**A** **BILL**

TO AMEND SECTION 5‑1‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREREQUISITES TO THE ISSUANCE OF A CORPORATE CERTIFICATE TO A PROPOSED MUNICIPALITY, SO AS TO DELETE THE REFERENCE TO CHAPTER 17.

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

SECTION 1. Section 5‑1‑30(B) of the 1976 Code, as last amended by Act 77 of 2005, is further amended to read:

“(B)(1) When an area seeking incorporation has petitioned ~~pursuant to Chapter 17~~ the nearest incorporated municipality to be annexed to the municipality, and has been refused annexation by the municipality for six months, or when the population of the area seeking incorporation exceeds seven thousand persons, then the provision of the five‑mile limitation of this section does not apply to the area.

(2) For purposes of item (1) of this subsection, a refusal to annex the area by the municipality includes a statement from the municipality that the area does not meet the statutory requirements for annexation.”

SECTION 2. This act takes effect upon approval by the Governor.

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