**South Carolina General Assembly**

124th Session, 2021-2022

**A201, R227, H5057**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Simrill, Pope, Erickson and W. Newton

Document Path: l:\council\bills\jn\3538sa22.docx

Companion/Similar bill(s): 4017

Introduced in the House on March 1, 2022

Introduced in the Senate on April 6, 2022

Last Amended on April 5, 2022

Passed by the General Assembly on May 10, 2022

Governor's Action: May 16, 2022, Signed

Summary: IRS Code

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/1/2022 House Introduced and read first time ([House Journal‑page 25](file:///h%3A%5Chj%5C20220301.docx))

 3/1/2022 House Referred to Committee on **Ways and Means** ([House Journal‑page 25](file:///h%3A%5Chj%5C20220301.docx))

 3/31/2022 House Committee report: Favorable with amendment **Ways and Means** ([House Journal‑page 29](file:///h%3A%5Chj%5C20220331.docx))

 4/5/2022 House Member(s) request name added as sponsor: W.Newton

 4/5/2022 House Amended ([House Journal‑page 25](file:///h%3A%5Chj%5C20220405.docx))

 4/5/2022 House Read second time ([House Journal‑page 25](file:///h%3A%5Chj%5C20220405.docx))

 4/5/2022 House Roll call Yeas‑113 Nays‑0 ([House Journal‑page 26](file:///h%3A%5Chj%5C20220405.docx))

 4/6/2022 House Read third time and sent to Senate ([House Journal‑page 9](file:///h%3A%5Chj%5C20220406.docx))

 4/6/2022 Senate Introduced and read first time ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20220406.docx))

 4/6/2022 Senate Referred to Committee on **Finance** ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20220406.docx))

 5/3/2022 Senate Committee report: Favorable **Finance** ([Senate Journal‑page 9](file:///h%3A%5Csj%5C20220503.docx))

 5/4/2022 Senate Read second time ([Senate Journal‑page 50](file:///h%3A%5Csj%5C20220504.docx))

 5/4/2022 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 50](file:///h%3A%5Csj%5C20220504.docx))

 5/10/2022 Senate Read third time and enrolled ([Senate Journal‑page 40](file:///h%3A%5Csj%5C20220510.docx))

 5/12/2022 Ratified R 227 ([Senate Journal‑page 229](file:///h%3A%5Csj%5C20220512.docx))

 5/16/2022 Signed By Governor

 5/31/2022 Effective date 05/16/22

 5/31/2022 Act No.  201

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=5057&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[3/1/2022](file:///p%3A%5Cpprever%5C2021-22%5C5057_20220301.docx)

[3/31/2022](file:///p%3A%5Cpprever%5C2021-22%5C5057_20220331.docx)

[4/5/2022](file:///p%3A%5Cpprever%5C2021-22%5C5057_20220405.docx)

[5/3/2022](file:///p%3A%5Cpprever%5C2021-22%5C5057_20220503.docx)

(A201, R227, H5057)

**AN ACT TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES; AND TO PROVIDE THAT FOR TAX YEAR 2021, SOUTH CAROLINA ADOPTS CERTAIN FEDERAL EXCLUSIONS FROM GROSS INCOME.**

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

**Internal Revenue Code conformity**

SECTION 1. Section 12‑6‑40(A)(1)(a) and (c) of the 1976 Code, as last amended by Act 87 of 2021, is further amended to read:

 “(a) Except as otherwise provided, ‘Internal Revenue Code’ means the Internal Revenue Code of 1986, as amended through December 31, 2021, and includes the effective date provisions contained in it.

 (c) If Internal Revenue Code sections adopted by this State which expired or portions thereof expired on December 31, 2021, are extended, but otherwise not amended, by congressional enactment during 2022, these sections or portions thereof also are extended for South Carolina income tax purposes in the same manner that they are extended for federal income tax purposes.”

**American Rescue Plan, exclusions from gross income**

SECTION 2. For tax year 2021, South Carolina adopts the federal exclusion from gross income for targeted Economic Injury Disaster Loan advances received from the Small Business Administration (SBA) and the federal exclusion from gross income for restaurant revitalization grant amounts received from the SBA as provided in Sections 9672 and 9673 of the American Rescue Plan Act.

**Time effective**

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

Ratified the 12th day of May, 2022.

Approved the 16th day of May, 2022.

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