

## Session 117 - (2007-2008)

**S\*0243 (Rat #0111, Act #0083 of 2007) General Bill, By Setzler, Leatherman, Fair and Elliott**

**Similar (H 3146, H 3649, H 3749)**

**Summary:** Hydrogen Infrastructure Development Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 46 TO TITLE 11 SO AS TO ESTABLISH THE "SOUTH CAROLINA HYDROGEN INFRASTRUCTURE DEVELOPMENT FUND", TO AUTHORIZE THE SOUTH CAROLINA RESEARCH AUTHORITY TO ADMINISTER GRANTS FOR THE PURPOSE OF PROMOTING THE DEVELOPMENT OF HYDROGEN PRODUCTION, TO ALLOW THE FUND TO RECEIVE DONATIONS, GRANTS, AND OTHER FUNDING AS PROVIDED BY LAW, TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE A SPECIFIC AMOUNT FROM THE GENERAL FUND OF THE STATE TO THE FUND, AND TO REQUIRE STATE AGENCIES TO CONSIDER PURCHASING EQUIPMENT AND MACHINERY OPERATED BY HYDROGEN OR FUEL CELLS OR BOTH OF THEM; BY ADDING SECTION 12-6-3630 SO AS TO ALLOW A CREDIT AGAINST THE INCOME TAX, LICENSE FEES, OR INSURANCE PREMIUM TAXES FOR QUALIFIED CONTRIBUTIONS MADE TO THE FUND; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO SALES TAX EXEMPTIONS, SO AS TO ALLOW A SALES TAX EXEMPTION FOR EQUIPMENT OR MACHINERY OPERATED BY HYDROGEN OR FUEL CELLS OR USED TO DISTRIBUTE HYDROGEN AND FOR EQUIPMENT AND MACHINERY USED PREDOMINATELY FOR RESEARCH AND DEVELOPMENT INVOLVING HYDROGEN OR FUEL CELL TECHNOLOGIES, AND TO ALLOW A SALES TAX EXEMPTION FOR BUILDING MATERIALS, MACHINERY, OR EQUIPMENT USED TO CONSTRUCT A NEW OR RENOVATED BUILDING LOCATED IN A RESEARCH DISTRICT; BY ADDING SECTION 12-14-80 SO AS TO ALLOW AN ECONOMIC IMPACT ZONE TAX CREDIT AGAINST THE CORPORATE INCOME TAX OR EMPLOYEES' WITHHOLDING TAX TO A MANUFACTURER THAT IS ENGAGED IN AT LEAST ONE ECONOMIC IMPACT ZONE, EMPLOYS FIVE THOUSAND OR MORE FULL-TIME WORKERS IN THIS STATE WITH A TOTAL CAPITAL INVESTMENT OF NOT LESS THAN TWO BILLION DOLLARS, AND HAS INVESTED FIVE HUNDRED MILLION DOLLARS IN THIS STATE; TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO SALES TAX EXEMPTIONS, SO AS TO ALLOW A SALES TAX EXEMPTION FOR AN AMUSEMENT PARK RIDE AND ANY PARTS, MACHINERY, AND EQUIPMENT USED TO ASSEMBLE AND MAKE UP AN AMUSEMENT PARK RIDE OR PERFORMANCE VENUE FACILITY AND ANY RELATED OR REQUIRED MACHINERY, EQUIPMENT, AND FIXTURES LOCATED IN AN AMUSEMENT PARK OR THEME PARK THAT MEETS CERTAIN INVESTMENT AND EMPLOYMENT QUALIFICATIONS; TO AMEND SECTION 13-17-40, AS AMENDED, RELATING TO THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO CLARIFY THAT THE BOARD OF TRUSTEES HAS AN ADVISORY ROLE ONLY; TO AMEND SECTION 11-45-30, AS AMENDED, RELATING TO DEFINITIONS, SO AS TO CLARIFY THE DEFINITION OF "LENDER" AND PROVIDE A DEFINITION FOR "INTEREST"; TO AMEND SECTION 11-45-50, AS AMENDED, RELATING TO REQUIREMENTS FOR THE SUBMISSION OF INVESTMENT PLANS, SO AS TO PROVIDE CLARIFYING LANGUAGE; TO AMEND SECTION 11-45-55, RELATING TO TAX CREDIT CERTIFICATES, SO AS TO REQUIRE THAT THE SOUTH CAROLINA VENTURE CAPITAL AUTHORITY ESTABLISH GUIDELINES FOR PROCEDURES TO ISSUE TAX CREDITS AND DELETE THE REQUIREMENT THAT THE AUTHORITY ALSO ESTABLISH REGULATIONS; TO AMEND SECTION 11-45-70, AS AMENDED, RELATING TO VENTURE CAPITAL INVESTMENT REQUIREMENTS, SO AS TO ALLOW AN INVESTOR TO BE QUALIFIED IF HE PROVES THAT HE HAS MADE PRIOR INVESTMENTS IN SOUTH CAROLINA OR SOUTH CAROLINA BASED COMPANIES; BY ADDING SECTION 11-45-105 SO AS TO REQUIRE THE STATE BUDGET AND CONTROL BOARD TO APPROVE GUIDELINES ISSUED BY THE AUTHORITY; TO AMEND SECTION 58-5-10, AS AMENDED, RELATING TO THE DEFINITION OF "PUBLIC UTILITY", SO AS TO PROVIDE THAT A PUBLIC UTILITY IS NOT A CORPORATION OR PERSON WHOSE ONLY PURPOSE IS THE FURNISHING OR SELLING OF TREATED EFFLUENT FOR IRRIGATION PURPOSES; BY ADDING CHAPTER 63 TO TITLE 12 SO AS TO ENACT THE "ENERGY FREEDOM AND RURAL DEVELOPMENT ACT", TO ALLOW A SALES TAX REBATE FOR THE PURCHASE OF CERTAIN FUEL EFFICIENT VEHICLES AND EQUIPMENT USED TO CONVERT A HYBRID VEHICLE INTO A HYBRID PLUG-IN VEHICLE, AND TO ALLOW AN INCENTIVE PAYMENT FOR ALTERNATIVE FUEL PURCHASES; BY ADDING SECTION 12-6-3376 SO AS TO ALLOW AN INCOME TAX CREDIT FOR THE PURCHASE OR LEASE OF A PLUG-IN HYBRID VEHICLE; BY ADDING SECTION 12-6-3631 SO AS TO ALLOW AN INCOME TAX CREDIT FOR QUALIFIED EXPENDITURES FOR RESEARCH AND DEVELOPMENT OF FEEDSTOCKS AND PROCESSES FOR CELLULOSIC ETHANOL AND FOR ALGAE-DERIVED BIODIESEL; TO AMEND SECTION 12-6-3587, RELATING TO TAX CREDITS FOR SOLAR ENERGY HEATING AND COOLING SYSTEMS, SO AS TO ALLOW A TAX CREDIT EQUAL TO THREE THOUSAND FIVE HUNDRED DOLLARS FOR EACH BUILDING THAT IS INSTALLED WITH A SOLAR ENERGY SYSTEM; TO AMEND SECTION 12-6-3600, RELATING TO TAX CREDITS FOR AN ETHANOL AND BIODIESEL FACILITY, SO AS TO ALLOW A TAX CREDIT FOR A CORN-BASED ETHANOL AND SOY-BASED BIODIESEL FACILITY AND A

