~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 30, 2019

**H. 4327**

Introduced by Reps. R. Williams, Jefferson, Ott, Magnuson, Chumley and Burns

S. Printed 4/30/19--H.

Read the first time March 27, 2019.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (H. 4327) to amend Section 6‑9‑65, Code of Laws of South Carolina, 1976, relating to the inapplicability of certain building codes on farm structures, so as to, 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 all after the enacting clause and inserting:

/ SECTION 1. Chapter 9, Title 6 of the 1976 Code is amended by adding:

“Section 6‑9‑67. Structures without a commercial kitchen used in agritourism activity as defined by Section 46‑53‑10 shall fall under the group A‑3 classification as defined in the 2015 International Building Code. Such structures may accommodate up to three hundred guests without installing a sprinkler system.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

WILLIAM E. SANDIFER III for Committee.

**A** **BILL**

TO AMEND SECTION 6‑9‑65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INAPPLICABILITY OF CERTAIN BUILDING CODES ON FARM STRUCTURES, SO AS TO REVISE THE DEFINITION OF “FARM STRUCTURE” FOR PURPOSES OF THIS SECTION.

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

SECTION 1. Section 6‑9‑65 of the 1976 Code is amended to read:

“Section 6‑9‑65. (A) For purposes of this section, ‘farm structure’ means a structure which is constructed on a farm, other than a residence or a structure attached to it, for use on the farm including, but not limited to, barns, sheds, and poultry houses, but not public livestock areas. ~~For purposes of this section, “farm structure” does not include a structure originally qualifying as a “farm structure” but later converted to another use.~~

(B) The governing body of a county or municipality may not enforce that portion of a nationally recognized building code which regulates the construction or improvement of a farm structure. The standards published by the Federal Emergency Management Agency for the National Flood Insurance Program shall apply.

(C) The provisions of this section do not apply unless, before constructing a farm structure, the person owning the property on which the structure is to be constructed files an affidavit with the county or municipal official responsible for enforcing the building code stating that the structure is being constructed as a farm structure. The affidavit must include a statement of purpose or intended use of the proposed structure or addition.

(D) This section does not affect the authority of the governing body of a county or municipality to issue building permits before the construction or improvement of a farm structure.”

SECTION 2. This act takes effect upon approval by the Governor.

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