

REPORT OF THE PROPERTY TAX SUBCOMMITTEE

(Smith, G.R., Erickson, Rutherford & Weeks - Staff Contact: Blythe Littlefield)

SENATE BILL 207

S. 207 -- Senator Young: A BILL TO AMEND SECTION 12-43-220(c)(2) OF THE 1976 CODE, RELATING TO PROGRAMS AND UNIFORM ASSESSMENT RATIOS FOR COUNTY EQUALIZATION AND REASSESSMENT, TO PROVIDE THAT AN OWNER ELIGIBLE FOR AND RECEIVING THE SPECIAL ASSESSMENT PURSUANT TO SECTION 12-43-220(c) WHO IS RESIDING AT A NURSING HOME RETAINS THE SPECIAL ASSESSMENT RATIO OF FOUR PERCENT FOR AS LONG AS THE OWNER REMAINS IN THE NURSING HOME.

Summary of Bill:

If an owner of a property is entitled to the four percent special purpose ratio for owner-occupied residential property and becomes a patient at a nursing home or a community residential care facility, then they can still retain the four percent assessment ratio as long as they have an intention of returning to the property, and the property is not rented in excess of seventy-two days in a calendar year.

Estimated Fiscal Impact:

Based on conversations with assessors, the general practice among counties is to already allow this practice which is proposed in this legislation. There may be a few incidences where this has not been the case, but as these cases are few, they are not likely to have a significant impact on local revenue.

HOUSE ACTIONS:

<i>Received by Ways and Means:</i>	2/5/2020
<i>Subcommittee Recommendation:</i>	Favorable
<i>Full Committee Recommendation:</i>	Pending
<i>2nd Reading Vote:</i>	

SENATE ACTIONS:

<i>Referred to Senate Finance:</i>	12/12/2018
<i>Full Committee Recommendations:</i>	Favorable
<i>2nd Reading Vote:</i>	42-0
<i>Read 3rd time and sent to House:</i>	1/23/2019



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number:	S. 0207	Prefiled on December 12, 2018
Author:	Young	
Subject:	County Equalization and Reassessment	
Requestor:	Senate Finance	
RFA Analyst(s):	Miller	
Impact Date:	January 8, 2019	

Fiscal Impact Summary

This bill is not expected to impact local property tax revenue as the general practice is to allow an owner-occupied residential property tax payer who becomes a patient in a nursing home to retain his 4 percent assessment ratio.

Explanation of Fiscal Impact

Prefiled on December 12, 2018

State Expenditure

N/A

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

This bill establishes that an owner, who is entitled to the special four percent assessment ratio for an owner-occupied residential property and becomes a patient in a nursing home or a community residential care facility, both defined in §44-7-130, retains the four percent assessment ratio. This is as long as the owner otherwise qualifies, has an intention to return to the property, and the property is not rented in excess of seventy-two days in a year, per §12-43-220(c)(2).

Based on prior conversations with assessors, the general practice among counties is to allow such a taxpayer to retain the owner-occupied residential assessment as long as the owner intends to return home and the property is not rented for longer than §12-43-220(c)(2) allows. There may be a few incidences where this has not been the case. However, as these cases are few, they are not likely to have a significant impact on local revenue.

A handwritten signature in blue ink that reads "Frank A. Rainwater".

