**South Carolina General Assembly**

122nd Session, 2017-2018

**A130, R134, H4180**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. W. Newton, Erickson, Herbkersman, Bowers, Bradley and M. Rivers

Document Path: l:\council\bills\nl\13683sd17.docx

Introduced in the House on April 25, 2017

Introduced in the Senate on May 2, 2017

Passed by the General Assembly on January 10, 2018

Governor's Action: February 7, 2018, Signed

Summary: Boundary lines of Beaufort and Jasper counties

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/25/2017 House Introduced, read first time, placed on calendar without reference ([House Journal‑page 38](file:///h%3A%5Chj%5C20170425.docx))

 4/27/2017 House Read second time ([House Journal‑page 17](file:///h%3A%5Chj%5C20170427.docx))

 4/27/2017 House Roll call Yeas‑93 Nays‑0 ([House Journal‑page 18](file:///h%3A%5Chj%5C20170427.docx))

 4/27/2017 House Unanimous consent for third reading on next legislative day ([House Journal‑page 19](file:///h%3A%5Chj%5C20170427.docx))

 4/28/2017 House Read third time and sent to Senate ([House Journal‑page 3](file:///h%3A%5Chj%5C20170428.docx))

 5/2/2017 Senate Introduced and read first time ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20170502.docx))

 5/2/2017 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20170502.docx))

 5/10/2017 Senate Recalled from Committee on **Judiciary** ([Senate Journal‑page 2](file:///h%3A%5Csj%5C20170510.docx))

 5/10/2017 Senate Read second time ([Senate Journal‑page 2](file:///h%3A%5Csj%5C20170510.docx))

 5/10/2017 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 2](file:///h%3A%5Csj%5C20170510.docx))

 1/10/2018 Senate Read third time and enrolled ([Senate Journal‑page 7](file:///h%3A%5Csj%5C20180110.docx))

 2/1/2018 Ratified R 134

 2/7/2018 Signed By Governor

 2/9/2018 Effective date 2/7/18

 2/12/2018 Act No. 130

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4180&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/25/2017](file:///p%3A%5Cpprever%5C2017-18%5C4180_20170425.docx)

[4/25/2017-A](file:///p%3A%5Cpprever%5C2017-18%5C4180_20170425A.docx)

(A130, R134, H4180)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 4‑3‑75 AND 4‑3‑325 SO AS TO ALTER THE BOUNDARY LINES OF BEAUFORT AND JASPER COUNTIES BY ANNEXING A CERTAIN PORTION OF JASPER COUNTY TO BEAUFORT COUNTY AND A CERTAIN PORTION OF BEAUFORT COUNTY TO JASPER COUNTY AND MAKE PROVISIONS FOR LEGAL RECORDS.**

Whereas, the governing bodies of Beaufort and Jasper counties have no objection to a change in the county lines of both counties by transferring certain property in Beaufort County to Jasper County and by transferring certain property in Jasper County to Beaufort County; and

Whereas, the governing bodies of both counties by resolution have consented to and approved these adjustments of the boundary lines and attendant annexations; and

Whereas, Section 7, Article VII of the Constitution of South Carolina, 1895, requires before any county line is altered the question must be submitted to the qualified electors of the territory proposed to be taken from one county and given to another; and

Whereas, at this time there are no inhabitants in the territory proposed to be taken from either county and given to the other county; and

Whereas, the South Carolina Attorney General has issued an opinion, Op. Atty. Gen., 90‑67 (November 21, 1990), which concludes that when there are no inhabitants and therefore no qualified electors in the territory being moved from one county to another no election is required to move a county line between two counties. Now, therefore,

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

**Transfer of property to Beaufort County**

SECTION 1. Chapter 3, Title 4 of the 1976 Code is amended by adding:

 “Section 4‑3‑75. (A)(1) The following described portion of Jasper County is transferred and annexed to Beaufort County:

 All that area consisting of approximately 5.95 acres of land more specifically identified and described on those certain plats of survey prepared by Cornerstone Surveying and Engineering, Inc. for the South Carolina Geodetic Survey, R. David Branton, Professional Land Surveyor, entitled ‘A Plat of a Portion of the Beaufort‑Jasper County Line’ dated June 15, 2016, and being on file in the South Carolina Revenue and Fiscal Affairs Office and recorded in the Beaufort County Register of Deeds Office in Plat Book 145, pages 162‑173, and in the Jasper County Register of Deeds Office in Plat Book 0035, page 0083.

 (2) The proper proportion of the existing Jasper County indebtedness of the area transferred must be assumed by Beaufort County.

 (B) Upon application, the clerk of court, register of deeds, sheriff, and probate judge of Jasper County shall furnish certified copies of any judgment roll, entry on abstract of judgment book, will, record, execution, decree, deed, mortgage, or other papers signed or recorded in the office of such officers, upon payment of proper fees and when this certified copy is filed or recorded in the proper office of Beaufort County, it has the same force and effect in Beaufort County that it had in Jasper County and any record not transferred continues in force and effect, and each has the same force and effect in Beaufort County as if it had been transferred and made a record in the proper office in Beaufort County.”

**Transfer of property to Jasper County**

SECTION 2. Chapter 3, Title 4 of the 1976 Code is amended by adding:

“Section 4‑3‑325. (A)(1) The following described portion of Beaufort County is transferred and annexed to Jasper County:

 All that area consisting of approximately 22.34 acres of land more specifically identified and described on those certain plats of survey prepared by Cornerstone Surveying and Engineering, Inc. for the South Carolina Geodetic Survey, R. David Branton, Professional Land Surveyor, entitled ‘A Plat of a Portion of the Beaufort‑Jasper County Line’ dated June 15, 2016, and being on file in the South Carolina Revenue and Fiscal Affairs Office and recorded in the Beaufort County Register of Deeds Office in Plat Book 145, pages 162‑173, and in the Jasper County Register of Deeds Office in Plat Book 0035, page 0083.

 (2) The proper proportion of the existing Beaufort County indebtedness of the area transferred must be assumed by Jasper County.

 (B) Upon application, the clerk of court, register of deeds, sheriff, and probate judge of Beaufort County shall furnish certified copies of any judgment roll, entry on abstract of judgment book, will, record, execution, decree, deed, mortgage, or other papers signed or recorded in the office of such officers, upon payment of proper fees and when this certified copy is filed or recorded in the proper office of Jasper County, it has the same force and effect in Jasper County that it had in Beaufort County and any record not transferred continues in force and effect, and each has the same force and effect in Jasper County as if it had been transferred and made a record in the proper office in Jasper County.”

**Time effective**

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

Ratified the 1st day of February, 2018.

Approved the 7th day of February, 2018.

\_\_\_\_\_\_\_\_\_\_