

ARTICLE 5.

LEXINGTON AND RICHLAND COUNTIES

SECTION 55-11-310. Richland-Lexington Airport District created.

The territory embraced by the counties of Richland and Lexington is hereby constituted an airport district and a political subdivision of this State, the functions of which shall be public and governmental, and the inhabitants of the territory are hereby constituted a body politic and corporate. The corporate name of the airport district shall be Richland-Lexington Airport District, and by that name the airport district may sue and be sued.

HISTORY: 1962 Code Section 2-390.13; 1961 (52) 53; 1962 (52) 1660; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-320. Richland-Lexington Airport District created; members; appointment; terms; vacancies; compensation.

The corporate powers and duties of the Richland-Lexington Airport District must be exercised and performed by a commission to be known as Richland-Lexington Airport Commission. The commission must be composed of twelve members. Five members must be appointed by the Lexington County Legislative Delegation, five members must be appointed by the Richland County Legislative Delegation, and two members must be appointed by the City Council of the City of Columbia. The members of the commission shall serve for terms of four years and until their successors are appointed. Members may not serve more than two consecutive terms. In the event of a vacancy for any reason, other than the expiration of a term, a successor must be appointed in the same manner of the original appointment for the balance of the unexpired term. Any member may be removed by the appointing authority for neglect of duty, misconduct, or malfeasance in office after being given a written statement of reasons and an opportunity to be heard. Notwithstanding the expiration of the term of office of any member, he shall continue to serve until his successor shall have been appointed, but any delay in appointing a successor shall not extend the term of the successor. The members of the commission shall serve without compensation, except for their actual and necessary expenses while in performance of duties prescribed under this article.

HISTORY: 1962 Code Section 2-390.14; 1961 (52) 53; 1962 (52) 1660; 1971 (57) 766; 1994 Act No. 403, Section 1, eff May 18, 1994; 2002 Act No. 326, Section 10, eff June 18, 2002; 2012 Act No. 117, Section 1, eff February 1, 2012; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-330. Officers of Commission.

The commission shall appoint one of its members as chairman, one of its members as vice chairman, and one of its members, or any other competent person, as secretary of the commission. The chairman of the commission shall serve for a term of two years and until his successor is appointed and qualified. The vice chairman shall likewise serve for a term of two years and until his successor is appointed and qualified. The office of chairman of the commission must be rotated among the representatives of the three constituent appointing public bodies, appointed by majority vote of the commission, for a term of two years. The frequency of serving as chairman of the commission must be based upon, and substantially equivalent to, the percentage that each public body's membership on the commission is to the total membership of the commission. No representative of the same public body may be appointed chairman unless there has been at least one full two-year intervening term in which a representative of one of the other public bodies has served as chairman. In the event that the office of chairman becomes

vacant, the duties of the chairman must be temporarily performed by the vice chairman, but a successor must be appointed as expeditiously as possible from the members representing the same constituent public body as did the former chairman who failed to complete his term. Insofar as is practicable, the same scheme of rotation must be applied to the office of vice chairman, but the practice of rotating the office of vice chairman may be dispensed with, if the commission, by a two-thirds vote, finds that the rotation of this office is impracticable. Office on the commission is deemed an office of honor within the meaning of the provisions of Section 1A, Article 17 of the Constitution of South Carolina. The term of the secretary of the commission must be fixed by the commission.

HISTORY: 1962 Code Section 2-390.15; 1961 (52) 53; 1962 (52) 1660; 2008 Act No. 306, Section 1, eff June 11, 2008; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-340. Powers and duties of Commission.

