The Town of Hilton Head Island
Intergovernmental Relations Committee
Regular Meeting

Tuesday, January 17, 2012
2:30 p.m. – Conference Room 3

AGENDA

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting

1. **Call to Order**
2. **Freedom of Information Act Compliance**
   Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
3. **Approval of Minutes**
   a. Regular Intergovernmental Relations Committee Meeting of December 20, 2011
4. **Chairman's Report**
5. **Unfinished Business**
   None
6. **New Business**
   a. S.1002
      Tax Increment Financing for Redevelopment Projects
   b. S.1034
      Quarterly Reporting for Non-Profit Groups/Agencies/Organizations That Receive Greater Than $100K in County or Municipal Grants
   c. H.4337
      Travel Agent Tax Fairness Act
   d. H.4419
      Election of County Property Tax Assessors
   e. H.4426
      Professional Tree Cutting and Removal Services
7. **Adjournment**

Please note that a quorum of Town Council may result if four (4) or more of Town Council members attend this meeting.

TOWN OF HILTON HEAD ISLAND

INTERGOVERNMENTAL RELATIONS COMMITTEE

Minutes of the Tuesday, December 20, 2011
Regular Meeting

Members Present:	George Williams, *Chairman;* Lee Edwards, *Council Member;* Ken Heitzke, *Council Member*
Members Absent:	None
Others Present:	Bill Harkins, Bill Ferguson, and Kim Likins, *Council Members;* Joe Croley; *Hilton Head Area Association of Realtors;*
Staff Present:	Greg DeLoach, *Assistant Town Manager-Administration;* Faidra Smith, *Administration Manager/Public Information Coordinator;* Lynn Buchman, *Administrative Assistant*
Media Present:	Tom Barton, *The Island Packet*

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1. Call to Order

The meeting was called to order at 2:30 p.m.

2. Freedom of Information Act Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

3. Approval of Minutes

September 28, 2011 Special Meeting

Mr. Edwards moved to approve and Mr. Heitzke seconded. The motion was approved by a vote of 3-0.

4. Chairman's Report

Although Chairman Williams had no formal report, he commented that the Committee would attempt to be more active during the next year. He noted, however, that not many items arose last year that directly affected the Town.

5. Unfinished Business

None.

6. New Business

a. Recap of 2011 General Assembly Session

Greg DeLoach briefed the Committee on the various actions taken by the Town during the 2011 South Carolina General Assembly Legislative Session. A synopsis of each bill considered by the Town was presented, indicating the Town position, action taken, and the status at the end of the first year of the two year session. He noted those bills that did not pass in 2011 that would be carried over for the 2012 General Assembly Session, and indicated the positions taken on each by the Committee and Council, which positions would be maintained unless otherwise advised.

As far as bills going forward, he advised the Committee that recommendations will be made in January for continued opposition to cuts to local government funding. He noted the Aeronautics Bill, H.3918, is being closely monitored as it would usurp and preempt the Town and County's authority over the airport. While the bill is still in the House Judiciary Committee, he anticipated it would be seen again in the 2012 Session and recommended that it be watched closely. Chairman Williams suggested contacting the Municipal Association again for their assistance in monitoring this bill, and Mr. DeLoach agreed to do so. He noted positions shown as monitor would continue, those shown as oppose would be tracked closely, and those shown as support would be supported.

Mr. DeLoach reported that the Municipal Association had adopted its agenda, which includes 4 major issues: Enclave annexation, which does not impact the Town; a capital project sales tax; local government fund; and rehabilitation of abandoned and dilapidated buildings. Chairman Williams and Mr. DeLoach discussed the fact that the municipal sales tax proposal has been introduced almost every year with no success.

b. General Review of Potential Bills

Mr. DeLoach outlined a few pre-filed bills which will come up early in the 2012 Session and include:

