**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4269**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Herbkersman, D.C. Smith, Umphlett, Ballentine, J.R. Smith, Limehouse, Lowe, Bingham, Merrill, Toole, R.L. Brown, T.R. Young, Stewart, McLeod, G.A. Brown, Hiott, Rice, J.E. Smith, Duncan, Agnew, Hutto, Clemmons, Chalk, Clyburn, Hosey, Crawford, Battle, Pinson, Ott, Lucas, Hayes, Stavrinakis, Knight, D.C. Moss, Brady, Horne, Sellers, H.B. Brown, Sottile and Bowers

Document Path: l:\council\bills\nbd\11591sd10.docx

Companion/Similar bill(s): 903

Introduced in the House on January 12, 2010

Introduced in the Senate on May 4, 2010

Last Amended on April 29, 2010

Currently residing in the Senate Committee on **Finance**

Summary: Conservation Bank Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2009 House Prefiled

12/15/2009 House Referred to Committee on **Ways and Means**

1/12/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑52

1/12/2010 House Referred to Committee on **Ways and Means** [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑53

1/13/2010 House Member(s) request name added as sponsor: D.C.Smith, Umphlett, Ballentine, J.R.Smith

1/14/2010 House Member(s) request name added as sponsor: Limehouse, Lowe, G.R.Smith

1/19/2010 House Member(s) request name added as sponsor: Bingham, Merrill, Toole, R.L.Brown, T.R.Young

1/20/2010 House Member(s) request name added as sponsor: Stewart

1/21/2010 House Member(s) request name added as sponsor: McLeod, G.A.Brown, Hiott, Rice

1/26/2010 House Member(s) request name added as sponsor: J.E.Smith, Duncan

1/27/2010 House Member(s) request name added as sponsor: Agnew, Hutto, Clemmons

1/28/2010 House Member(s) request name added as sponsor: Chalk, Clyburn, Hosey, Crawford, Battle, Pinson, Ott, Lucas, Hayes, Stavrinakis, Knight, D.C.Moss

2/2/2010 House Member(s) request name added as sponsor: Brady

2/25/2010 House Member(s) request name added as sponsor: Horne

3/9/2010 House Member(s) request name added as sponsor: Sellers

3/17/2010 House Member(s) request name added as sponsor: H.B.Brown

3/23/2010 House Member(s) request name added as sponsor: Sottile

3/25/2010 House Member(s) request name removed as sponsor: G.R.Smith

4/15/2010 House Committee report: Favorable with amendment **Ways and Means** [HJ](file:///h:\HJ%20Archive\2010\04-15-10.docx)‑18

4/20/2010 Scrivener's error corrected

4/22/2010 House Member(s) request name removed as sponsor: Wylie

4/22/2010 House Requests for debate‑Rep(s). Hamilton, Bedingfield, Loftis, GR Smith, and Umphlett [HJ](file:///h:\HJ%20Archive\2010\04-22-10.docx)‑45

4/27/2010 House Requests for debate removed‑Rep(s). Umphlett [HJ](file:///h:\HJ%20Archive\2010\04-27-10.docx)‑67

4/27/2010 House Requests for debate‑Rep(s). Nanney, Wylie, Merrill, Crawford, Rutherford, Harrison, Lowe, Ott, Umphlett, Daning, Hosey, Vick, Govan, Duncan, Stringer, and Frye [HJ](file:///h:\HJ%20Archive\2010\04-27-10.docx)‑68

4/29/2010 House Member(s) request name added as sponsor: Bowers

4/29/2010 House Amended [HJ](file:///h:\HJ%20Archive\2010\04-29-10.docx)‑72

4/29/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\04-29-10.docx)‑72

4/29/2010 House Roll call Yeas‑93 Nays‑8 [HJ](file:///h:\HJ%20Archive\2010\04-29-10.docx)‑74

4/29/2010 House Unanimous consent for third reading on next legislative day [HJ](file:///h:\HJ%20Archive\2010\04-29-10.docx)‑97

4/30/2010 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2010\04-30-10.docx)‑2

4/30/2010 Scrivener's error corrected

5/4/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\05-04-10.docx)‑12

5/4/2010 Senate Referred to Committee on **Finance** [SJ](file:///h:\SJ%20Archive\2010\05-04-10.docx)‑12

