~~Indicates Matter Stricken~~

Indicates New Matter

RECALLED

May 25, 2016

**H. 4416**

Introduced by Reps. Felder, Pope, Merrill, Burns, V.S. Moss and Pitts

S. Printed 5/25/16--S.

Read the first time April 28, 2016.

**A** **BILL**

TO AMEND SECTION 6‑1‑970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTIONS FROM IMPACT FEES, SO AS TO ADD EXEMPTIONS FOR CERTAIN SCHOOLS AND VOLUNTEER FIRE DEPARTMENTS.

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

SECTION 1. Section 6‑1‑970 of the 1976 Code is amended to read:

“Section 6‑1‑970. The following structures or activities are exempt from impact fees:

(1) rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;

(2) remodeling or repairing a structure that does not result in an increase in the number of service units;

(3) replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of service units does not increase;

(4) placing a construction trailer or office on a lot during the period of construction on the lot;

(5) constructing an addition on a residential structure which does not increase the number of service units;

(6) adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system’s capacity; ~~and~~

(7) all or part of a particular development project if:

(a) the project is determined to create affordable housing; and

(b) the exempt development’s proportionate share of system improvements is funded through a revenue source other than development impact fees;

(8) constructing a new elementary, middle, or secondary school; and

(9) constructing a new volunteer fire department.”

SECTION 2. Section 6‑1‑920(18) of the 1976 Code is amended by adding an appropriately lettered subitem to read:

“( ) public education facilities for grades K‑12 including, but not limited to, schools, offices, classrooms, parking areas, playgrounds, libraries, cafeterias, gymnasiums, health and music rooms, computer and science laboratories, and other facilities considered necessary for the proper public education of the state’s children.”

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

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