- S.1002, a TIF bill, which would require municipalities to specifically list the capital projects it wants funded through TIF. This would replace the more general approach to redevelopment, which is what Council adopted and has worked very well. It would require unspent TIF funds for specific projects to be classified as surplus funds and returned annually to the participating or partnering taxing district. He was unclear at to whether it would be retroactive, which the Committee may want to oppose, but he will investigate further and report back.
- S.1034, a reporting and accounting bill, which would require quarterly spending reports by any agency receiving more than $100,000, whether by grant or from general or accommodations funding. Chairman Williams and Ms. Likins agreed that this bill might warrant support, and more background will be provided.
- S.4337 relates to the on-line travel agency bill, introduced to, in effect, circumvent the Supreme Court opinion to make the accommodations tax apply only to the operator of a motel and/or hotel, and not to on-line travel agencies. Mr. DeLoach indicated this bill was expected to be hotly debated. Chairman Williams and Mr. Edwards agreed such a bill would be opposed by the Committee.
- H.4419 would require an amendment to the SC Constitution to mandate all Counties to have an elected Tax Assessor for a 4-year term. Although Mr. DeLoach had not yet determined the background for the introduction of such a bill, he noted that Beaufort County would have a referendum in November to make the offices of Auditor and Treasurer both appointed positions rather than elected officials, and this bill may be in response to that. He noted a further report will be made in January.

Chairman Williams and Mr. DeLoach discussed another bill that would authorize open burns by landscaping companies and others under certain circumstances, preempting local authority over when such burns could take place. Mr. DeLoach noted that Fire and Rescue would like the Committee to consider adopting a position of opposition to the bill, and he will provide further information. Mr. Ferguson questioned whether the Council could decide not to oppose such a bill, and Mr. DeLoach confirmed that the Council would make the ultimate decision to oppose or support such a bill.

Chairman Williams asked for further clarification of H.3095, transfer fee covenants, and Mr. DeLoach explained this pertains only to private entities and not to municipalities, but he would obtain additional information. A discussion ensued concerning the existing and new developments that have such fees and those that do not have them but may be considering them in the future. Chairman Williams noted his understanding that the realtors may be opposed to this bill, and it would warrant watching.

Mr. DeLoach noted that some legislative meetings will be held for Council members in Columbia early in the year.

Mr. Ferguson indicated his continuing concern about the Baygall neighborhood and asked if any legislation might be forthcoming concerning voting blocks. Chairman Williams and Mr. DeLoach indicated they had no knowledge of anything at this point, but at Mr. Ferguson's request they would investigate and report to him their findings.

7. Adjournment

At 2:50 p.m. Mr. Heitzke moved to adjourn and Mr. Edwards seconded. The motion was approved by a vote of 3-0.

Respectfully submitted:

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Lynn W. Buchman
Administrative Assistant

Approved:

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George Williams, Chairman

DRAFT

2012 General Assembly – Legislation Priority Guide

Priority Legislation

Introduced Legislation

Bill Number (s)	POS	Bill Number (s)	POS
•		•	
•		•	
•		•	

Potential Legislation

	POS		POS
•		•	
•		•	

POS=S/Support: O/Oppose: M/Monitor

2012 General Assembly – Legislation Priority Guide

Legislation to Monitor

Introduced Legislation

Bill Number (s)	POS	Bill Number (s)	POS
• TRAC Recommendations-Property Taxes and Tourism Fees (uniform form)	M	• S.C. Truth in Spending Acts-post expenditures online (S. 100, S. 153, H. 3067)	M
• Smoking Bills (S. 219, H. 3015, H. 3022, H. 3033, H. 3109,)	M	• S.C. Homeowners' Association Act (S. 218)	M
• Annexation Bills (S. 313, H. 3247)	M	• Aeronautics Bills (H. 3918 and S. 707)	M
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•		•	

Potential Legislation

	POS		POS
•		•	
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•		•	

POS=S/Support: O/Oppose: M/Monitor

South Carolina General Assembly
119th Session, 2011-2012

S. 1002

STATUS INFORMATION

General Bill
Sponsors: Senator L. Martin
Document Path: l:\s-res\lam\001tifs.rem.lam.docx

Introduced in the Senate on January 10, 2012
Currently residing in the Senate Committee on **Finance**

