor: Haley

 3/24/2010 House Member(s) request name added as sponsor: Viers

 3/25/2010 House Member(s) request name added as sponsor: Anderson

 3/25/2010 House Committee report: Favorable with amendment **Labor, Commerce and Industry** [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C03-25-10.docx)‑13

 4/14/2010 House Member(s) request name added as sponsor: T.R.Young

 4/15/2010 House Member(s) request name added as sponsor: Nanney

 4/20/2010 House Requests for debate‑Rep(s). Kennedy, Cobb‑Hunter, Ott, Umphlett, Rutherford, Sandifer, Gambrell, Funderburk, Whitmire, JH Neal, Govan, Harvin, Jefferson, Clyburn, Mack, Bales, Gilliard, Erickson, Herbkersman, Parker, Kirsh and King [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-20-10.docx)‑49

 4/22/2010 House Requests for debate removed‑Rep(s). Bales, Kennedy, and JH Neal [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-22-10.docx)‑35

 4/27/2010 House Member(s) request name added as sponsor: Vick

 4/27/2010 House Member(s) request name removed as sponsor: Cobb‑Hunter

 4/27/2010 House Amended [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-27-10.docx)‑119

 4/27/2010 House Read second time [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-27-10.docx)‑119

 4/27/2010 House Roll call Yeas‑89 Nays‑19 [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-27-10.docx)‑120

 4/28/2010 House Read third time and sent to Senate [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-28-10.docx)‑62

 4/29/2010 Senate Introduced and read first time [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-29-10.docx)‑18

 4/29/2010 Senate Referred to Committee on **Labor, Commerce and Industry** [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-29-10.docx)‑18

 5/13/2010 Senate Recalled from Committee on **Labor, Commerce and Industry** [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C05-13-10.docx)‑44

 5/13/2010 Senate Special order, set for May 13, 2010 [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C05-13-10.docx)‑44

 5/13/2010 Senate Amended [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C05-13-10.docx)‑44

 5/13/2010 Senate Read second time [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C05-13-10.docx)‑44

 5/13/2010 Senate Debate interrupted [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C05-13-10.docx)‑44

 5/14/2010 Scrivener's error corrected

 5/18/2010 Senate Read third time and returned to House with amendments [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C05-18-10.docx)‑28

 5/25/2010 House Concurred in Senate amendment and enrolled [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C05-25-10.docx)‑68

 5/25/2010 House Roll call Yeas‑100 Nays‑1 [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C05-25-10.docx)‑68

 6/1/2010 Ratified R 282

 6/7/2010 Signed By Governor

 6/16/2010 Effective date See Act for Effective Date

 6/23/2010 Act No. 232

**VERSIONS OF THIS BILL**

[3/2/2010](file:///p%3A%5Cpprever%5C2009-10%5C4663_20100302.docx)

[3/25/2010](file:///p%3A%5Cpprever%5C2009-10%5C4663_20100325.docx)

[4/27/2010](file:///p%3A%5Cpprever%5C2009-10%5C4663_20100427.docx)

[5/13/2010](file:///p%3A%5Cpprever%5C2009-10%5C4663_20100513.docx)

[5/14/2010](file:///p%3A%5Cpprever%5C2009-10%5C4663_20100514.docx)

(A232, R282, H4663)

