

## Session 117 - (2007-2008)

**H\*3649 (Rat #0274, Act #0261 of 2008) General Bill, By Witherspoon, Merrill, Agnew, Anthony, Brady, R.L. Brown, Duncan, Funderburk, Hagood, Hardwick, Herbkersman, Hiott, Kelly, Loftis, D.C. Moss, Ott, E.H. Pitts, Scott, Talley, Toole, Umphlett, Cobb-Hunter, Leach, Cato, Clemmons, Barfield, Ceips, Dantzler, Hamilton, Howard, Jefferson, Lowe, Phillips, G.R. Smith, J.R. Smith, Stavrinakis, Bannister, J.H. Neal, Stewart, Sellers, Mitchell, Williams, G.M. Smith and Mahaffey**

**Similar (S 0243, H 3146, H 3749)**

**Summary:** Energy Freedom and Rural Development Act

AN ACT TO AMEND SECTION 12-63-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX REBATES ON ECOLOGICALLY FRIENDLY VEHICLES AND INCENTIVE PAYMENTS FOR ALTERNATIVE FUEL PURCHASE AND PRODUCTION OF ELECTRICITY OR METHANE GAS, SO AS TO DELETE THE SALES TAX REBATE ON FLEXIBLE FUEL VEHICLES, TO SHORTEN THE TIME PERIOD THE ALTERNATIVE FUEL PURCHASE INCENTIVE IS AVAILABLE, TO BROADEN THE INCENTIVE PAYMENT QUALIFICATIONS FOR THE PRODUCTION OF ELECTRICITY OR METHANE GAS FUEL, TO REPLACE "METHANE GAS FUEL" WITH "ENERGY", AND TO DELETE THE LIMITATIONS ON THE INCENTIVE AMOUNTS; TO AMEND SECTION 46-3-260, RELATING TO THE ESTABLISHMENT OF THE SOUTH CAROLINA RENEWABLE ENERGY INFRASTRUCTURE DEVELOPMENT FUND AND LOW INTEREST LOANS AND GRANTS, SO AS TO EXPAND THE PURVIEW OF THE MATCHING GRANTS FOR NEW AND FUTURE BIOMASS TECHNOLOGIES TO INCLUDE SOLAR, GEOTHERMAL, WIND ENERGY, AND SMALL HYDROPOWER TECHNOLOGIES AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE RATHER THAN THE DEPARTMENT OF REVENUE MAY ADMINISTER THE FUND AND COORDINATE ITS EFFORTS WITH THE STATE ENERGY OFFICE; TO AMEND SECTION 12-6-3600, AS AMENDED, RELATING TO TAX CREDITS FOR AN ETHANOL AND BIODIESEL FACILITY, SO AS TO EXTEND THE TAX CREDIT TO 2017, TO ALLOW THE TAXPAYER TO CLAIM THE CREDIT FOR THE FIRST SIX MONTHS IT MET THE REQUIREMENTS IN ADDITION TO QUALIFYING FOR THE CURRENT TAXABLE YEAR; TO ALLOW UNUSED CREDIT TO BE CARRIED FORWARD FOR TEN YEARS, TO REQUIRE APPROVAL BY THE STATE ENERGY OFFICE RATHER THAN THE DEPARTMENT OF REVENUE, AND TO REQUIRE EACH TAXPAYER TO SUBMIT A REQUEST TO THE STATE ENERGY OFFICE WITHIN A SPECIFIED TIME PERIOD AND SUBJECT TO CERTAIN PRESCRIBED CONDITIONS; TO AMEND SECTION 12-6-3610, AS AMENDED, RELATING TO TAX CREDITS FOR THE COST OF PURCHASING AND INSTALLING PROPERTY TO DISTRIBUTE AND DISPENSE RENEWABLE FUELS, SO AS TO REVISE THE DEFINITION OF "RENEWABLE FUEL" FOR CERTAIN TAXPAYERS WHO PURCHASE OR CONSTRUCT QUALIFYING FACILITIES OR COMMERCIAL FACILITIES, TO DELETE THE ONE HUNDRED FIFTY THOUSAND DOLLAR LIMIT, AND TO REQUIRE EACH TAXPAYER TO SUBMIT A REQUEST TO THE STATE ENERGY OFFICE WITHIN A SPECIFIED TIME PERIOD AND SUBJECT TO CERTAIN PRESCRIBED CONDITIONS; TO AMEND SECTION 12-6-3620, AS AMENDED, RELATING TO TAX CREDITS FOR THE COST OF METHANE GAS USE, SO AS TO DELETE THE PROVISIONS RELATED TO METHANE GAS, TO END THE TAX CREDIT ALLOWABLE FOR THE PURCHASE AND INSTALLATION OF CERTAIN ENERGY-CREATING FUELS WITH NO LESS THAN NINETY PERCENT BIOMASS RESOURCE, TO ALLOW THE STATE ENERGY OFFICE TO CONSULT WITH OTHER SPECIFIED AGENCIES TO CERTIFY THE COSTS OF THE TAXPAYER, TO PROVIDE PARAMETERS FOR THE TAX CREDIT, TO REDEFINE "BIOMASS RESOURCE", AND TO REQUIRE EACH TAXPAYER TO SUBMIT A REQUEST TO THE STATE ENERGY OFFICE WITHIN A SPECIFIED TIME PERIOD AND SUBJECT TO CERTAIN PRESCRIBED CONDITIONS; AND TO AMEND SECTION 12-6-3631, RELATING TO THE BIODIESEL EXPENDITURES TAX CREDIT, SO AS TO EXPAND THE DEFINITIONS OF "QUALIFIED EXPENDITURES FOR RESEARCH AND DEVELOPMENT" AND "CELLULOSIC ETHANOL" AND TO REQUIRE EACH TAXPAYER TO SUBMIT A REQUEST TO THE STATE ENERGY OFFICE WITHIN A SPECIFIED TIME PERIOD AND SUBJECT TO CERTAIN PRESCRIBED CONDITIONS. - ratified title