Summary: Financing of redevelopment projects

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
11/28/2011	Senate	Prefiled
11/28/2011	Senate	Referred to Committee on **Finance**
1/10/2012	Senate	Introduced and read first time (Senate Journal-page 9)
1/10/2012	Senate	Referred to Committee on **Finance** (Senate Journal-page 9)

View the latest legislative information at the LPITS web site

VERSIONS OF THIS BILL

11/28/2011

A BILL

TO AMEND SECTION 31-6-40 OF THE 1976 CODE, RELATING TO TAX INCREMENT FINANCING FOR REDEVELOPMENT PROJECTS, BY STRIKING LANGUAGE THAT SURPLUS FUNDS MUST BE SENT TO THE TAXING DISTRICT AND THAT MUNICIPALITIES MAY PLEDGE OBLIGATION FUNDS TO ANY REDEVELOPMENT PROJECT; TO ADD SECTION 31-6-45 TO DEFINE THE REQUIREMENTS OF A REDEVELOPMENT PROJECT; AND TO AMEND SECTION 31-6-50 TO LIMIT THE USE OF FUNDS TO PROJECTS SPECIFIED BY THE AUTHORIZING REDEVELOPMENT PLAN, AND TO REQUIRE THAT SURPLUS FUNDS MAY BE USED TO PAY DOWN OUTSTANDING DEBT OBLIGATIONS OR OTHERWISE MUST BE RETURNED TO THE TAXING DISTRICT.

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

SECTION 1. Section 31-6-40 of the 1976 Code is amended to read:

"Section 31-6-40. Obligations secured by the special tax allocation fund set forth in Section 31-6-70 for the redevelopment project area may be issued to provide for redevelopment project costs. The obligations, when so issued, must be retired in the manner provided in the ordinance authorizing the issuance of the obligations by the receipts of taxes levied as specified in Section 31-6-110 against the taxable property included in the area and other revenue as specified in Section 31-6-110 designated by the municipality which source does not involve revenues from any tax or license. In the ordinance the municipality may pledge all or any part of the funds in and to be deposited in the special tax allocation

fund created pursuant to Section 31-6-70 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund must provide for distribution to the taxing districts of monies not required for payment and securing of the obligations and the excess funds are surplus funds. In the event a municipality only pledges a portion of the monies in the special tax allocation fund for the payment of redevelopment project costs or obligations, any funds remaining in the special tax allocation fund after complying with the requirements of the pledge are also considered surplus funds. ~~All surplus funds must be distributed annually to the taxing districts in the redevelopment project area by being paid by the municipality to the county treasurer of the county in which the municipality is located. The county treasurer shall immediately thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county treasurer to the affected districts of real property taxes from real property in the redevelopment project area.~~

~~In addition to obligations secured by the special tax allocation fund, the municipality may pledge for a period not greater than the term of the obligations toward payment of the obligations any part of the revenues remaining after payment of operation and maintenance, of all or part of any redevelopment project.~~

The obligations may be issued in one or more series, may bear such date or dates, may mature at such time or times not exceeding thirty years from their respective dates, may bear such rate or rates of interest as the governing body shall determine, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment, at such place or places, may be subject to such terms of redemption, with or without premium, may be declared or become due before the maturity date thereof, may provide for the replacement of mutilated, destroyed, stolen, or lost bonds, may be authenticated in such manner and upon compliance with such conditions, and may contain such other terms and covenants, as may be provided by the governing body of the municipality. If the governing body determines to sell any obligations the obligations must be sold at public or private sale in such manner and upon such terms as the governing body considers best for the interest of the municipality.

A certified copy of the ordinance authorizing the issuance of the obligations must be filed with the clerk of the governing body of

each county and treasurer of each county in which any portion of the municipality is situated and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality also may issue its obligations to refund in whole or in part obligations previously issued by the municipality under the authority of this chapter, whether at or prior to maturity, and all references in this chapter to 'obligations' are considered to include these refunding obligations.

