AMENDED

April 27, 2010

**H. 3748**

Introduced by Reps. Duncan, Clemmons, Chalk and Erickson

S. Printed 4/27/10--H.

Read the first time March 24, 2009.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑20‑24 SO AS TO PROVIDE THAT THE VALUE OF OWNER OCCUPIED PROPERTY MUST BE INCLUDED IN THE CALCULATION OF THE INDEX OF TAXPAYING ABILITY UNTIL A PERMANENT CHANGE IN THE METHOD OF ITS CALCULATION IS ENACTED; AND TO CREATE THE INDEX OF TAXPAYING ABILITY STUDY COMMITTEE, TO PROVIDE FOR ITS MEMBERSHIP AND ITS PURPOSE, AND TO REQUIRE THE COMMITTEE TO REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY BY JANUARY 10, 2010, UPON WHICH DATE THE COMMITTEE SHALL DISSOLVE.

Amend Title To Conform

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

SECTION 1. Chapter 20, Title 59 of the 1976 Code is amended by adding:

“Section 59‑20‑24. Notwithstanding Section 59‑20‑20, the index of taxpaying ability as calculated by the Department of Revenue for 2009 applies for the 2010‑11 fiscal year.”

SECTION 2. (A) From the funds appropriated or authorized for the Department of Education, there is created the Index of Taxpaying Ability Study Committee. The committee shall examine the index of taxpaying ability and its relationship to Education Finance Act resources available to the individual school districts in support of the education foundation program required by the State. The committee also shall examine the manner in which the index is calculated and the impact of property tax measures on the calculation.

(B) The committee is composed of fourteen members, who are appointed as follows:

(1) four members appointed by the President Pro Tempore of the Senate, and four members appointed by the Speaker of the House of Representatives. Appointees shall possess experience in business, school district finance, or economics, and must include representatives from the Department of Education, the Department of Revenue, and the Office of Research and Statistics as well as members of the business and education communities;

(2) one member of the Senate appointed by the Senate President Pro Tempore;

(3) one member of the Senate appointed by the Senate Majority Leader; and

(4) one member of the Senate appointed by the Senate Minority Leader; and

(5) Three members of the House of Representatives appointed by the Speaker of the House of Representatives.

(C) The members shall elect a chairman at the first meeting of the committee.

(D) No later than January 1, 2011, the committee shall prepare and deliver a report and recommendation to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of House Education and Public Works Committee.

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

SECTION 3. This act takes effect upon approval by the Governor.

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