**South Carolina General Assembly**

122nd Session, 2017-2018

**S. 7**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen, Malloy, Johnson, Talley, McElveen, Sheheen, Setzler, Courson, McLeod and Kimpson

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Introduced in the Senate on January 10, 2017

Currently residing in the Senate Committee on **Agriculture and Natural Resources**

Summary: S.C. Conservation Bank Reauthorization Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/13/2016 Senate Prefiled

12/13/2016 Senate Referred to Committee on **Agriculture and Natural Resources**

1/10/2017 Senate Introduced and read first time ([Senate Journal‑page 20](file:///h:\sj\20170110.docx))

1/10/2017 Senate Referred to Committee on **Agriculture and Natural Resources** ([Senate Journal‑page 20](file:///h:\sj\20170110.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=7&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/13/2016](file:///p:\pprever\2017-18\7_20161213.docx)

**A** **BILL**

TO ENACT THE “SOUTH CAROLINA CONSERVATION BANK REAUTHORIZATION ACT” BY AMENDING SECTION 48‑59‑75 OF THE 1976 CODE, TO PROVIDE FOR A PROPORTIONAL REDUCTION IN THE TRANSFER OF RECORDING FEES IN THE ANNUAL APPROPRIATIONS ACT UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND ACT 200 OF 2002, RELATING TO THE ESTABLISHMENT AND FUNDING SOURCES OF THE SOUTH CAROLINA CONSERVATION BANK, TO EXTEND FOR TEN YEARS, THROUGH JUNE 30, 2028, THE PROVISIONS OF CHAPTER 59, TITLE 48, THE SOUTH CAROLINA CONSERVATION BANK ACT, OTHERWISE SCHEDULED FOR REPEAL EFFECTIVE JULY 1, 2018**.**

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

SECTION 1. This act shall be cited as the “South Carolina Conservation Bank Reauthorization Act.”

SECTION 2. Section 48-59-75 of the 1976 Code is amended to read:

“Section 48-59-75. (A) In a fiscal year when the General Assembly in the annual general appropriations act provides ~~less appropriations~~ for a lower appropriation than ~~what~~ was provided for during the previous year to at least one-half of the state agencies or departments contained ~~therein~~ in the act, ~~or in any year when the Executive Budget Office or the General Assembly, as applicable, orders across the board cuts to state agencies and departments in the manner provided by law, no further transfer of deed recording fees or other appropriated funds, state or local, may be credited to the trust fund for the fiscal year or balance of the fiscal year,~~ the transfer of deed recording fees to the South Carolina Conservation Bank Trust Fund shall be decreased by twice the percentage reduction in total general fund appropriations as compared to the previous fiscal year’s general appropriations act, but existing balances in the trust fund ~~may~~ must be used as provided by ~~Chapter 59 of Title 48 of the 1976 Code~~ this chapter.

(B) In a year when the Executive Budget Office reduces general fund appropriations in the manner provided in Section 11-9-890, the transfer of deed recording fees to the South Carolina Conservation Bank Trust Fund shall be decreased by twice the percentage reduction in total general fund appropriations as compared to the current fiscal year’s general appropriations act, but existing balances in the trust fund must be used as provided by this chapter.

(C) In a year when the General Assembly reduces general fund appropriations in the manner provided in Section 11-9-890, the transfer of deed recording fees to the South Carolina Conservation Bank Trust Fund shall be decreased by twice the percentage reduction in total general fund appropriations as compared to the current fiscal year budget act, but existing balances in the trust fund must be used as provided by this chapter.”

SECTION 3. SECTION 7 of Act 200 of 2002, as last amended by Act 162 of 2012, is further amended to read:

“SECTION 7. Chapter 59, Title 48 of the 1976 Code and Sections 2 through 6 of this act are repealed effective July 1, ~~2018~~ 2028, unless reenacted or otherwise extended by the General Assembly. However, the South Carolina Conservation Bank established by this act may continue to operate as if Chapter 59, Title 49 of the 1976 Code was not repealed until the South Carolina Conservation Bank Trust Fund is exhausted or July 1, ~~2021~~ 2031, whichever first occurs. Any balance in that trust fund on July 1, ~~2021~~ 2031, reverts to the general fund of the State. Repeal does not affect any rights, obligations, liabilities, or debts due the South Carolina Conservation Bank. For these purposes, after the bank's termination, the State ~~Budget and Control Board~~ Fiscal Accountability Authority is the bank's successor, except that, after the bank's termination, the board's voting rights provided in the former provisions of Section 48-59-80(F), (G), (H), and (I) of the 1976 Code are devolved upon the Department of Natural Resources Board, and any contribution to the trust fund required pursuant to the former provisions of Section 48-59-80(H) of the 1976 Code must be made to the Heritage Trust Program.”

SECTION 4. This act takes effect upon approval by the Governor.

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