The debt incurred by a municipality pursuant to this chapter is exclusive of any statutory limitation upon the indebtedness a taxing district may incur. All obligations issued pursuant to this chapter shall contain a statement on the face of the obligation specifying the sources from which payment is to be made and shall state that the full faith, credit, and taxing powers are not pledged for the obligations.

The trustee or depositary under any indenture may be such persons or corporations as the governing body designates, or they may be nonresidents of South Carolina or incorporated under the laws of the United States or the laws of other states of the United States."

SECTION 2. Chapter 6, Title 31 of the 1976 Code is amended by adding:

"Section 31-6-45. Any redevelopment project designated under the authority of this chapter must be described in the authorizing ordinance with reasonable particularity to give notice of the extent of the project and must include a specific pledge of funds from obligations or generated revenue."

SECTION 3. Section 31-6-50 of the 1976 Code is amended to read:

"Section 31-6-50. ~~The proceeds from obligations issued under authority of this chapter must be applied only for the purpose for which they were issued. Any premium and accrued interest received in any such sale must be applied to the payment of the principal of or the interest on the obligations sold. Any portion of the proceeds not needed for redevelopment project costs must be applied to the payment of the principal of or the interest on the obligations.~~

(A) All proceeds from obligations issued under authority of this chapter, revenues raised by the special tax allocation, and any premium or accrued interest must only be applied for:

(1) the payment of the principal or interest on the obligations sold for projects specified and budgeted in the municipal ordinance authorized by this section; or

(2) redevelopment project costs for projects only specified and budgeted in the municipal ordinance authorized by this section.

(B) All remaining monies are surplus funds. Surplus funds may be used to pay down the outstanding debt obligations or otherwise must be distributed annually to the taxing districts in the redevelopment project area by being paid by the municipality to the county treasurer of the county in which the municipality is located. The county treasurer shall immediately thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county treasurer to the affected districts of real property taxes from real property in the redevelopment project area."

SECTION 4. This act takes effect upon approval by the Governor.

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South Carolina General Assembly
119th Session, 2011-2012

S. 1034

STATUS INFORMATION

General Bill
Sponsors: Senator Elliott
Document Path: l:\s-res\de\001loca.mrh.de.docx

Introduced in the Senate on January 10, 2012
Currently residing in the Senate Committee on **Finance**

Summary: Local government entities, agencies, etc. that receive, collect or spend public funds derived from tax revenue to file periodic expenditure reports with entity that provided, collected or spend public funds

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
12/5/2011	Senate	Prefiled
12/5/2011	Senate	Referred to Committee on **Finance**
1/10/2012	Senate	Introduced and read first time (Senate Journal-page 23)
1/10/2012	Senate	Referred to Committee on **Finance** (Senate Journal-page 23)

View the latest legislative information at the LPITS web site

VERSIONS OF THIS BILL

12/5/2011

A BILL

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-1050 TO REQUIRE LOCAL GOVERNMENTAL ENTITIES, AGENCIES, ORGANIZATIONS, OR INDIVIDUALS THAT RECEIVE, COLLECT, OR SPEND PUBLIC FUNDS DERIVED FROM STATE OR LOCAL TAX REVENUE TO FILE PERIODIC EXPENDITURE REPORTS WITH THE STATE OR LOCAL GOVERNMENTAL ENTITY OR AGENCY THAT PROVIDED, COLLECTED, OR SPENT THE PUBLIC FUNDS.

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

SECTION 1. Article 15, Chapter 1, Title 1 of the 1976 Code is amended by adding:

"Section 1-1-1050. (A) By no later than July 1, 2012, a non-governmental entity, agency, or organization, whether for or not-for-profit, that received more than one hundred dollars in county or municipal grants in the previous calendar year, must begin quarterly submissions of an expenditure report to the jurisdiction awarding the funds. For purposes of this section, 'grants' are those monies derived either from county or municipal tax revenue or appropriated to the jurisdiction by the General Assembly that are awarded, gifted, designated, or contributed by a jurisdiction to an entity, agency, or organization, whether by formula or at the jurisdiction's discretion for any purpose, including revenues distributed pursuant to Section 4-10-970(B). 'Grants' do not include payments for direct services or goods.

