**South Carolina General Assembly**

125th Session, 2023-2024

**A117, R122, H3951**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Haddon, G.M. Smith, Bannister, Hiott, Ligon, Hixon, Leber, Erickson, Forrest, Brewer, Murphy, Robbins, Willis, Calhoon, Pope, Davis and M.M. Smith

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Introduced in the House on February 14, 2023

Introduced in the Senate on March 30, 2023

Last Amended on January 30, 2024

Currently residing in the House

Governor's Action: March 11, 2024, Signed

Summary: Working Agricultural Lands Preservation

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/14/2023 House Introduced and read first time (House Journal‑page 9)

 2/14/2023 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** (House Journal‑page 9)

 2/21/2023 House Member(s) request name added as sponsor: Forrest

 2/22/2023 House Member(s) request name added as sponsor: Erickson

 2/28/2023 House Member(s) request name added as sponsor: Brewer,
 Murphy, Robbins

 3/7/2023 House Committee report: Favorable with amendment **Agriculture, Natural Resources and Environmental Affairs** (House Journal‑page 2)

 3/8/2023 House Member(s) request name added as sponsor: Willis

 3/8/2023 Scrivener's error corrected

 3/9/2023 House Debate adjourned (House Journal‑page 30)

 3/28/2023 House Member(s) request name added as sponsor: Calhoon

 3/28/2023 House Requests for debate-Rep(s). Beach, Pace, Harris, McCabe, White, Cromer, TA Morgan, Hiott, Hixon, Haddon, Erickson, Kirby, Ott, Oremus, Blackwell, B Newton, Ligon, TA Moore, MM Smith, BL Cox, Guest, McDaniel, Bradley (House Journal‑page 43)

 3/29/2023 House Member(s) request name added as sponsor: Pope,
 Davis, M.M. Smith

 3/29/2023 House Amended (House Journal‑page 41)

 3/29/2023 House Read second time (House Journal‑page 41)

 3/29/2023 House Roll call Yeas-104 Nays-2 (House Journal‑page 45)

 3/30/2023 House Read third time and sent to Senate (House Journal‑page 49)

 3/30/2023 Senate Introduced and read first time (Senate Journal‑page 8)

 3/30/2023 Senate Referred to Committee on **Agriculture and Natural Resources** (Senate Journal‑page 8)

 3/31/2023 Scrivener's error corrected

 4/18/2023 Senate Committee report: Favorable with amendment **Agriculture and Natural Resources** (Senate Journal‑page 5)

 4/19/2023 Scrivener's error corrected

 5/3/2023 Senate Committed to Committee on **Finance** (Senate Journal‑page 168)

 1/24/2024 Senate Committee report: Favorable with amendment **Finance** (Senate Journal‑page 7)

 1/25/2024 Scrivener's error corrected

 1/30/2024 Senate Committee Amendment Adopted (Senate Journal‑page 18)

 1/30/2024 Senate Read second time (Senate Journal‑page 18)

 1/30/2024 Senate Roll call Ayes-46 Nays-0 (Senate Journal‑page 18)

 1/31/2024 Senate Read third time and returned to House with amendments (Senate Journal‑page 12)

 2/6/2024 House Concurred in Senate amendment and enrolled (House Journal‑page 54)

 2/6/2024 House Roll call Yeas-100 Nays-7 (House Journal‑page 54)

 3/7/2024 Ratified R 122

 3/11/2024 Signed By Governor

 3/14/2024 Effective date 03/11/24

 3/14/2024 Act No. 117

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**VERSIONS OF THIS BILL**

[02/14/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20230214.docx)

[03/07/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20230307.docx)

[03/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20230308.docx)

[03/29/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20230329.docx)

[03/31/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20230331.docx)

[04/18/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20230418.docx)

[04/19/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20230419.docx)

[01/24/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20240124.docx)

[01/25/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20240125.docx)

[01/30/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/3951_20240130.docx)

(A117, R122, H3951)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS by amending section 48‑59‑40, relating to the composition of the board of the south carolina conservation bank, so as to increase membership by adding the commissioner of agriculture, the secretary of commerce, and the secretary of transportation; and by adding section 48‑59‑150 so as to establish the working farmland protection fund.

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

South Carolina Conservation Bank, composition of board

SECTION 1. Section 48-59-40(A) and (B) of the S.C. Code is amended to read:

 (A) There is established the South Carolina Conservation Bank. The bank is governed by a seventeen-member board selected as follows:

 (1) the Chairman of the Board for the Department of Natural Resources, the Chairman of the South Carolina Forestry Commission, the Commissioner of Agriculture, the Secretary of Commerce, the Secretary of Transportation, and the Director of the South Carolina Department of Parks, Recreation and Tourism, or their designees, all of whom shall serve ex officio and without voting privileges;

 (2) three members appointed by the Governor from the State at large;

 (3) four members appointed by the Speaker of the House of Representatives, one each from the Third, Fourth, and Sixth Congressional Districts and one member from the State at large; and

 (4) four members appointed by the President of the Senate, one each from the First, Second, Fifth, and Seventh Congressional Districts.

 (B)(1) In making their respective appointments to the board, the Governor, Speaker of the House of Representatives, and President of the Senate shall take all reasonable steps to ensure that the members of the board reflect the state’s racial and gender diversity.

 (2) Each member of the board must possess experience in the areas of natural resources, land development, forestry, farming, finance, land conservation, real estate, or law.

The Working Farmland Protection Fund

SECTION 2. Chapter 59, Title 48 of the S.C. Code is amended by adding:

 Section 48-59-150. (A) There is established in the State Treasury the Working Farmland Protection Fund for the purpose of providing permanent protection to working farmland properties whose continued availability to commercial agricultural businesses is essential to the long-term future of the economic sector. Balances in the fund must be retained and carried forward annually and interest earned on balances in the fund must be credited to the fund.

 (B) The Working Farmland Protection Fund must be used by the bank only for the purpose of awarding grants to eligible trust fund recipients for the purchase of interests in farmland in which a landowner derives at least fifty percent of his income.

 (C) When evaluating applications for grants under this section, the bank must use the criteria set forth in Section 48-59-70(D), except for Section 48-59-70(D)(9) and Section 48-59-70(D)(13), along with the following criteria:

 (1) the authority of the owner of the working farmland property to make the subject farmland available via lease or transfer of the protected property to another farmer or other farmers so as to advance the goal of preserving and increasing access to farmland for new and expanding farms;

 (2) the threat of conversion of the working farmland property such that it would become unavailable for commercial production of agricultural products;

 (3) the percentage of soils classified by the United States Department of Agriculture as prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance;

 (4) the agricultural structures and improvements associated with the working farmland property;

 (5) the economic viability of the working farmland property in terms of current and potential future commercial agricultural activities in local, regional, and statewide markets; connection of the working farmland property to agricultural services including processors, aggregators, and distributors; and the number of on-farm jobs supported by the working farmland property;

 (6) the multiple natural resources values associated with the working farmland property, including open space land, forested land and wetlands, riparian buffers, wildlife habitat, and freshwater aquifers; and

 (7) whether the working farmland is located or serving in an underserved or underprivileged community.

Time effective

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

Ratified the 7th day of March, 2024.

Approved the 11th day of March, 2024.

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