**South Carolina General Assembly**

118th Session, 2009-2010

**A319, R227, S1190**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senator Leatherman

Document Path: l:\s-financ\drafting\hkl\020farm.dag.hkl.docx

Companion/Similar bill(s): 4506

Introduced in the Senate on February 17, 2010

Introduced in the House on April 15, 2010

Currently residing in the House

Governor's Action: May 28, 2010, Vetoed

Legislative veto action(s): Veto overridden

Summary: State Farmers' Market

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/17/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\02-17-10.docx)‑8

2/17/2010 Senate Referred to Committee on **Finance** [SJ](file:///h:\SJ%20Archive\2010\02-17-10.docx)‑8

3/3/2010 Senate Committee report: Favorable with amendment **Finance** [SJ](file:///h:\SJ%20Archive\2010\03-03-10.docx)‑14

3/4/2010 Scrivener's error corrected

4/13/2010 Senate Committee Amendment Adopted [SJ](file:///h:\SJ%20Archive\2010\04-13-10.docx)‑22

4/13/2010 Senate Read second time [SJ](file:///h:\SJ%20Archive\2010\04-13-10.docx)‑22

4/14/2010 Scrivener's error corrected

4/14/2010 Senate Read third time and sent to House [SJ](file:///h:\SJ%20Archive\2010\04-14-10.docx)‑72

4/15/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\04-15-10.docx)‑31

4/15/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\04-15-10.docx)‑31

5/12/2010 House Committee report: Favorable **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\05-12-10.docx)‑8

5/19/2010 House Debate adjourned until Thursday, May 20, 2010 [HJ](file:///h:\HJ%20Archive\2010\05-19-10.docx)‑26

5/20/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\05-20-10.docx)‑16

5/20/2010 House Unanimous consent for third reading on next legislative day [HJ](file:///h:\HJ%20Archive\2010\05-20-10.docx)‑17

5/21/2010 House Read third time and enrolled [HJ](file:///h:\HJ%20Archive\2010\05-21-10.docx)‑1

5/25/2010 Ratified R 227

5/28/2010 Vetoed by Governor

6/2/2010 Senate Veto overridden by originating body Yeas‑26 Nays‑13 [SJ](file:///h:\SJ%20Archive\2010\06-02-10.docx)‑183

6/3/2010 House Debate adjourned on Governor's veto [HJ](file:///h:\HJ%20Archive\2010\06-03-10.docx)‑49

6/15/2010 House Veto sustained Yeas‑50 Nays‑51 [HJ](file:///h:\HJ%20Archive\2010\06-15-10.docx)‑69

6/15/2010 House Motion noted‑ Rep. Jennings noted a motion to reconsider the vote whereby the Veto was sustained

6/16/2010 House Reconsidered [HJ](file:///h:\HJ%20Archive\2010\06-16-10.docx)‑8

6/16/2010 House Veto overridden Yeas‑85 Nays‑19 [HJ](file:///h:\HJ%20Archive\2010\06-16-10.docx)‑10

7/13/2010 Effective date 06/16/10

9/9/2010 Act No. 319

**VERSIONS OF THIS BILL**

[2/17/2010](file:///p:\pprever\2009-10\1190_20100217.docx)

[3/3/2010](file:///p:\pprever\2009-10\1190_20100303.docx)

[3/4/2010](file:///p:\pprever\2009-10\1190_20100304.docx)

[4/13/2010](file:///p:\pprever\2009-10\1190_20100413.docx)

[4/14/2010](file:///p:\pprever\2009-10\1190_20100414.docx)

[5/12/2010](file:///p:\pprever\2009-10\1190_20100512.docx)

(A319, R227, S1190)

**A JOINT RESOLUTION TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY IN REGARD TO THE SETTLEMENT OF LITIGATION INVOLVING A SITE ACQUIRED BY THE STATE OF SOUTH CAROLINA IN RICHLAND COUNTY FOR THE PROPOSED STATE FARMERS’ MARKET, AND TO CONFIRM AND VALIDATE THE USE OF SPECIFIC TRACTS OF LAND RECEIVED BY THE SOUTH CAROLINA RESEARCH AUTHORITY, AND RICHLAND COUNTY AS PART OF THE SETTLEMENT, AND THE USE OF CERTAIN REVENUES TO MEET OBLIGATIONS CONTINUING UNDER THE SETTLEMENT.**

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

**Findings**

SECTION 1. The General Assembly finds that:

(1) The Commissioner of Agriculture (commissioner) settled the case captioned as Richland County v. State of South Carolina and South Carolina Department of Agriculture, 2008‑CP‑40‑5723, involving a dispute concerning ownership of approximately one hundred forty‑six acres of land (tract) and formerly acquired for the proposed State Farmers’ Market.

(2) In connection with the settlement, the commissioner entered into and executed a mutual consent order and other appropriate documents dismissing with prejudice the referenced case and any related claims that the State of South Carolina may have in connection therewith.

(3) In connection with the settlement, the commissioner transferred on behalf of the State approximately one hundred nine acres of the tract to the South Carolina Research Authority (SCRA) and approximately thirty‑seven acres of the tract to Richland County.

(4) In connection with the settlement, the commissioner and Richland County agreed that clarification should be sought with respect to the use of the tract by the SCRA and the county.

**Use of property**

SECTION 2. The approximately one hundred nine acres of the tract transferred to the South Carolina Research Authority shall be used in accordance with the powers granted to the authority pursuant to its enabling act, as contained in Chapter 17, Title 13 of the 1976 Code, including, but not limited to, Section 13‑17‑70(5), and the approximately thirty‑seven acres of the tract transferred to Richland County shall be used in accordance with the powers granted to Richland County pursuant to Section 4‑9‑30 of the 1976 Code, including, but not limited to, Section 4‑9‑30(2). Notwithstanding any other provision of law, the original acquisition of and continuing repayment of any outstanding obligations related to the tract constitute an authorized use of those revenues specified in Article 7, Chapter 1, Title 6 of the 1976 Code; however, once the original acquisition and all outstanding original obligations related to the tract are paid in full, revenues collected pursuant to Article 7, Chapter 1, Title 6 of the 1976 Code must be used only for the purposes set forth in Article 7, Chapter 1, Title 6 of the 1976 Code.

**Time effective**

SECTION 3. This joint resolution takes effect upon approval by the Governor.

Ratified the 25th day of May, 2010.

Vetoed by the Governor -- 5/28/2010.

Veto overridden by Senate -- 6/2/2010.

Veto overridden by House -- 6/16/2010.

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