**VERSIONS OF THIS BILL**

[12/15/2009](file:///p:\pprever\2009-10\4269_20091215.docx)

[4/15/2010](file:///p:\pprever\2009-10\4269_20100415.docx)

[4/20/2010](file:///p:\pprever\2009-10\4269_20100420.docx)

[4/29/2010](file:///p:\pprever\2009-10\4269_20100429.docx)

[4/30/2010](file:///p:\pprever\2009-10\4269_20100430.docx)

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Indicates New Matter

AMENDED

April 29, 2010

**H. 4269**

Introduced by Reps. Herbkersman, D.C. Smith, Umphlett, Ballentine, J.R. Smith, Limehouse, Lowe, Bingham, Merrill, Toole, R.L. Brown, T.R. Young, Stewart, McLeod, G.A. Brown, Hiott, Rice, J.E. Smith, Duncan, Agnew, Hutto, Clemmons, Chalk, Clyburn, Hosey, Crawford, Battle, Pinson, Ott, Lucas, Hayes, Stavrinakis, Knight, D.C. Moss, Brady, Horne, Sellers, H.B. Brown, Sottile, Bowers and G.R. Smith

S. Printed 4/29/10--H. [SEC 4/30/10 2:46 PM]

Read the first time January 12, 2010.

**A** **BILL**

TO AMEND ACT 200 OF 2002, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK ACT, SO AS TO DELETE A PROVISION WHICH PROVIDES THAT NO FURTHER DEED RECORDING FEES OR OTHER FUNDS MAY BE CREDITED TO THE CONSERVATION BANK TRUST FUND IN ANY YEAR WHEN A MAJORITY OF STATE AGENCY APPROPRIATIONS ARE REDUCED IN THE ANNUAL GENERAL APPROPRIATIONS ACT OR WHEN THE STATE BUDGET AND CONTROL BOARD IMPOSES ACROSS THE BOARD CUTS AND INSTEAD PROVIDE FOR A REDUCTION ON A PERCENTAGE BASIS IN THE AMOUNT OF DEED RECORDING FEES WHICH MAY BE TRANSFERRED TO THE TRUST FUND, AND TO EXTEND THE EXPIRATION DATE OF THE PROVISIONS OF LAW RELATING TO THE CONSERVATION BANK ACT AND OTHER RELATED DATES PERTAINING TO THE CLOSURE OF THE CONSERVATION BANK ACT AND CONSERVATION BANK FUND.

Amend Title To Conform

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

SECTION 1. SECTION 7 of Act 200 of 2002 is amended to read:

“SECTION 7. Chapter 59, Title 48 of the 1976 Code and Sections 2 through 6 of this act are repealed effective July 1, ~~2013~~ 2023, unless reenacted or otherwise extended by the General Assembly. However, the South Carolina Conservation Bank established by this act may continue to operate as if Chapter 59, Title 49 of the 1976 Code was not repealed until the South Carolina Conservation Bank Trust Fund is exhausted or July 1, ~~2016~~ 2026, whichever first occurs. Any balance in that trust fund on July 1, ~~2016~~ 2026, reverts to the general fund of the State. Repeal does not affect any rights, obligations, liabilities, or debts due the South Carolina Conservation Bank. For these purposes, after the bank’s termination, the State Budget and Control Board is the bank’s successor, except that, after the bank’s termination, the board’s voting rights provided in the former provisions of Section 48‑59‑80(F), (G), (H), and (I) of the 1976 Code are devolved upon the Department of Natural Resources Board, and any contribution to the trust fund required pursuant to the former provisions of Section 48‑59‑80(H) of the 1976 Code must be made to the Heritage Trust Program.”

SECTION 2. Beginning July 1, 2010, before the Conservation Bank Trust Fund or the Department of Natural Resources may acquire or accept real property on behalf of the State to be placed and held in a public program or to be put to a recreational or wildlife use by the general public, the department or conservation bank trust fund shall insure that a means is provided in the transaction agreements for the seller or donor, or department or trust fund, to reimburse the county and property taxing jurisdictions in the county in which the property is located for the ad valorem tax revenue lost each year as a result of removing the property from the property tax rolls.

SECTION 3. This act takes effect upon approval by the Governor.

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