

REPORT OF THE GENERAL GOVERNMENT SUBCOMMITTEE

(Cobb-Hunter, Hayes, Bannister, Moss, & Willis - Staff Contact: Sarah Hearn)

HOUSE BILL 3545

H. 3545 -- Rep. W. Newton: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

Received by Ways and Means: January 16, 2020

Summary of Bill: This bill revises the Department of Parks, Recreation, and Tourism code to remove references to residential areas on Hunting Island, as there are no more lot leases available on the island due to erosion and the S.C. Supreme Court has held that any existing lot leases are to expire in 2021.

Estimated Revenue Impact: Pending

Other Notes/Comments: Subcommittee reported out favorably on 3/16/2021.

South Carolina General Assembly
124th Session, 2021-2022

H. 3545

STATUS INFORMATION

General Bill

Sponsors: Rep. W. Newton

Document Path: I:\council\bill\agm\19816cz21.docx

Introduced in the House on January 12, 2021

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

Summary: PPT authority to construct roads through Hunting Island

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 (House Journal-page 233)
1/12/2021	House	Referred to Committee on Ways and Means (House Journal-page 233)

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VERSIONS OF THIS BILL

12/16/2020

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A BILL

TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

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

SECTION 1. Section 51-7-30 of the 1976 Code is amended to read:

“Section 51-7-30. The ~~Department~~ department may construct and maintain streets and roads throughout the island ~~and the residential area~~. It ~~may also~~ also may construct and operate a water supply system within the ~~residential area and may establish rates and make charges for water furnished by the system~~ island.”

SECTION 2. Section 51-7-70 of the 1976 Code is amended to read:

“Section 51-7-70. In order to secure the payment of any obligations issued pursuant to the provisions of this chapter and such interest as may accrue thereon, the department may:

- (1) Pledge all or any part of its revenues derived from the operation of said island or any facility or service furnished by it on said island; and

1 (2) ~~Pledge revenues to be derived from the operation of the~~
2 ~~water supply system and from the leasing of lots within the~~
3 ~~residential area;~~

4 (3) ~~Execute and deliver a mortgage or deed of trust on that~~
5 ~~portion of the island set aside as a residential area and vest in a~~
6 ~~trustee or trustees the right to enforce any covenant made to secure~~
7 ~~or pay its bonds or other obligations and the interest thereon;~~

8 (4) ~~Provide for the powers and duties of such trustee or trustees,~~
9 ~~limit their liability and provide the terms and conditions upon which~~
10 ~~the trustee or trustees or the holders of any bonds or any amount or~~
11 ~~portion thereof may enforce any covenant; and~~

12 (5) ~~Enter into any covenant and do any and all acts and things~~
13 ~~necessary or desirable to secure its obligations or which, in the~~
14 ~~discretion of the department, tend to make the obligations more~~
15 ~~marketable, notwithstanding that such covenant may restrict or~~
16 ~~interfere with the exercise of the powers herein granted, it being the~~
17 ~~intention hereof to give to the department power to do all things in~~
18 ~~the issuance of bonds for their security that a private business~~
19 ~~corporation could do under the general laws of this State.”~~

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21 SECTION 3. Section 51-7-20 of the 1976 Code is repealed.

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

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