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(A76, R88, H3018)

**AN ACT TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT FROM PROPERTY TAX THE VALUE OF IMPROVEMENTS TO REAL PROPERTY CONSISTING OF A NEWLY CONSTRUCTED DETACHED SINGLE FAMILY HOME THROUGH THE EARLIER OF THE PROPERTY TAX IN WHICH THE HOME IS SOLD OR OTHERWISE OCCUPIED, OR THE SIXTH PROPERTY TAX YEAR ENDING DECEMBER THIRTY-FIRST AFTER THE HOME IS COMPLETED AND A CERTIFICATE FOR OCCUPANCY ISSUED THEREON IF REQUIRED AND TO PROVIDE THE METHOD OF APPLYING FOR THE EXEMPTION; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSIFICATIONS AND VALUATION OF PROPERTY FOR PURPOSES OF PROPERTY TAX, SO AS TO REVISE AN ELIGIBILITY REQUIREMENT TO RECEIVE THE FOUR PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY.**

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

**Property tax exemption allowed**

SECTION 1. Section 12-37-220(B) of the 1976 Code, as last amended by Act 357 of 2008, is further amended by adding a new item at the end appropriately numbered to read:

“( ) one hundred percent of the value of an improvement to real property consisting of a newly constructed detached single family home offered for sale by a residential builder or developer through the earlier of:

(a) the property tax year in which the home is sold or otherwise occupied; or

(b) the property tax year ending the sixth December thirty-first after the home is completed and a certificate of occupancy, if required, is issued thereon.

In lieu of other exemption application requirements, the owner of property eligible for the exemption allowed by this item shall obtain the exemption by notifying the county assessor and county auditor by written affidavit no later than thirty days after the certificate of occupancy is issued and no later than January thirty-first in subsequent exemption eligibility years that the property is of the type eligible for the exemption and unoccupied and if found in order, the exemption is allowed for the applicable property tax year. If the unsold residence is occupied at any time before eligibility for the exemption ends, the owner shall so notify the auditor and assessor and the exemption ends as provided in subitem (a) of this item.”

### **Requirements for four percent assessment ratio revised**

SECTION 2. Section 12-43-220(c)(2)(iii) of the 1976 Code is amended to read:

“(iii) For purposes of subitem (ii)(B) of this item, ‘a member of my household’ means:

(A) the owner-occupant’s spouse, except when that spouse is legally separated from the owner-occupant; and

(B) any child under the age of eighteen years of the owner-occupant claimed or eligible to be claimed as a dependent on the owner-occupant’s federal income tax return.”

### **Time effective**

SECTION 3. This act takes effect upon approval by the Governor and Section 1 applies for single family homes completed and, if required, a certificate of occupancy issued thereon after 2006. No refunds are allowed for property tax years 2007 and 2008 as a result of the exemption allowed pursuant to this act.

Ratified the 27<sup>th</sup> day of May, 2009.

Vetoed by the Governor -- 6/2/09.

Veto overridden by House -- 6/16/09.

Veto overridden by Senate -- 6/16/09.

**HORRY COUNTY  
ASSESSOR'S OFFICE**



1301 SECOND AVENUE – SUITE 1C08  
CONWAY, SOUTH CAROLINA 29526  
PHONE (843) 915-5040  
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**APPLICATION FOR PROPERTY TAX EXEMPTION**  
(Newly Constructed and Unoccupied Detached Single Family Homes)

The South Carolina General Assembly passed legislation in 2009 to give builders/developers an exemption on property tax for newly constructed, unoccupied, detached, single-family homes that received their Certificate Of Occupancy (CO) after 2006. Effective July 1, 2009, a newly constructed home that remains unoccupied will not have the improvement (home) taxed until it is occupied, or the home reaches the **Sixth December 31<sup>st</sup>** after receiving its Certificate Of Occupancy (CO). SOUTH CAROLINA CODE OF LAWS, Title 12, Chapter 37, Section 12-37-220(B), Bill - H.3018, Ratification - R88, Act – 76.

**TAXPAYER INFORMATION**

**TAX YEAR** \_\_\_\_\_

**LICENSE # (required)** \_\_\_\_\_

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Company Name \_\_\_\_\_ Cell phone \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**PROPERTY INFORMATION:**

PIN or TAX MAP# \_\_\_\_\_

Property Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Date Certificate of Occupancy (CO) Issued** \_\_\_\_\_

**CERTIFICATION:**

I certify that I am the owner of record (as of December 31<sup>st</sup> of the previous tax year) of the above newly constructed, detached, single-family home, that the home has yet to be occupied, that the home is complete and has received a Certificate Of Occupancy (CO) (if required), that I am responsible for the property tax on this property, and that the information that I have provided is correct. I further understand that:

1. I am responsible for paying the property tax on the unimproved land,
2. I must notify the Assessor when the home is occupied, regardless whether or not it is sold.
3. I must recertify annually by **JANUARY 31<sup>st</sup>** of each year that this home is eligible for the tax exemption and that the home has remained unoccupied since its CO was issued.

\_\_\_\_\_  
Signature of Property Owner  
License # \_\_\_\_\_

\_\_\_\_\_  
Date of Application

\_\_\_\_\_  
NOTARY Signature  
Commission Expires \_\_\_\_\_

**ANNUAL RECERTIFICATION:**

I certify that the home listed above for which I received a property tax exemption last tax year remains unoccupied and the **Date** of the Certificate of Occupancy (CO) Issued has not exceeded the **Sixth December 31<sup>st</sup>** .

\_\_\_\_\_  
Signature of Property Owner                      \_\_\_\_\_  
License # \_\_\_\_\_                      Recertification Date                      TAX YEAR \_\_\_\_\_

I certify that the home listed above for which I received a property tax exemption last tax year remains unoccupied and the **Date** of the Certificate of Occupancy (CO) Issued has not exceeded the **Sixth December 31<sup>st</sup>** .

\_\_\_\_\_  
Signature of Property Owner                      \_\_\_\_\_  
License # \_\_\_\_\_                      Recertification Date                      TAX YEAR \_\_\_\_\_

I certify that the home listed above for which I received a property tax exemption last tax year remains unoccupied and the **Date** of the Certificate of Occupancy (CO) Issued has not exceeded the **Sixth December 31<sup>st</sup>** .

\_\_\_\_\_  
Signature of Property Owner                      \_\_\_\_\_  
License # \_\_\_\_\_                      Recertification Date                      TAX YEAR \_\_\_\_\_

I certify that the home listed above for which I received a property tax exemption last tax year remains unoccupied and the **Date** of the Certificate of Occupancy (CO) Issued has not exceeded the **Sixth December 31<sup>st</sup>** .

\_\_\_\_\_  
Signature of Property Owner                      \_\_\_\_\_  
License # \_\_\_\_\_                      Recertification Date                      TAX YEAR \_\_\_\_\_