**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3428**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. H.B. Brown, Skelton, Ott, Huggins, Merrill, G.M. Smith, Hamilton, Patrick, Sellers, Sottile, Ballentine, Bikas, Clemmons, Daning, Harrison, Herbkersman, Hixon and Sandifer

Document Path: l:\council\bills\bbm\9856htc11.docx

Companion/Similar bill(s): 347

Introduced in the House on January 25, 2011

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

Summary: Property taxes

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2011 House Introduced and read first time ([House Journal‑page 45](file:///h:\hj%20archive\2011\01-25-11.docx))

1/25/2011 House Referred to Committee on **Ways and Means** ([House Journal‑page 45](file:///h:\hj%20archive\2011\01-25-11.docx))

**VERSIONS OF THIS BILL**

[1/25/2011](file:///p:\pprever\2011-12\3428_20110125.docx)

**A** **BILL**

TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF PROPERTY TAX, SO AS TO REDUCE THE ASSESSMENT RATIO ON MANUFACTURING, UTILITY, AND MINING REAL AND PERSONAL PROPERTY FROM TEN AND ONE‑HALF PERCENT OF VALUE TO SIX PERCENT OF VALUE AND TO DELETE PROVISIONS MADE OBSOLETE BY THIS REDUCTION.

Whereas, Section 1(1), Article X of the constitution of this State establishes a property tax classification for all real and personal property of manufacturing, utility, and mining property and provides for the assessment of that property at ten and one half of its fair market value; and

Whereas, Section 2(d), Article X of the constitution of this State allows the General Assembly, by at least a two‑thirds vote in each house, to change the assessment ratio applicable to each constitutionally provided class of property. Now, therefore,

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

SECTION 1. Section 12‑43‑220(a) of the 1976 Code, as last amended by Section 13, Act 290 of 2010, is further amended to read:

“(a)~~(1)~~ All real and personal property owned by or leased to manufacturers, mining operations, and utilities, and used by the manufacturer, mining operation, or utility in the conduct of the business must be taxed on an assessment equal to ~~ten and one‑half~~ six percent of the fair market value of the property.

~~(2) Real property owned by or leased to a manufacturer and used primarily for research and development is not considered used by a manufacturer in the conduct of the business of the manufacturer for purposes of classification of property pursuant to this item (a). The term “research and development” means basic and applied research in the sciences and engineering and the design and development of prototypes and processes.~~

~~(3) Real property owned by or leased to a manufacturer and used primarily as an office building is not considered used by a manufacturer in the conduct of the business of the manufacturer for purposes of classification of property pursuant to this item (a) if the office building is not located on the premises of or contiguous to the plant site of the manufacturer.~~

~~(4)~~ ~~Real property owned by or leased to a manufacturer and used primarily for warehousing and wholesale distribution is not considered used by a manufacturer in the conduct of the business of the manufacturer for purposes of classification of property pursuant to subsection (a). For purposes of this item, the real property owned by or leased to a manufacturer and used primarily for warehousing and wholesale distribution must not be physically attached to the manufacturing plant unless the warehousing and wholesale distribution area is separated by a permanent wall.~~”

SECTION 2. This act takes effect upon approval by the Governor and applies for property tax years beginning after 2011.

‑‑‑‑XX‑‑‑‑