~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 20, 2016

**H. 5078**

Introduced by Reps. White and Cobb‑Hunter

S. Printed 4/20/16--H.

Read the first time March 9, 2016.

**THE COMMITTEE ON WAYS AND MEANS**

To whom was referred a Bill (H. 5078) to amend Section 4-10-10, Code of Laws of South Carolina, 1976, relating to various local sales and use taxes, so as to define ‘general election’, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 4‑10‑10 of the 1976 Code, as added by Act 317 of 1990, is amended by adding an appropriately numbered item to read:

“( ) ‘General election’ means the Tuesday following the first Monday in November in any year.” /

Renumber sections to conform.

Amend title to conform.

W. BRIAN WHITE for Committee.

**A** **BILL**

TO AMEND SECTION 4‑10‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VARIOUS LOCAL SALES AND USE TAXES, SO AS TO DEFINE “GENERAL ELECTION”; TO AMEND SECTIONS 4‑10‑330 AND 4‑10‑340, BOTH AS AMENDED, RELATING TO THE CAPITAL PROJECTS SALES TAX ACT, SO AS TO PROVIDE THAT THE TAX MUST TERMINATE ON APRIL THIRTIETH OF AN ODD‑ OR EVEN‑NUMBERED YEAR.

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

SECTION 1. Section 4‑10‑10 of the 1976 Code, as added by Act 317 of 1990, is amended by adding an appropriately numbered item to read:

“( ) ‘General election’ means the election for federal and state officers in this State which is held on the first Tuesday following the first Monday in November in each even‑numbered year.”

SECTION 2. Section 4‑10‑330(A)(2) of the 1976 Code, as last amended by Act 49 of 2009, is further amended to read:

“(2) the maximum time, in two‑year increments not to exceed eight years from the date of imposition, or in the case of a reimposed tax, a period ending on April thirtieth ~~of an odd‑numbered year~~, not to exceed seven years, for which the tax may be imposed;”

SECTION 3. Section 4‑10‑340(A) of the 1976 Code, as last amended by Act 49 of 2009, is further amended to read:

“(A) If the sales and use tax is approved in the referendum, the tax is imposed on the first of May following the date of the referendum. If the reimposition of an existing sales and use tax imposed pursuant to this article is approved in the referendum, the new tax is imposed immediately following the termination of the earlier imposed tax and the reimposed tax terminates on the applicable thirtieth of April ~~in an odd‑numbered year~~, not to exceed seven years from the date of reimposition. If the certification is not timely made to the Department of Revenue, the imposition is postponed for twelve months.”

SECTION 4. This act takes effect upon approval by the Governor.

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