(B) The expenditure report must include:

(1) the amount of funds received;

(2) the amount of funds expended;

(3) the purposes for which the funds were expended; and

(4) any other information required by the jurisdiction to promote transparency and public confidence in how the grantee entities, agencies, and organizations expend the funds.

(C) Unless all or portions of the report may be redacted or exempted pursuant to subsection (D), a county and municipality receiving expenditure reports required by this section shall prominently display the reports on the jurisdiction's Internet website. The reports must be downloadable and maintained for three years. If a jurisdiction does not maintain an Internet website, the register must be maintained on the Internet website of the Comptroller General. Also, a jurisdiction shall display the name and amount of funds awarded to any entity, agency, or organization that has failed to timely submit an expenditure report.

(D) Any information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting required by this section. A county or municipality may also exempt disclosure of any expenditure or reimbursement that the jurisdiction determines is reasonable and necessary to exclude. If a jurisdiction excludes an expenditure or reimbursement, the jurisdiction must, in general terms, state the reasons for the exclusion. The statement shall be displayed in the same manner and location as the expenditure report.

(E) To avoid additional expense for county and municipal governments in the implementation of this section, the expenditure reporting must be effected using existing resources with no additional expense to the jurisdiction. The Office of the Comptroller General must be available to county and municipal governments, upon their formal request, to provide technical assistance in meeting the requirements of this section. The Office of the Comptroller General shall not intercede on behalf of jurisdictions unless a formal request is made."

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

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South Carolina General Assembly
119th Session, 2011-2012

H. 4337

STATUS INFORMATION

General Bill
Sponsors: Rep. Edge
Document Path: l:\council\bills\nbd\11777dg11.docx

Introduced in the House on June 2, 2011
Currently residing in the House Committee on **Ways and Means**

Summary: Travel Agent Tax Fairness Act

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
6/2/2011	House	Introduced and read first time (House Journal-page 8)
6/2/2011	House	Referred to Committee on **Ways and Means** (House Journal-page 8)

View the latest legislative information at the LPITS web site

VERSIONS OF THIS BILL

6/2/2011

A BILL

TO AMEND SECTION 12-36-920, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ACCOMMODATIONS TAX, SO AS TO PROVIDE THAT THE ACCOMMODATIONS TAX SHALL APPLY SOLELY TO AMOUNTS RECEIVED BY THE OPERATOR OF HOTEL, INN, TOURIST COURT, TOURIST CAMP, MOTEL, CAMPGROUND, RESIDENCE, OR ANY PLACE IN WHICH ROOMS, LODGINGS, OR SLEEPING ACCOMMODATIONS ARE FURNISHED TO TRANSIENTS FOR A CONSIDERATION.

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

SECTION 1. This Act may be cited as the "Travel Agent Tax Fairness Act".

SECTION 2. The General Assembly finds that:

(A) Travel agents and online travel companies provide valuable services to travelers, showing comparisons of rates and amenities offered by multiple, competing hotel operators.

(B) These facilitation services are distinct from the provision of a room by the hotel where the traveler eventually stays.

(C) Travelers rely on travel agents and online travel companies to research, compare, and book reservations.

(D) Hotel occupancy taxes should not be imposed on services provided by travel agents and online travel companies.

SECTION 3. Section 12-36-920 of the 1976 Code, as last amended by Act 56 of 2005, is further amended by adding an appropriately lettered subsection at the end to read:

"( )(1) Notwithstanding any other provision of law, the tax imposed by subsection (A) shall apply solely to amounts received by the operator of a hotel, inn, tourist court, tourist camp, motel, campground, residence, or any place in which rooms, lodgings, or sleeping accommodations are furnished to transients for a consideration.

(2) Under no circumstances shall a travel agent or intermediary be deemed an operator of a hotel, inn, tourist court, tourist camp, motel, campground, residence, or any place in which rooms, lodgings, or sleeping accommodations are furnished to transients for a consideration unless the travel agent or intermediary actually operates the facility."

