**South Carolina General Assembly**

121st Session, 2015-2016

**A149, R154, S1049**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Massey and Setzler

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Introduced in the Senate on February 2, 2016

Introduced in the House on February 23, 2016

Last Amended on February 18, 2016

Passed by the General Assembly on March 10, 2016

Governor's Action: April 21, 2016, Signed

Summary: Marketing Cooperative Associations

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/2/2016 Senate Introduced and read first time ([Senate Journal‑page 6](file:///h%3A%5CSJ%20Archive%5C2016%5C02-02-16.docx))

 2/2/2016 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 6](file:///h%3A%5CSJ%20Archive%5C2016%5C02-02-16.docx))

 2/3/2016 Senate Referred to Subcommittee: Massey (ch), Gregory, Sabb

 2/17/2016 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2016%5C02-17-16.docx))

 2/18/2016 Senate Committee Amendment Adopted ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2016%5C02-18-16.docx))

 2/18/2016 Senate Read second time ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2016%5C02-18-16.docx))

 2/18/2016 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2016%5C02-18-16.docx))

 2/23/2016 Senate Read third time and sent to House ([Senate Journal‑page 14](file:///h%3A%5CSJ%20Archive%5C2016%5C02-23-16.docx))

 2/23/2016 House Introduced and read first time ([House Journal‑page 35](file:///h%3A%5CHJ%20Archive%5C2016%5C02-23-16.docx))

 2/23/2016 House Referred to Committee on **Ways and Means** ([House Journal‑page 35](file:///h%3A%5CHJ%20Archive%5C2016%5C02-23-16.docx))

 3/3/2016 House Recalled from Committee on **Ways and Means** ([House Journal‑page 29](file:///h%3A%5CHJ%20Archive%5C2016%5C03-03-16.docx))

 3/9/2016 House Read second time ([House Journal‑page 13](file:///h%3A%5CHJ%20Archive%5C2016%5C03-09-16.docx))

 3/9/2016 House Roll call Yeas‑100 Nays‑0 ([House Journal‑page 13](file:///h%3A%5CHJ%20Archive%5C2016%5C03-09-16.docx))

 3/10/2016 House Read third time and enrolled ([House Journal‑page 12](file:///h%3A%5CHJ%20Archive%5C2016%5C03-10-16.docx))

 4/19/2016 Ratified R 154

 4/21/2016 Signed By Governor

 4/27/2016 Effective date 04/21/16

 5/2/2016 Act No. 149

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**VERSIONS OF THIS BILL**

[2/2/2016](file:///p%3A%5Cpprever%5C2015-16%5C1049_20160202.docx)

[2/17/2016](file:///p%3A%5Cpprever%5C2015-16%5C1049_20160217.docx)

[2/18/2016](file:///p%3A%5Cpprever%5C2015-16%5C1049_20160218.docx)

[3/3/2016](file:///p%3A%5Cpprever%5C2015-16%5C1049_20160303.docx)

(A149, R154, S1049)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33‑47‑1160 SO AS TO ALLOW A MARKETING COOPERATIVE ASSOCIATION WHOSE TERM OF EXISTENCE HAS EXPIRED TO APPLY TO THE SECRETARY OF STATE FOR REINSTATEMENT WITHIN TWO YEARS OF ITS EXPIRATION.**

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

**Reinstatement of a marketing cooperative association**

SECTION 1. Article 13, Chapter 47, Title 33 of the 1976 Code is amended by adding:

 “Section 33‑47‑1160. (A) An association whose term of existence has expired may apply to the Secretary of State for reinstatement within two years after the effective date of expiration. The application must:

 (1) recite the name of the association and the effective date of its expiration; and

 (2) include revised articles of incorporation with a new term as required by Section 33‑47‑210(4).

 (B) If the Secretary of State determines the application contains the information required by subsection (A) and the information is correct, the Secretary of State shall cancel the expiration and prepare a certificate of reinstatement reciting its determination and the effective date of reinstatement, file the original of the certificate, and provide a copy to the association.

 (C) When reinstatement is effective, it relates back to and takes effect as of the effective date of the expiration and the association shall resume carrying on its activities as if the expiration had never occurred.”

**Time effective**

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

Ratified the 19th day of April, 2016.

Approved the 21st day of April, 2016.

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