Frank A. Rainwater, Executive Director

South Carolina General Assembly
123rd Session, 2019-2020

S. 207

STATUS INFORMATION

General Bill

Sponsors: Senator Young

Document Path: I:\s-res\try\002reas.sp.try.docx

Companion/Similar bill(s): 619

Introduced in the Senate on January 8, 2019

Introduced in the House on January 23, 2019

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

Summary: Assessment ratios

HISTORY OF LEGISLATIVE ACTIONS

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
12/12/2018	Senate	Prefiled
12/12/2018	Senate	Referred to Committee on Finance
1/8/2019	Senate	Introduced and read first time (Senate Journal-page 134)
1/8/2019	Senate	Referred to Committee on Finance (Senate Journal-page 134)
1/16/2019	Senate	Committee report: Favorable Finance (Senate Journal-page 7)
1/17/2019		Scrivener's error corrected
1/22/2019	Senate	Read second time (Senate Journal-page 17)
1/22/2019	Senate	Roll call Ayes-42 Nays-0 (Senate Journal-page 17)
1/23/2019	Senate	Read third time and sent to House (Senate Journal-page 10)
1/23/2019	House	Introduced and read first time (House Journal-page 12)
1/23/2019	House	Referred to Committee on Labor, Commerce and Industry (House Journal-page 12)
2/5/2020	House	Recalled from Committee on Labor, Commerce and Industry (House Journal-page 50)
2/5/2020	House	Committed to Committee on Ways and Means (House Journal-page 50)

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VERSIONS OF THIS BILL

[12/12/2018](#)

[1/16/2019](#)

[1/17/2019](#)

1 COMMITTEE REPORT

2 January 16, 2019

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S. 207

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Introduced by Senator Young

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8 S. Printed 1/16/19--S.

[SEC 1/17/19 12:13 PM]

9 Read the first time January 8, 2019.

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THE COMMITTEE ON FINANCE

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STATEMENT OF ESTIMATED FISCAL IMPACT

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To whom was referred a Bill (S. 207) to amend Section 12-43-220(c)(2) of the 1976 Code, relating to programs and uniform assessment ratios for county equalization and reassessment, etc., respectfully

REPORT:

That they have duly and carefully considered the same and recommend that the same do pass:

HUGH K. LEATHERMAN, SR. for Committee.

Explanation of Fiscal Impact

Local Revenue

This bill establishes that an owner, who is entitled to the special four percent assessment ratio for an owner-occupied residential property and becomes a patient in a nursing home or a community residential care facility, both defined in §44-7-130, retains the four percent assessment ratio. This is as long as the owner otherwise qualifies, has an intention to return to the property, and the property is not rented in excess of seventy-two days in a year, per §12-43-220(c)(2).

Based on prior conversations with assessors, the general practice among counties is to allow such a taxpayer to retain the owner-occupied residential assessment as long as the owner intends to return home and the property is not rented for longer than §12-43-220(c)(2) allows. There may be a few incidences where this has not been the case. However, as these cases are few, they are not likely to have a significant impact on local revenue.

[207-1]

- 1 Frank A. Rainwater, Executive Director
- 2 Revenue and Fiscal Affairs Office
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A BILL

TO AMEND SECTION 12-43-220(c)(2) OF THE 1976 CODE, RELATING TO PROGRAMS AND UNIFORM ASSESSMENT RATIOS FOR COUNTY EQUALIZATION AND REASSESSMENT, TO PROVIDE THAT AN OWNER ELIGIBLE FOR AND RECEIVING THE SPECIAL ASSESSMENT PURSUANT TO SECTION 12-43-220(c) WHO IS RESIDING AT A NURSING HOME RETAINS THE SPECIAL ASSESSMENT RATIO OF FOUR PERCENT FOR AS LONG AS THE OWNER REMAINS IN THE NURSING HOME.

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

SECTION 1. Section 12-43-220(c)(2) of the 1976 Code is amended by adding a subitem at the end to read:

“(ix) If an owner who is entitled to the special assessment ratio for owner-occupied residential property allowed pursuant to this item (c), becomes a patient at a nursing home or a community residential care facility, then the owner retains the four percent assessment ratio and applicable exemptions for as long as the owner remains in the home or facility so long as the owner otherwise qualifies, has an intention of returning to the property, and the property is not rented in excess of the amount allowed by this subitem(c)(2). For purposes of this subitem, nursing home and community residential care facility have the same meaning as provided in Section 44-7-130.”

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

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