Session 126 - (2025-2026)

H 3803 General Bill, By Hart

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-1-320, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, SO AS TO RESTORE THE FORMER METHOD OF OVERRIDING THE ANNUAL CAP BY A POSITIVE MAJORITY OF THE APPROPRIATE GOVERNING BODY AND DELETING THE SUPER MAJORITY REQUIREMENT FOR OVERRIDING THE CAP FOR SPECIFIC CIRCUMSTANCES; BY AMENDING SECTION 11-11-150, RELATING TO THE TRUST FUND FOR TAX RELIEF, SO AS TO RESTORE FUNDING FOR THE RESIDENTIAL PROPERTY TAX EXEMPTION AND FULL FUNDING FOR THE SCHOOL-OPERATING MILLAGE PORTION OF THE REIMBURSEMENT PAID LOCAL GOVERNMENTS FOR THE HOMESTEAD PROPERTY TAX EXEMPTION FOR THE ELDERLY OR DISABLED; BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO DELETE THE EXEMPTION REIMBURSED FROM THE HOMESTEAD EXEMPTION FUND FROM ALL SCHOOL-OPERATING MILLAGE ALLOWED ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; BY AMENDING SECTION 12-37-270, RELATING TO THE REIMBURSEMENTS PAID LOCAL GOVERNMENTS FOR PROPERTY TAX NOT COLLECTED AS A RESULT OF THE HOMESTEAD EXEMPTION FOR THE ELDERLY OR DISABLED AND, AMONG OTHER THINGS, THE APPLICATION OF PROPERTY TAX CREDITS IN COUNTIES WHERE THE USE OF LOCAL OPTION SALES TAX REVENUES GIVE RISE TO A CREDIT AGAINST SCHOOL-OPERATING PROPERTY TAX MILLAGE, SO AS TO MAKE CONFORMING AMENDMENTS; BY AMENDING SECTION 12-37-251, RELATING TO THE CALCULATION OF "ROLLBACK TAX MILLAGE" APPLICABLE FOR REASSESSMENT YEARS, SO AS TO RESTORE THE FORMER EXEMPTION ALLOWED FROM A PORTION OF SCHOOL-OPERATING MILLAGE FOR ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; BY REPEALING ARTICLE 7 OF CHAPTER 10, TITLE 4 RELATING TO THE LOCAL OPTION SALES AND USE TAX FOR LOCAL PROPERTY TAX CREDITS; BY REPEALING SECTIONS 11-11-157, 11-11-155, AND 11-11-156 RELATING TO THE HOMESTEAD EXEMPTION TRUST FUND; BY REPEALING ARTICLE 11 OF CHAPTER 36, TITLE 12 RELATING TO THE STATEWIDE ADDITIONAL ONE PERCENT SALES AND USE TAX THE REVENUES OF WHICH REIMBURSE SCHOOL DISTRICTS FOR THE HOMESTEAD EXEMPTION FROM ALL PROPERTY TAX MILLAGE IMPOSED FOR SCHOOL OPERATIONS; BY AMENDING SECTIONS 12-37-3130, 12-37-3140, AND 12-37-3150, RELATING TO DEFINITIONS, VALUATION, AND ASSESSABLE TRANSFERS OF INTEREST, FOR PURPOSES OF THE "SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT," SO AS TO ELIMINATE THE "POINT OF SALE" VALUATION OF REAL PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX AND RETURN TO THE FORMER VALUATION SYSTEM IN WHICH REAL PROPERTY AND IMPROVEMENTS TO REAL PROPERTY ARE APPRAISED BY THE ASSESSOR AND PERIODICALLY ADJUSTED IN COUNTYWIDE REAPPRAISALS, TO PROVIDE THAT WHEN THE FIFTEEN PERCENT CAP OVER FIVE YEARS ON INCREASES IN FAIR MARKET VALUE OF REAL PROPERTY RESULTS IN A VALUE THAT IS LOWER THAN THE FAIR MARKET VALUE OF THE PROPERTY AS DETERMINED BY THE ASSESSOR THAT THE LOWER VALUE BECOMES THE PROPERTY TAX VALUE OF THE REAL PROPERTY AND IS DEEMED ITS FAIR MARKET VALUE FOR PURPOSES OF IMPOSITION OF PROPERTY TAX, TO PROVIDE THAT AN ASSESSABLE TRANSFER OF INTEREST IS A TRANSFER OF OWNERSHIP OR OTHER INSTANCE CAUSING A "STEPUP" IN THE PROPERTY TAX VALUE OF REAL PROPERTY TO ITS FAIR MARKET VALUE AS DETERMINED BY THE ASSESSOR, TO REQUIRE THE CAP ON INCREASES IN VALUE TO BE APPLIED SEPARATELY TO REAL PROPERTY AND THE IMPROVEMENTS THEREON, AND TO PROVIDE WHEN THE STEPUP VALUE FIRST APPLIES; BY AMENDING SECTION 12-60-30, RELATING TO THE DEFINITION OF "PROPERTY TAX ASSESSMENT" FOR PURPOSES OF THE SOUTH CAROLINA REVENUE PROCEDURES ACT, SO AS TO REQUIRE THE NOTICES TO INCLUDE PROPERTY TAX VALUE AND PROVIDE THAT THE APPLICABLE ASSESSMENT RATIO APPLIES TO THE LOWER OF FAIR MARKET VALUE, PROPERTY TAX VALUE, OR SPECIAL USE VALUE; BY AMENDING SECTION 12-60-2510, RELATING TO THE FORM OF ASSESSMENT NOTICES ISSUED BY THE COUNTY ASSESSOR, SO AS TO PROVIDE THAT THESE NOTICES MUST CONTAIN THE PROPERTY TAX VALUE OF REAL PROPERTY AND IMPROVEMENTS IN ADDITION TO FAIR MARKET VALUE AND SPECIAL USE VALUE; BY REPEALING ARTICLE 25 OF CHAPTER 37, TITLE 12 RELATING TO THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, IF CERTAIN CONSTITUTIONAL AMENDMENTS ARE RATIFIED; BY AMENDING SECTION 12-43-220, RELATING TO PROPERTY TAX EXEMPTIONS AND SECTIONS 12-60-30 AND 12-60-2510, RELATING TO TAX PROCEDURES, ALL SO AS TO MAKE CONFORMING AMENDMENTS, AND MAKE THESE REPEALS AND AMENDMENTS CONTINGENT UPON RATIFICATION OF AN AMENDMENT TO SECTION 6, ARTICLE X OF THE CONSTITUTION OF THIS STATE ELIMINATING THE FIFTEEN PERCENT CAP OVER FIVE YEARS IN INCREASES IN THE VALUE OF REAL PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX AND ELIMINATING AN ASSESSABLE TRANSFER OF INTEREST AS AN EVENT THAT MAY RESULT IN A CHANGE IN THE

VALUE OF REAL PROPERTY FOR PURPOSES OF THE IMPOSITION OF THE PROPERTY TAX.

01/28/25	**House**	**Introduced and read first time (House Journal-page 24)**
01/28/25	**House**	**Referred to Committee on Ways and Means (House Journal-page 24)**