NONCORN ETHANOL AND NONSOY OIL BIODIESEL FACILITY; TO AMEND SECTION 12-6-3610, RELATING TO TAX CREDITS FOR THE COST OF PURCHASING AND INSTALLING PROPERTY TO DISTRIBUTE AND DISPENSE RENEWABLE FUELS, SO AS TO LIMIT THE CREDIT TO ONE MILLION DOLLARS, TO DEFINE THE TERM "RENEWABLE FUEL", AND TO ADD CLARIFYING LANGUAGE; TO AMEND SECTION 12-6-3620, RELATING TO TAX CREDITS FOR THE COST OF METHANE GAS USE, SO AS TO ALLOW A TAX CREDIT FOR THE COST OF EQUIPMENT TO CREATE A FORM OF ENERGY FROM A BIOMASS RESOURCE AND TO LIMIT THE CREDIT TO SIX HUNDRED FIFTY THOUSAND DOLLARS; AND TO AMEND SECTION 12-28-110, AS AMENDED, RELATING TO MOTOR FUEL FEES, SO AS TO CHANGE THE DEFINITION OF "BIODIESEL". - ratified title

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|----------|--------|---|
| 01/09/07 | Senate | Introduced and read first time SJ-138                                     |
| 01/09/07 | Senate | Referred to Committee on Finance SJ-138                                   |
| 01/19/07 | Senate | Referred to Subcommittee: O'Dell (ch), Peeler, Reese, Short, Fair, Verdin |
| 01/31/07 | Senate | Committee report: Favorable with amendment Finance SJ-24                  |
| 02/01/07 |        | Scrivener's error corrected   |
| 02/14/07 | Senate | Amended SJ-27   |
| 02/14/07 | Senate | Read second time SJ-27  |
| 02/14/07 | Senate | Unanimous consent for third reading on next legislative day SJ-27         |
| 02/15/07 | Senate | Read third time and sent to House SJ-22                                   |
| 02/15/07 |        | Scrivener's error corrected   |
| 02/20/07 | House  | Introduced and read first time HJ-6                                       |
| 02/20/07 | House  | Referred to Committee on Ways and Means HJ-6                              |
| 04/18/07 | House  | Committee report: Favorable with amendment Ways and Means HJ-11           |
| 04/23/07 |        | Scrivener's error corrected   |
| 04/24/07 | House  | Debate adjourned until Wednesday April 25, 2007 HJ-67                     |
| 04/25/07 | House  | Debate adjourned until Thursday, April 26, 2007 HJ-28                     |
| 04/26/07 | House  | Debate adjourned until Wednesday, May 2, 2007 HJ-8                        |
| 05/02/07 | House  | Amended HJ-22   |
| 05/02/07 | House  | Read second time HJ-30  |
| 05/03/07 | House  | Read third time and returned to Senate with amendments HJ-142             |
| 05/30/07 | Senate | House amendment amended SJ-27   |
| 05/30/07 | Senate | Returned to House with amendments SJ-27                                   |
| 06/05/07 | House  | Concurred in Senate amendment and enrolled HJ-66                          |
| 06/07/07 |        | Ratified R 111  |
| 06/14/07 |        | Vetoed by Governor  |
| 06/19/07 | Senate | Veto overridden by originating body Yeas-40 Nays-2                        |
| 06/19/07 | House  | Veto overridden Yeas-99 Nays-1 HJ-96                                      |
| 06/21/07 |        | Copies available  |
| 06/21/07 |        | Effective date See Act for Effective Date                                 |
| 06/27/07 |        | Act No. 83  |