**AN ACT** **TO AMEND SECTION 12‑6‑3622, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIRE SPRINKLER SYSTEM TAX CREDITS, SO AS TO CREATE A STUDY COMMITTEE TO DEVELOP NEW STRATEGIES TO INCREASE PARTICIPATION IN THE TAX CREDIT PROGRAM BY ALL LOCAL TAXING ENTITIES AND TO REVIEW AND MAKE RECOMMENDATIONS FOR INCREASING THE INSTALLATION OF INTERCONNECTED HARD‑WIRE SMOKE ALARMS, TO REQUIRE A REPORT OF THE COMMITTEE’S FINDINGS NO LATER THAN JANUARY 30, 2011, TO PROVIDE THE COMMITTEE SHALL DISSOLVE UPON THE DATE OF ITS REPORT, TO PROVIDE THE COMMITTEE’S MEMBERSHIP AND COMPOSITION, AND TO PROVIDE THE COMMITTEE MEMBERS MUST SERVE WITH NO COMPENSATION FOR PER DIEM, MILEAGE, OR SUBSISTENCE; BY ADDING SECTION 6‑9‑55 SO AS TO PROVIDE THE BUILDING CODES COUNCIL SHALL PROMULGATE AS REGULATIONS ANY PROVISION OF OR AMENDMENT TO A BUILDING CODE THAT WOULD AFFECT CONSTRUCTION REQUIREMENTS FOR ONE‑FAMILY OR TWO‑FAMILY DWELLINGS, AND THAT A BUILDING CODE PROVISION CONCERNING THESE CONSTRUCTION REQUIREMENTS THAT WOULD OTHERWISE BECOME EFFECTIVE AFTER THE EFFECTIVE DATE OF THIS SECTION MAY NOT BE ENFORCED UNTIL THE EFFECTIVE DATE OF THE REGULATION PROMULGATED PURSUANT TO THIS SECTION, AND TO PROVIDE A REGULATION MANDATING THE INSTALLATION OF AN AUTOMATIC RESIDENTIAL FIRE SPRINKLER SYSTEM IN A ONE‑FAMILY OR TWO‑FAMILY DWELLING MAY NOT BECOME EFFECTIVE BEFORE JANUARY 1, 2014; TO AMEND SECTION 58‑5‑390, RELATING TO FEES FOR THE INSTALLATION OF A FIRE SPRINKLER SYSTEM, SO AS TO PROVIDE NOTHING IN THIS SECTION MAY GIVE THE PUBLIC SERVICE COMMISSION OR THE OFFICE OF REGULATORY STAFF POWER TO REGULATE OR INTERFERE WITH PUBLIC UTILITIES OWNED OR OPERATED BY OR ON BEHALF OF A MUNICIPALITY, COUNTY, OR REGIONAL TRANSPORTATION AUTHORITY; AND TO REPEAL SECTION 6‑9‑135 RELATING TO CERTAIN ADOPTED FLOOD COVERAGE PROVISIONS OF THE 2006 INTERNATIONAL RESIDENTIAL CODE.**

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

**Fire Sprinkler System Tax Credit Study Committee created; purposes, duties, dissolution, composition, prohibition on compensation**

SECTION 1. Section 12‑6‑3622 of the 1976 Code, as added by Act 357 of 2008, is amended by adding at the end:

 “(E)(1) The General Assembly shall appoint a study committee to develop new strategies to increase participation in the tax credit program by all local taxing entities, and to review and make recommendations for increasing the installation of interconnected hard‑wired smoke alarms. The study committee shall make a report of its findings to the General Assembly no later than January 30, 2011. The committee shall dissolve upon the date of its report.

 (2) The study committee shall be composed of six members. Three members shall be appointed by the President Pro Tempore of the Senate and three members appointed by the Speaker of the House of Representatives. The study committee must be composed of a representative of the South Carolina Fire Sprinkler Association, a representative of the South Carolina Home Builders Association, a representative of the South Carolina Association of Counties, and a representative of the Municipal Association of South Carolina.

 (3) Members of the study committee shall serve without any compensation for per diem, mileage, and subsistence.”

**Building Codes Council to promulgate certain regulations; regulation mandating installation of automatic residential fire sprinkler system in certain dwellings ineffective before certain date**

SECTION 2. Chapter 9, Title 6 of the 1976 Code is amended by adding:

 “Section 6‑9‑55. (A) The council shall promulgate as regulations, in accordance with the procedure and requirements contained in Article 1, Chapter 23, Title 1, any provision of or amendment to any building code that would affect construction requirements for one‑family or two‑family dwellings. No building code provision that would otherwise become effective after the effective date of this section concerning construction requirements for one‑family or two‑family dwellings shall be enforced until the effective date of the regulations required to be promulgated by this section.

 (B) Notwithstanding subsection (A), a regulation mandating the installation of an automatic residential fire sprinkler system in one‑family or two‑family dwellings shall not become effective at any time before January 1, 2014.”

**Fire sprinkler system tap fees; Public Service Commission and Office of Regulatory Staff may not regulate or interfere with certain local public utilities**

SECTION 3. Section 58‑5‑390 of the 1976 Code, as added by Act 357 of 2008, is amended to read:

 “Section 58‑5‑390. (A) A publicly or privately owned utility may not impose a tap fee, other fee, or a recurring maintenance fee of any nature or however described for the installation and maintenance of a fire sprinkler system that exceeds the actual costs associated with the water line to the system.

 (B) For purposes of this section, actual costs include direct labor, direct material, the necessity of increased capacity, and other direct charges associated with the separate fire sprinkler line. The direct costs must be documented by either an invoice or work order that specifically assigns the costs to the separate fire sprinkler line. Nothing in this section may be construed as requiring a utility to provide service to support a private fire protection system.

 (C) Nothing in this section shall give the commission or the regulatory staff any power to regulate or interfere with public utilities owned or operated by or on behalf of any municipality, county, or regional transportation authority as defined in Chapter 25 of this title or their agencies.”

**Repealed section**

SECTION 4. Section 6‑9‑135 of the 1976 Code is repealed.

**Time effective**

SECTION 5. Except where otherwise provided, this act takes effect upon approval by the Governor.

Ratified the 1st day of June, 2010.

Approved the 7th day of June, 2010.

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