AS PASSED BY THE SENATE

April 28, 2015

**S. 673**

Introduced by Senator Sheheen

S. Printed 4/28/15--S.

Read the first time April 16, 2015.

**A** **BILL**

TO AMEND SECTION 4‑9‑82 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A TRANSFER OF ASSETS BY A HOSPITAL PUBLIC SERVICE DISTRICT, SO AS TO SPECIFY THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO ANY TRANSACTION THAT INCLUDES THE HOSPITAL PUBLIC SERVICE DISTRICT’S ENTRY INTO A LEASE OF ANY OR ALL OF ITS REAL PROPERTY ASSOCIATED WITH THE DELIVERY OF HOSPITAL SERVICES REGARDLESS OF THE LENGTH OF THE TERM OF THE REAL PROPERTY LEASE OR WHETHER OR NOT THE TRANSACTION ALSO INCLUDES THE SALE OR LEASE OF OTHER ASSETS OF THE DISTRICT.

Amend Title To Conform

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

SECTION 1. Section 4‑9‑82 of the 1976 Code is amended by adding an appropriately numbered subsection at the end to read:

“( ) Notwithstanding any other provision of law, the provisions of this section do not apply to any transaction that includes the hospital public service district’s entry into a lease of any or all of its real property associated with the delivery of hospital services regardless of:

(a) the length of the term of the real property lease, or

(b) whether or not the transaction also includes the sale or lease of other assets of the district.”

SECTION 2. Section 4-9-82(C) of the 1976 Code is amended to read:

(C) Provided, however, that the requirements of subsection (B) do not apply to a transfer by a hospital public service district that owns or controls less than one hundred ~~thirty~~ forty-five licensed or otherwise authorized acute care hospital beds and is located entirely within a county with a population of less than forty thousand persons, and the:

(1) transfer is to a not‑for‑profit entity whose governing board is appointed by the Governor, upon the recommendation of the legislative delegation from the county where the hospital public service district is located, and which otherwise is in compliance with subsection (A); or

(2) transfer is to an entity created pursuant to the provisions of Chapter 31 of Title 33, or the provisions of Chapter 35 of Title 33, or the provisions of Articles 15 and 16 of Chapter 7 of Title 44, and whose governing board is appointed by the Governor, upon recommendation of the legislative delegation from the county where the hospital public service district is located; or

(3) transfer is to another governmental entity.

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

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