COMMITTEE REPORT

May 4, 2022

**H. 5036**

Introduced by Reps. Sandifer, West, Thigpen, Hardee, Jordan, Anderson, Bailey, Gagnon, Simrill, Thayer, White and Atkinson

S. Printed 5/4/22--S.

Read the first time March 30, 2022.

**THE COMMITTEE ON LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (H. 5036) to amend Article 3 of Chapter 15, Title 31, Code of Laws of South Carolina, 1976, relating to buildings unfit for habitation in counties, so as to extend, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

TOM C. DAVIS for Committee.

**A** **BILL**

TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 31, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDINGS UNFIT FOR HABITATION IN COUNTIES, SO AS TO EXTEND THE PROVISIONS OF THE CHAPTER TO BUILDINGS UNFIT FOR OCCUPATION, TO ADD A CAUSE FOR WHICH POLICE POWERS MAY BE USED REGARDING RUBBISH, AND TO DELETE AN APPROVAL REQUIREMENT.

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

SECTION 1. Section 6-9-10 of the 1976 Code is amended by adding an appropriately lettered subsection to read:

“( )(1)(a) Any action taken by a county pursuant to Sections 108, 109, or 110 of the International Property Maintenance Code on commercial or industrial property may be collected in a manner similar to property taxes. The county may enforce the lien in any manner provided by law, including utilizing Chapters 51 and 56, Title 12. However, the lien is due in five equal installments over five property tax years beginning with the property tax year in which the lien is effective.

(b) If the property is sold by the owner prior to all five installments becoming due, the entire balance of the lien is due and payable as property taxes at the time of sale or disposition of the property.

(c) If the property is sold or disposed of for the real property taxes owed, subject to the provisions of Chapter 51, Title 12, prior to all five installments becoming due, the lien and any outstanding real property tax owed must be collected in the same manner as property taxes at the time of sale or disposition under Chapter 51, Title 12.”

(2) This section does not authorize a county to use its authority under this section:

(a) on farmland or agricultural land; or

(b) on land containing a residential dwelling, which is any permanent building or structure, or part thereof, used and occupied for human habitation or intended to be so used and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith that is occupied by its owner may not be considered commercial or industrial for purposes of application of this Chapter; or

(c) solely for aesthetic purposes.”

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

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