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**REPORT OF THE
PROPERTY TAX SUBCOMMITTEE**
(G. R. Smith, Herbkersman, Finlay, Weeks, Hewitt - Meredith Ross, staff)

HOUSE BILL 3482

H. 3482 -- Reps. Stavrinakis and Kirby: A BILL TO AMEND SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTALLMENT PAYMENTS OF PROPERTY TAX, SO AS TO AUTHORIZE A COUNTY TO ESTABLISH AN ALTERNATIVE PAYMENT SCHEDULE.

Received by Ways and Means: 12/16/2020

Summary of Bill: This bill gives the localities, specifically the treasurer, tax collector, or other official charged with the collection of property tax, more discretion in the scheduling and collection of installment payments for property taxes as well as in administering the application process. Currently, there is a schedule prescribed by statute and this would simply allow the localities to alter that schedule and work with taxpayers in the payment of these property taxes on installment payment plans.

Estimated Revenue Impact: No impact.

Subcommittee Recommendation: Reported favorably on 3/17.



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number: H. 3482 Introduced on January 12, 2021
Author: Stavrinakis
Subject: Property Tax, Installment Payment
Requestor: House Ways and Means
RFA Analyst(s): Miller
Impact Date: March 17, 2021

Fiscal Impact Summary

This bill may result in a shift in the timing of the collection of property taxes for counties as this bill is permissive in nature relative to the counties right to schedule and collect installment payments for property taxes.

Explanation of Fiscal Impact

Introduced on March 17, 2021

State Expenditure

N/A

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

This bill allows counties to authorize an ordinance to grant flexibility in the scheduling and collection of installment payments for taxpayers for property taxes due. Currently, installment payments for property taxes due are based on five installments to be paid no later than the 15th of every other month from February through October, with a final balancing payment due on the fifteenth of January in the following taxable year, pursuant to §12-45-70. This bill creates flexibility in the timing of the collection of property taxes due. This bill is permissive in nature and therefore may result in a shift of the timing of property taxes collected at the discretion of the counties.

Frank A. Rainwater, Executive Director

South Carolina General Assembly
124th Session, 2021-2022

H. 3482

STATUS INFORMATION

General Bill

Sponsors: Reps. Stavrinakis, Kirby, Pendarvis, J. Moore, Henegan and Wetmore

Document Path: I:\council\bill\11120dg21.docx

Introduced in the House on January 12, 2021

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

Summary: Property tax, installment payments

HISTORY OF LEGISLATIVE ACTIONS

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
12/16/2020	House	Prefiled
12/16/2020	House	Referred to Committee on Ways and Means
1/12/2021	House	Introduced and read first time (<u>House Journal-page 207</u>)
1/12/2021	House	Referred to Committee on Ways and Means (<u>House Journal-page 207</u>)
1/13/2021	House	Member(s) request name added as sponsor: Pendarvis
2/25/2021	House	Member(s) request name added as sponsor: J.Moore, Henegan
3/9/2021	House	Member(s) request name added as sponsor: Wetmore

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VERSIONS OF THIS BILL

12/16/2020

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A BILL

TO AMEND SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTALLMENT PAYMENTS OF PROPERTY TAX, SO AS TO AUTHORIZE A COUNTY TO ESTABLISH AN ALTERNATIVE PAYMENT SCHEDULE.

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

SECTION 1. Section 12-45-75(B) of the 1976 Code is amended to read:

(B)(1) An installment payment is based on the total property tax due for the previous property tax year, after applying all applicable credits and adjustments reflecting reduced value as determined by the county assessor. An amount equal to sixteen and two-thirds percent of the estimated property tax obligation must be paid to the county treasurer in each of five installments according to the following schedule:

In the case of the following estimates, the due date is on or before:

First	February 15
Second	April 15
Third	June 15
Fourth	August 15
Fifth	October 15

The remaining balance is due on or before January fifteenth of the following taxable year in accordance with Section 12-45-70. The treasurer must notify the county auditor of the amount of a property owner's payments received no earlier than October fifteenth and no

1 later than November fifteenth. A notice of the remaining tax due and
2 other authorized charges and information must then be prepared and
3 mailed to the property owner.

4 (2) As an alternative to the scheduling provided for in item (1),
5 the authorizing ordinance may provide the treasurer, tax collector,
6 or other official charged with the collection of ad valorem property
7 taxes in a county with the discretion in the scheduling and collection
8 of installment payments from taxpayers as well as in the application
9 process provided for in subsection (A)(2).”

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

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