

HOUSE  
AMENDMENT

THIS AMENDMENT  
ADOPTED

ZIEGLER/PAIR  
FEBRUARY 6, 2018

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CLERK OF THE HOUSE

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REPS. LOWE AND WHITE PROPOSE THE FOLLOWING  
AMENDMENT No.1 TO H. 4727

REFERENCE IS TO THE BILL AS INTRODUCED.

**AMEND THE BILL, AS AND IF AMENDED, SECTION  
3, BEGINNING ON PAGE 8, BY STRIKING SECTION  
48-59-70(L), AND INSERTING:**

**~~/ (L)(1) THE BOARD MAY AUTHORIZE UP TO TEN  
PERCENT OF THE MONIES CREDITED TO THE  
TRUST FUND DURING THE PRECEDING FISCAL  
YEAR TO ACQUIRE INTERESTS IN LAND THAT  
SOLELY OR PRIMARILY MEET THE CRITERIA OF  
SUBSECTION (D)(6) OF THIS SECTION. NO OTHER  
MONIES IN THE TRUST FUND MAY BE AWARDED TO  
APPLICANTS FOR THE ACQUISITION OF INTERESTS~~**

~~IN LAND THAT MEET THE CRITERIA OF SUBSECTION (D)(6) UNLESS THE APPLICATION ALSO SATISFIES OTHER CRITERIA CONTAINED IN SUBSECTION (D) IN A SUBSTANTIAL WAY.~~

~~(2) THE BOARD SHALL AUTHORIZE AT LEAST TEN PERCENT OF THE MONIES CREDITED TO THE TRUST FUND DURING THE PRECEDING FISCAL YEAR FOR THE ACQUISITION OF INTERESTS IN LAND THAT PROVIDES PUBLIC ACCESS. TO THE EXTENT THE TEN PERCENT AUTHORIZATION REQUIRED BY THIS ITEM IS NOT MET IN ANY PARTICULAR YEAR, THE BALANCE MUST BE CARRIED OVER AND USED FOR ACQUISITION OF INTERESTS IN LAND THAT PROVIDE PUBLIC ACCESS IN ENSUING YEARS. THE BOARD MAY NOT AUTHORIZE THE PURCHASE OF A CONSERVATION EASEMENT FOR MORE THAN ONE MILLION DOLLARS UNLESS THE TRANSACTION IS APPROVED BY THE STATE FISCAL ACCOUNTABILITY AUTHORITY. /~~

**AMEND FURTHER BY ADDING AN APPROPRIATELY NUMBERED SECTION TO READ:**

**/ SECTION \_\_. SECTION 48-59-110 OF THE 1976 CODE IS AMENDED TO READ:**

**“SECTION 48-59-110. (A) TRUST FUNDS MAY BE USED ONLY BY ELIGIBLE TRUST FUND RECIPIENTS FOR THE ACQUISITION OF INTERESTS IN LAND, INCLUDING CLOSING COSTS. TRUST FUNDS MAY NOT BE USED TO PAY GENERAL OPERATING EXPENSES OF ELIGIBLE TRUST FUND RECIPIENTS, NOR MAY TRUST FUNDS BE USED FOR THE MANAGEMENT OR MAINTENANCE OF ACQUIRED INTERESTS IN LAND. TRUST FUNDS ONLY MAY BE DISPERSED AT THE CLOSING OF TRANSACTIONS IN WHICH AN INTEREST IN LAND IS ACQUIRED.**

**(B) THE BOARD, IN ITS DISCRETION, MAY AWARD ADDITIONAL GRANT FUNDS TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES, THE SOUTH CAROLINA DEPARTMENT OF PARKS, RECREATION AND TOURISM OR THE SOUTH CAROLINA FORESTRY COMMISSION FOR THE ACQUISITION OF FEE SIMPLE TITLE TO LAND TO WHICH THE PUBLIC WILL HAVE FULL ACCESS. THE ADDITIONAL FUNDS**

**MUST BE USED ONLY FOR THE PURPOSE OF IMPROVING PUBLIC ACCESS. THE STATE AGENCY RECEIVING THE FUNDS SHALL INCLUDE WITH ITS GRANT APPLICATION A REQUEST FOR THE ADDITIONAL FUNDS AND A DETAILED DESCRIPTION OF HOW THE ADDITIONAL FUNDS, IF AWARDED, WOULD BE USED. IF ADDITIONAL FUNDS ARE AWARDED BY THE BOARD, THE STATE AGENCY RECEIVING THE FUNDS SHALL SUBMIT A REPORT TO THE BOARD EVERY SIX MONTHS AFTER THE AWARD HAS BEEN MADE DESCRIBING IN DETAIL HOW THE FUNDS HAVE BEEN USED AND CONTINUE TO SUBMIT A REPORT UNTIL THE FUNDS ARE FULLY UTILIZED. IF THE ADDITIONAL FUNDS HAVE NOT BEEN UTILIZED TWO YEARS AFTER RECEIPT, THE REMAINING BALANCE MUST BE REFUNDED TO THE TRUST FUND.**”

**AMEND FURTHER BY STRIKING SECTION 4 IN ITS ENTIRETY AND INSERTING:**

**/SECTION 4. SECTIONS 12-24-95 AND 48-59-75 OF THE 1976 CODE ARE REPEALED. /**

**RENUMBER SECTIONS TO CONFORM.**

**AMEND TITLE TO CONFORM.**