SECTION 4. This act takes effect upon approval by the Governor.

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South Carolina General Assembly
119th Session, 2011-2012

H. 4419

STATUS INFORMATION

Joint Resolution
Sponsors: Rep. Toole
Document Path: l:\council\bills\ggs\22219zw12.docx

Introduced in the House on January 10, 2012
Currently residing in the House Committee on **Judiciary**

Summary: Election of county property tax assessors

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
11/29/2011	House	Prefiled
11/29/2011	House	Referred to Committee on **Judiciary**
1/10/2012	House	Introduced and read first time (House Journal-page 32)
1/10/2012	House	Referred to Committee on **Judiciary** (House Journal-page 32)

View the latest legislative information at the LPITS web site

VERSIONS OF THIS BILL

11/29/2011

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE VII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO COUNTIES AND COUNTY GOVERNMENT, BY ADDING A NEW SECTION SO AS TO PROVIDE THAT THERE MUST BE ELECTED IN EACH COUNTY A PROPERTY TAX ASSESSOR WHO SHALL SERVE FOR A TERM OF FOUR YEARS AND UNTIL HIS SUCCESSOR IS ELECTED AND QUALIFIES AND TO PROVIDE THAT THE GENERAL ASSEMBLY BY GENERAL LAW SHALL PROVIDE FOR THE DUTIES, QUALIFICATIONS, AND COMPENSATION OF COUNTY PROPERTY TAX ASSESSORS.

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

SECTION 1. It is proposed that Article VII of the Constitution of this State be amended by adding a new section at the end to read:

"Section 16. The qualified electors of each county shall elect a county property tax assessor for the county. The county property tax assessor shall serve for a term of four years and until his successor is elected and qualifies. The General Assembly by general law shall provide for the election, duties, qualifications, and compensation of county property tax assessors."

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Article VII of the Constitution of this State, relating to counties and county government, be amended by adding a new

section so as to provide that the qualified electors of each county shall elect a county property tax assessor for the county, to provide that the county property tax assessor shall serve for a term of four years and until his successor is elected and qualifies, and to provide that the General Assembly by general law shall provide for the election, duties, qualifications, and compensation of county property tax assessors?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

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South Carolina General Assembly
119th Session, 2011-2012

H. 4426

STATUS INFORMATION

General Bill
Sponsors: Rep. Barfield
Document Path: l:\council\bills\ggs\22210zw12.docx

Introduced in the House on January 10, 2012
Currently residing in the House Committee on **Judiciary**

Summary: Professional tree cutting and removal services

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
11/29/2011	House	Prefiled
11/29/2011	House	Referred to Committee on **Judiciary**
1/10/2012	House	Introduced and read first time (House Journal-page 34)
1/10/2012	House	Referred to Committee on **Judiciary** (House Journal-page 34)

View the latest legislative information at the LPITS web site

VERSIONS OF THIS BILL

11/29/2011

A BILL

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-180 SO AS TO PROVIDE THAT A CITY, COUNTY, MUNICIPALITY, OR OTHER LOCAL GOVERNMENTAL ENTITY MAY NOT ENACT OR ENFORCE AN ORDINANCE, POLICY, OR REGULATION THAT PROHIBITS INDIVIDUALS OR BUSINESSES PROVIDING PROFESSIONAL TREE CUTTING AND REMOVAL SERVICES FROM BURNING THE COLLECTED DEBRIS IN A LOCATION AND MANNER THAT IS CONSISTENT WITH STATE LAW AND REGULATIONS.

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

SECTION 1. Article 1, Chapter 1, Title 8 of the 1976 Code is amended by adding:

"Section 6-1-180. Notwithstanding another provision of law, a city, county, municipality, or other local governmental entity may not enact or enforce an ordinance, policy, or regulation that prohibits individuals or businesses that provide professional tree cutting and removal services from burning the collected debris in a location and manner that is consistent with state law and regulations."

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

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