#### State of South Carolina

#### **Department of Revenue**

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#### SC INFORMATION LETTER #04-15

SUBJECT: Reorganized Property Tax Regulations

(Property Tax)

DATE: July 1, 2004

REFERENCE: Code of Regulations, Chapter 117, Article 6 (Repealed except for 117-105)

Code of Regulations, Chapter 117, Article 37 (Enacted June 25, 2004)

State Register, June 25, 2004, Document Number 2850

AUTHORITY: S. C. Code Ann. Section 12-4-320 (2000)

SC Revenue Procedure #03-1

SCOPE: An Information Letter is a written statement issued to the public by the

Department to announce general information useful in complying with the laws administered by the Department. An Information Letter has no precedential value, and is not binding on the public or the Department.

### **Reorganized Property Tax Regulations**

The General Assembly has approved Document No. 2850 which repeals Article 6 of Chapter 117, with the exception of SC Regulation 117-105, of the SC Code of Regulations and creates nine new regulations concerning property taxation in a new Article 37. These new regulations became effective on June 25, 2004.

Property tax regulations are now combined so that all regulations concerning one subject matter can be found in one regulation and therefore one place in the regulation code. In addition, each regulation has several "subsections" numbered in a manner to allow future issues concerning the same subject matter to be added on and still be in the same place in the regulation code as other similar issues. For example, general definitions used in administering property taxes can be found in one regulation under Regulation 117-1700. This regulation has several "subsections" numbered 117-1700.1, 117-1700.2, and so on, The project reduces the number of property tax regulations to nine.

The new regulations are organized as set forth in the following chart. The first column list the nine new regulations along with the various subsections (e.g., 1700.1,1700.2, etc.) of each regulation. The second column provides the subject matter of the regulation.

# Property Tax Regulations Chapter 117, Article 37, Sections 117 – 1700 through 117-1840

New Regulation Section	Subject Matter	
117-1700	General Definitions to be Used in Administering Property	
	Taxes	
117-1700.1	Reserved	
117-1700.2	Definition of "Power Driven" Farm Machinery and	
	Equipment	
117-1700.3	Definition of Utility	
117-1700.4	Definition of Transportation Companies	
117-1700.5	Definition of Facility	
117-1700.6	Definition of Parsonage	
117-1700.7	Definition of Plant Site	
117-1720	DOR Responsibilities in Property Tax	
117-1720.1	Responsibilities of the DOR in Property Taxes and Fee in	
	Lieu of Taxes and Matters Handled by the Office of the	
	Comptroller General	
117-1720.2	General Requirements for Ratio Studies	
117-1720.3	Computation of Index of Taxpaying Ability for School	
	District When Property Under Appeal	
117-1740	County Administrative Requirements and Forms Filed	
	with the County	
117-1740.1	General Requirements for Building Permits	
117-1740.2	Cadastral Maps and Parcel Identifiers	
117-1740.3	General Requirements for Appraisal Records	
117-1740.4	Forms to Provide to DOR with Information for Ratio	
	Studies	
117-1760	Classification of Property –General Provisions as to Use	
	of Property	
117-1760.1	Classification of Companies	
117-1760.2	Multi-use Property	
117-1780	Classification of Property – Agricultural Use	
117-1780.1	Definition of Agricultural Real Property	
117-1780.2	Agricultural Special Assessment Applications	
117-1780.3	Rollback Provisions On Agricultural Land	
117-1800	Classification of Property – Legal Residence	
117-1800.1	Application for Special Assessment as Legal Residence	
117-1820	Manufacturing Plants Constructed Pursuant to the	
	Industrial Revenue Bond Act	
117-1820.1	Manufacturing Plants Constructed Pursuant to the	
	Industrial Revenue Bond Act	
117-1840	Valuation of Property Subject to Property Taxes	
117-1840.1	Value of Merchants' Furniture, Fixtures, and Equipment	
117-1840.2	Use of Assessment Guides Published by the DOR	
117-1840.5	Discount for Subdivided Land	
117-1860	Returns	
117-1860.1	Licensed Automotive Vehicles and Airplanes	

## **Cross Reference Table of Repealed and New Regulations**

The following table provides a reference to help the taxpayer track a recodified regulation. The first column contains the number of the repealed regulation. The second column contains the number of the new regulation that contains the same subject matter as the old regulation. The third column contains a summary of the subject matter that the new and old regulations addressed.

Repealed/Former Regulation	New Regulations	Subject Matter
117-8*	117-1720.1	Responsibilities of the DOR in Property
11, 0	117 1720.1	Tax and Fee in Lieu of Taxes and Matters
		Handled by the Office of the Comptroller
		General
117-105	Retained	Property Defined
117-110	117-1840.1	Value of Merchants' Furniture, Fixtures,
		and Equipment
117-112	117-1740.3	General Requirements for Appraisal
		Records
117-113	117-1740.1	General Requirements for Building
		Permits
117-114	117-1780.1	Definition of Agricultural Real Property
117-115	117-1720.2	General Requirements for Ratio Studies
117-116	117-1740.4	Forms to Provide to DOR with
		Information for Ratio Studies
117-117	117-1740.2	Cadastral Maps and Parcel Identifiers
117-119	117-1840.2,	Use of Assessment Guides Published by
	Section a.	the DOR
117-119.1	117-1840.2,	Use of Assessment Guides Published by
	Section b.	the DOR-Information Required for
		Property Not Covered by Assessment
		Guide
117-124.1	117-1760.1	Classification of Companies
117-124.2	117-1860.1	Licensed Automotive Vehicles and
		Airplanes
117-124.3	117-1820.1	Manufacturing Plants Constructed
		Pursuant to the Industrial Revenue Bond
		Act
117-124.4	117-1700.7	Plant Site Defined
117-124.5	117-1700.2	Definition of "Power Driven" Farm
		Machinery and Equipment
117-124.6	117-1800.1	Application for Special Assessment as
		Legal Residence
117-124.7	117-1780.2	Agricultural Special Assessment
		Applications
117-124.8	117-1760.2	Multi-use Property
117-124.9	117-1700.3	Definition of Utility

117-124.10	117-1700.4	Definition of Transportation Companies
117-124.11	117-1780.3	Rollback Provisions on Agricultural Land
117-124.13	117-1700.6	Definition of Parsonage
117-124.22	117-1700.5	Definition of Facility
117-126	117-1840.2,	Use of Assessment Guides Published by
	Section c.	the DOR-Use value manuals and
		procedure for cropland and timberland
117-127	117-1720.3	Computation of Index of Taxpaying
		Ability for School District when Property
		Under Appeal
117-128	117-1840.5	Discount for Subdivided land

<sup>\*</sup> SC Regulation 117-8 has been retained. The Department of Revenue will soon publish a Notice of Drafting seeking the repeal of SC Regulation 117-8 since the regulation is now codified in SC Regulation 117-1720.1.

### **Where to Find the New Property Tax Regulations**

The final notice concerning this document (2850) which includes the text of the new regulations, was published in the State Register on June 25, 2004 and can be found at <a href="http://www.scstatehouse.net/regs/2850.DOC">http://www.scstatehouse.net/regs/2850.DOC</a>.