**South Carolina General Assembly**

120th Session, 2013-2014

**A20, R30, S295**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Fair, Cromer, Verdin and Allen

Document Path: l:\council\bills\ggs\22501zw13.docx

Companion/Similar bill(s): 3268

Introduced in the Senate on January 24, 2013

Introduced in the House on April 9, 2013

Last Amended on March 20, 2013

Passed by the General Assembly on April 19, 2013

Governor's Action: May 3, 2013, Signed

Summary: Special purpose district

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/24/2013 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h%3A%5CSJ%20Archive%5C2013%5C01-24-13.docx))

 1/24/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 7](file:///h%3A%5CSJ%20Archive%5C2013%5C01-24-13.docx))

 2/15/2013 Senate Referred to Subcommittee: Allen (ch), Corbin, Turner

 3/6/2013 Senate Committee report: Favorable with amendment **Labor, Commerce and Industry** ([Senate Journal‑page 6](file:///h%3A%5CSJ%20Archive%5C2013%5C03-06-13.docx))

 3/20/2013 Senate Committee Amendment Adopted ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2013%5C03-20-13.docx))

 3/20/2013 Senate Read second time ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2013%5C03-20-13.docx))

 3/20/2013 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2013%5C03-20-13.docx))

 3/21/2013 Senate Read third time and sent to House ([Senate Journal‑page 26](file:///h%3A%5CSJ%20Archive%5C2013%5C03-21-13.docx))

 4/9/2013 House Introduced and read first time ([House Journal‑page 23](file:///h%3A%5CHJ%20Archive%5C2013%5C04-09-13.docx))

 4/9/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 23](file:///h%3A%5CHJ%20Archive%5C2013%5C04-09-13.docx))

 4/17/2013 House Recalled from Committee on **Judiciary** ([House Journal‑page 43](file:///h%3A%5CHJ%20Archive%5C2013%5C04-17-13.docx))

 4/18/2013 House Read second time ([House Journal‑page 101](file:///h%3A%5CHJ%20Archive%5C2013%5C04-18-13.docx))

 4/18/2013 House Roll call Yeas‑102 Nays‑4 ([House Journal‑page 102](file:///h%3A%5CHJ%20Archive%5C2013%5C04-18-13.docx))

 4/18/2013 House Unanimous consent for third reading on next legislative day ([House Journal‑page 103](file:///h%3A%5CHJ%20Archive%5C2013%5C04-18-13.docx))

 4/19/2013 House Read third time and enrolled ([House Journal‑page 7](file:///h%3A%5CHJ%20Archive%5C2013%5C04-19-13.docx))

 5/2/2013 Ratified R 30

 5/3/2013 Signed By Governor

 5/8/2013 Effective date 05/03/13

 5/13/2013 Act No. 20

**VERSIONS OF THIS BILL**

[1/24/2013](file:///p%3A%5Cpprever%5C2013-14%5C295_20130124.docx)

[3/6/2013](file:///p%3A%5Cpprever%5C2013-14%5C295_20130306.docx)

[3/20/2013](file:///p%3A%5Cpprever%5C2013-14%5C295_20130320.docx)

[4/17/2013](file:///p%3A%5Cpprever%5C2013-14%5C295_20130417.docx)

(A20, R30, S295)

**AN ACT** **TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑11‑2028 SO AS TO ALLOW THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, WHICH PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO VOLUNTARILY DISSOLVE ITSELF AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY IF ACCEPTED BY RESOLUTION OF ITS GOVERNING BODY; TO REQUIRE A PUBLIC HEARING TO BE CONDUCTED BEFORE TAKING A SUPERMAJORITY VOTE OF ITS GOVERNING BODY AND THE GOVERNING BODY OF THE COUNTY; TO REQUIRE THE GOVERNING BODY OF THE COUNTY TO COMPLY WITH THE PROVISIONS OF SECTION 6‑11‑2140; TO PROVIDE FOR CALCULATING THE MILLAGE LIMITATION FOR A COUNTY WHEN A SPECIAL PURPOSE DISTRICT TRANSFERS ITS ASSETS AND LIABILITIES TO A COUNTY; AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A SPECIAL PURPOSE DISTRICT THAT PROVIDES BOTH RECREATIONAL AND AGING SERVICES OR THAT HAS A BOARD APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF THE COUNTY LEGISLATIVE DELEGATION.**

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

**Transfer of assets and liabilities of special purpose district to county**

SECTION 1. Article 15, Chapter 11, Title 6 of the 1976 Code is amended by adding:

 “Section 6‑11‑2028. (A) Notwithstanding the provisions of this article, the assets and liabilities of a special purpose district that:

 (1) is created by act of the General Assembly that does not require a referendum;

 (2) provides only recreational services; and

 (3) has as its boundary the same as the county in which it is located, may be transferred to the governing body of the county in which the special purpose district is located if the governing body of the special purpose district and the governing body of the county each pass by a supermajority of two‑thirds vote of members present and voting resolutions that transfer the special purpose district’s assets and liabilities to the governing body of the county in which the special purpose district is located. The governing body of the special purpose district must hold a public hearing prior to the passage by a supermajority of two‑thirds vote of the resolutions by the governing body of the special purpose district and the governing body of the county. The provisions of this section are applicable only if the governing body of the county also adopts a resolution agreeing to follow the provisions of Section 6‑11‑2140.

 (B) For purposes of calculating the millage limitation imposed pursuant to Section 6‑1‑320 for a county, any millage for operating purposes imposed by the dissolved special purpose district is considered to be imposed by the county.

 (C) The provisions of this section do not apply to a special purpose district that: (1) provides both recreational and aging services; or (2) has a board appointed by the Governor upon the recommendation of the county legislative delegation.

 (D) The provisions of this section expire two years from the effective date of this act.”

**Time effective**

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

Ratified the 2nd day of May, 2013.

Approved the 3rd day of May, 2013.

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