**A** **BILL**

TO AMEND SECTION 6‑7‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TERMS OF AN AGREEMENT CREATING A REGIONAL COUNCIL OF GOVERNMENT, SO AS TO PROHIBIT THE AGREEMENT OR COUNCIL BYLAWS FROM CHARGING, ASSESSING, REQUIRING, OR DEMANDING AN INVOLUNTARY MEMBERSHIP FEE; AND TO AMEND SECTION 6‑7‑140, RELATING TO THE POWERS AND DUTIES OF REGIONAL COUNCILS OF GOVERNMENT, SO AS TO PROHIBIT A COUNCIL OF GOVERNMENT FROM CHARGING, ASSESSING, REQUIRING, OR DEMANDING AN INVOLUNTARY MEMBERSHIP FEE.

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

SECTION 1. Section 6‑7‑120 of the 1976 Code is amended to read:

“Section 6‑7‑120. ~~Such~~ The agreements ~~herein~~ provided for in this section shall describe the area served by the organization, provisions for representation, financing, and other matters not inconsistent with the provisions of this article. Notwithstanding another provision of law, an agreement creating a regional council of government, or bylaws adopted by a regional council of government may not charge, assess, require, or demand an involuntary membership fee. A member county or municipality may, if it so chooses, pay, disburse, or remit a voluntary membership fee to its affiliated regional council of government.”

SECTION 2. Section 6‑7‑140 of the 1976 Code is amended to read:

“Section 6‑7‑140. (A) In discharging its responsibilities, the regional council of government ~~shall have~~ has the power and duty to:

(1) prepare studies and make recommendations on ~~such~~ matters ~~as~~ it deems appropriate;

(2) coordinate and promote cooperative programs and action with and among its members and other governmental and nongovernmental entities, including those of other states;

(3) study and make recommendations on matters affecting the public health, safety, general welfare, education, recreation, pollution control, utilities, planning, development and ~~such~~ other matters ~~as~~ that the common interest of the participating governments may dictate;

(4) provide continuing technical assistance~~,~~ and information to the member local governments and other agencies and individuals;

(5) in general, the regional council of government ~~shall have~~ has the power to carry on ~~such~~ planning activities and the development of ~~such~~ studies and programs ~~as~~ it deems to be in the interest of the area;

(6) acquire and dispose of real and personal property necessary to the conduct of its business;

(7) after coordination with the appropriate state, local and federal agencies, the regional council of government may adopt ~~such~~ plans and programs ~~as~~ it may from time to time prepare. ~~Such~~ The plans and programs ~~as~~ that are adopted shall constitute the recommendations of the regional council of government.

(B) Notwithstanding another provision of law, a regional council of government may not charge, assess, require, or demand an involuntary membership fee. A member county or municipality may, if it so chooses, pay, disburse, or remit a voluntary membership fee to its affiliated regional council of government.”

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

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