**A** **BILL**

TO AMEND SECTION 12‑43‑220(d)(4) OF THE 1976 CODE, RELATING TO ROLL‑BACK PROPERTY TAXES, TO PROVIDE FOR THE APPLICABILITY OF ROLL‑BACK TAXES TO CERTAIN PROPERTY THAT IS NO LONGER USED AS AGRICULTURAL PROPERTY.

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

SECTION 1. Section 12‑43‑220(d)(4) of the 1976 Code is amended to read:

“(4)(A) Except as provided pursuant to Section 12‑43‑222, when real property which is in agricultural use and is being valued, assessed, and taxed under the provisions of this article, is applied to a use other than agricultural, it is subject to additional taxes, hereinafter referred to as roll‑back taxes, in an amount equal to the difference, if any, between the taxes paid or payable on the basis of the valuation and the assessment authorized hereunder and the taxes that would have been paid or payable had the real property been valued, assessed, and taxed as other real property in the taxing district, in the current tax year (the year of change in use) and each of the five tax years immediately preceding in which the real property was valued, assessed, and taxed as herein provided. If in the tax year in which a change in use of the real property occurs the real property was not valued, assessed, and taxed under this article, then the real property is subject to roll‑back taxes for each of the five tax years immediately preceding in which the real property was valued, assessed, and taxed hereunder. In determining the amounts of the roll‑back taxes chargeable on real property which has undergone a change in use, the assessor shall for each of the roll‑back tax years involved ascertain:

~~(A)~~(i) the fair market value without consideration of the standing timber of such real property under the valuation standard applicable to other real property in the same classification;

~~(B)~~(ii) the amount of the real property assessment for the particular tax year by multiplying such fair market value by the appropriate assessment ratio provided in this article;

~~(C)~~(iii) the amount of the additional assessment on the real property for the particular tax year by deducting the amount of the actual assessment on the real property for that year from the amount of the real property assessment determined under ~~(B)~~ (ii) of this section;

~~(D)~~(iv) the amount of the rollback for that tax year by multiplying the amount of the additional assessment determined under ~~(C)~~(iii) of this section by the property tax rate of the taxing district applicable for that tax year.

(B) Roll‑back taxes determined pursuant to subitem (4) do not apply to property that changes from an agricultural use to use as a single family residence that is not intended as part of a development or subdivision. A residence is one that receives a special assessment ratio pursuant to item (c)(1) of this section. If an owner of agricultural land subdivides a parcel of land more than once in the same year, roll‑back taxes pursuant to this section do not apply only to the first subdivision. The buyer’s agent in the purchase of agricultural land shall inform the buyer that roll‑back taxes apply when land is changed from an agricultural use to a use other than agricultural. The applicable municipality or county shall notify a property owner of potential roll‑back taxes at the time he applies for any permit that may change the use of the property.”

SECTION 2. This act takes effect upon approval by the Governor and applies for property tax years beginning after 2019.

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