<b>03/06/07</b>	<b>House</b>	<b>Introduced and read first time HJ-44</b>
<b>03/06/07</b>	<b>House</b>	<b>Referred to Committee on Ways and Means HJ-45</b>
<b>03/07/07</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Stavrinakis, Bannister, J.H.Neal</b>
<b>03/27/07</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Stewart, Sellers</b>
<b>04/10/07</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Mitchell</b>
<b>04/17/07</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Williams</b>
<b>04/18/07</b>	<b>House</b>	<b>Member(s) request name added as sponsor: G.M.Smith</b>
<b>05/15/07</b>	<b>House</b>	<b>Member(s) request name added as sponsor: Mahaffey</b>
<b>05/15/07</b>	<b>House</b>	<b>Recalled from Committee on Ways and Means HJ-36</b>
<b>05/16/07</b>		<b>Scrivener's error corrected</b>

05/17/07	House	Amended HJ-36
05/17/07	House	Read second time HJ-47
05/17/07	House	Unanimous consent for third reading on next legislative day HJ-47
05/18/07	House	Read third time and sent to Senate HJ-2
05/18/07		Scrivener's error corrected
05/22/07	Senate	Introduced and read first time SJ-15
05/22/07	Senate	Referred to Committee on Finance SJ-15
04/29/08	Senate	Committee report: Favorable with amendment Finance SJ-19
04/30/08	Senate	Committee Amendment Adopted SJ-43
04/30/08	Senate	Read second time SJ-43
05/01/08	Senate	Read third time and returned to House with amendments SJ-27
05/01/08		Scrivener's error corrected
05/07/08	House	Concurred in Senate amendment and enrolled HJ-18
05/15/08		Ratified R 274
05/21/08		Vetoed by Governor
05/27/08	House	Veto overridden by originating body Yeas-95 Nays-0 HJ-26
05/29/08	Senate	Veto overridden Yeas-42 Nays-1
06/11/08		Copies available
06/11/08		Effective date 05/29/08
06/13/08		Act No. 261