COMMITTEE REPORT

February 17, 2022

**H. 4946**

Introduced by Reps. Haddon, Ligon, Magnuson, Burns, Forrest and Jones

S. Printed 2/17/22--H.

Read the first time February 8, 2022.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 4946) to amend the Code of Laws of South Carolina, 1976, by adding Section 12‑36‑2125 so as to place certain conditions on the manner in which eligibility for, 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 words and inserting:

/ SECTION 1. Article 21, Chapter 36, Title 12 of the 1976 Code is amended by adding:

“Section 12‑36‑2125. (A)(1) For purposes of claiming the sales tax exemptions allowed in Section 12‑36‑2120(5), (6), (7), (15)(c), (16), (18), (32), and (44), the department shall issue a South Carolina Agricultural Tax Exemption (SCATE) card.

(1) The card is issued upon payment of a twenty‑four‑dollar fee, and is valid for three years.

(2) An individual can apply for the SCATE card online.

(3) After the initial issuance of the SCATE card, and after the passage of three years from its issuance date, the SCATE card is valid for the lifetime of the individual, so long as the individual renews it after the initial three years and pays an eight‑dollar fee for the lifetime card.

(4) Any modifications to the SCATE card application, issuance, fee, or to the SCATE card program must go through the regulatory approval process in compliance with the South Carolina Administrative Procedures Act, and all related laws.

(5) The SCATE card program is the sole method for obtaining the sales tax exemptions set forth in this subsection beginning on July 1, 2022.

(B) An individual applying for a tax exemption status pursuant to this section cannot be required to provide his social security number.”

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

Renumber sections to conform.

Amend title to conform.

DAVID R. HIOTT for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑36‑2125 SO AS TO PLACE CERTAIN CONDITIONS ON THE MANNER IN WHICH ELIGIBILITY FOR CERTAIN SALES TAX EXEMPTIONS ARE DETERMINED.

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

SECTION 1. Article 21, Chapter 36, Title 12 of the 1976 Code is amended by adding:

“Section 12‑36‑2125. (A) For purposes of claiming the exemptions allowed in Section 12‑36‑2120(5), (6), (7), (15)(c), (16), (18), (19), (23), and (44), to claim the sales tax exemption, the department shall allow an individual to claim the exemptions in the same manner as was allowed before April 1, 2022, and may not issue a South Carolina Agricultural Tax Exemption (SCATE) card unless:

(1) the card is free of charge; and

(2) a person can apply for the SCATE card online, in person, or by mail.

(B) A person applying for a tax exemption status pursuant to this section is not required to provide his social security number.”

SECTION 2. Any fees paid before the effective date of this act must be refunded to anyone who has paid any fee to obtain this sales tax exempt status.

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

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