

# SCAC Legislative Wrap-Up | June 2024

The South Carolina Association of Counties continues to advocate on behalf of county government and shape statewide legislation to benefit all South Carolina counties. Some highlights of the 2024\* session include the following bills that address **SCAC policy positions**:

## Revenue, Finance and Economic Development

### SC State Budget — H. 5100

SCAC continues to work with legislative leaders to ensure full funding of the Local Government Fund (LGF) and Rural Stabilization Fund. In FY 2024-2025, the LGF will once again increase by over \$13 million and \$12 million will be returned to rural counties in the Rural Stabilization Fund.

**Status: The budget bill is in conference committee.**

### Low-Income Housing Property Tax Exemption Fix — S. 1017

This bill addresses a potential loophole created by Act 145 in 2020 that provides a property tax exemption for “all property of nonprofit housing corporations or instrumentalities of these corporations when the property is devoted to providing housing to low or very low-income residents” as long as the corporation or its instrumentality satisfies the safe harbor provisions of Revenue Procedure 96-32.

S. 1017 provides that the nonprofit housing corporation only gets a complete property tax exemption if it has more than a 50% ownership interest in the property. If their interest is less than 50%, the exemption will be proportionate to the percentage of their interest. Upon initial application for the exemption, the corporation must certify to the Department of Revenue (DOR) the percentage of its owner interest in the property and thereafter must provide an annual certification to DOR of the percentage of its economic interest in the property to show that they continue to meet the qualifications for the exemption.

**Status: The bill is in conference committee.**

## Public Safety, Corrections and Judicial

### Coroner Qualifications and Law Enforcement/Judicial Privacy Act — H. 3865

This bill closes a loophole in the current qualifications for coroners. It removes the option where a candidate enrolled in a certification program to be completed within one year of being elected to the office of coroner could meet the qualification requirements, which is **an SCAC policy position**. By removing this option, candidates must have completed a recognized forensic science degree or certification program to qualify.

SCAC also was able to get the bill amended to extend the enactment date of Act 56 of 2023 (Law Enforcement/Judicial Privacy Act) from July 1, 2024 to July 1, 2025. This Act allows current and former law enforcement officers and judges to have their personal contact information removed from any public documents. Extending the enactment date would allow time to address issues in the Act raised by the clerks of court and registers of deeds.

**Status: The bill is in conference committee.**

### Auditor’s Endorsements on Deeds — H. 3608

This bill removes the requirement that county auditors endorse deeds for conveyance for real property but permits them to do so either before or after recording the deed.

**Status: Signed by the Governor.**

### Probate Code Cleanup — H. 4234

This bill updates the probate laws in compliance with the Uniform Guardianship and Protective Proceedings Act that became effective in 2019 by amending the procedures for guardianship and conservatorship proceedings.

**Status: Signed by the Governor.**

### Cost of Care for Seized Animals — H. 3682

SCAC was able work out a compromise on this bill, which would allow a person whose animal was seized as a result of an arrest, to recover any cost of care ordered by a court while they were incarcerated, **plus cost and interest (SCAC’s policy position was to oppose this bill)**. Under the compromise amendment, a court may award interest to the owner of the amount refunded **if they are found not guilty**.

**Status: Signed by the Governor.**

## Land Use, Transportation and Natural Resources

### Solid Waste Management/End-of-Life Solar Components — Doc. 5191

This new regulation (R.61107.20: Solar Energy Systems) establishes registration requirements and requires all large solar energy systems to have a decommissioning plan. This plan must address the removal of photovoltaic modules and accompanying equipment, contain procedures for the remediation of the land, and have a requirement that solar companies provide financial assurances to address the cost of decommissioning before establishing such facilities in a county.

**Status: This regulation went into effect on May 24, 2024.**

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\*Note: This was the second of a two-year session, meaning bills that did not pass and that are not included in the sine die resolution will have to be refiled in 2025.



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ASSOCIATION OF COUNTIES