There is hereby committed to the Commission the functions of planning, establishing, developing, constructing, enlarging, improving, maintaining, equipping, operating, regulating, protecting and policing such airports and air navigation facilities as shall be necessary to serve the people of the Richland-Lexington Airport district and the public generally. To this end, the commission is empowered:

- (1) To have and enjoy perpetual succession.
- (2) To adopt, use and alter a corporate seal.
- (3) To make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings, which shall require the presence of a simple majority of the total number of commissioners as provided by statute. Adequate notification of all meetings and the time and place shall be given to each member.
- (4) To plan, establish, develop, construct, enlarge, improve, maintain (which term shall include, here as hereafter, the power to establish a reasonable reserve for maintenance), equip, operate, regulate, protect and police its airports and air navigation facilities under such reasonable rules and regulations as the commission may from time to time promulgate.
- (5) To maintain and extend runways, terminals, maintenance shops, access roads, utilities systems, concessions, accommodations, own and maintain within the district postal facilities, and other facilities of whatever nature or kind for the comfort and accommodation of air travelers and air freight; to purchase and sell supplies, goods, and commodities as an incident to the operation of its airport facilities; and for all those purposes, the commission may, by purchase, gift, devise, lease, eminent domain proceedings, or otherwise, acquire, hold, develop, use, lease, mortgage, sell, transfer, and dispose of any property, real or personal, or any interest in it, including easements in or over land needed to prevent airport hazards, or land outside the boundaries of its airports and air navigation facilities necessary to permit the removal, elimination, obstruction-marking or obstruction-lighting of airport hazards, or to prevent the establishment of airport hazards.
- (6) To license, lease, rent, sell or otherwise provide for the use of any of its airport facilities, and facilities auxiliary thereto, including the privilege of supplying goods, commodities, things, services or facilities at such airport by itself or by any persons or corporations qualified therefor, on such terms and conditions as its discretion may dictate; provided, that in no case shall the public be deprived of its rightful, equal, and uniform use of its airports and air navigation facilities.
- (7) For the purpose of promoting the safety of its airports and for the general welfare of air transportation the commission is empowered by regulation to restrict the height of any building, structure or obstruction including but not limited to towers, dwellings, trees, or any other object which might constitute a hazard to air transportation at its facilities within the area herein described. The commission may by regulation restrict the construction or erection of any building, structure or obstruction on lands located on the projection of any runways of its airport facilities at a height above a glide angle for aircraft of fifty feet to one foot measured outward from the boundaries of the end of any runway at said airport, for a distance of up to ten thousand feet along a prolongation of the center line of said runways and

extending laterally from the projection of said center lines of said runways from a distance of one thousand feet each way at the airport boundary, increasing to a lateral distance of four thousand feet each way from the center of any runway at a distance of ten thousand feet from the boundary of the airport.

It also may by regulation restrict the erection of any building or other type construction of any nature whatsoever on lands adjacent to its air transport facilities at any point adjacent to them, not covered by the preceding paragraphs, at a height above a glide angle for aircraft of fifteen feet to one foot, measured outward from the boundaries of any such air facilities for a distance of twenty-five hundred feet.

The commission shall, if it shall undertake to adopt regulations prohibiting such construction, conduct a public hearing prior to taking action of their own. Notice of such public meeting shall be published in a newspaper of general circulation within the district not less than seven days prior to the occasion fixed for the holding of such meeting. Such notice shall state the time and place of the meeting and shall briefly indicate the scope of the proposed regulation. At such public meeting all persons affected by the proposed regulation shall be entitled to appear and to be heard. If following such a meeting the regulation restricting the erection of any such buildings or structures as was herein described is adopted, notice of the adoption of the regulation shall be given by filing a certified copy thereof in the office of the Clerk of Court for Richland County and in the office of the Clerk of Court for Lexington County and additional copies shall be posted in the Courthouse for Richland County and in the Courthouse for Lexington County and in at least two public places within the district; and notice of the adoption of such regulations shall be published at least once during each of three successive weeks in a newspaper published in and having general circulation in the district. Such regulations shall become effective only after the foregoing shall have been done.

The commission is expressly authorized to apply to any court of general jurisdiction within the district for the enforcement of such regulations through the means of mandatory injunctions and other remedial proceedings and such courts are specifically empowered to render mandatory injunctions and such other remedial orders as shall appear to such courts to be just and reasonable.

The provisions of this item (7) are hereby declared separable from the remaining provisions of this article and the invalidity hereof shall not affect or extend to the remaining provisions of this article.

(8) To place in effect, and, from time to time, revise such schedules of licenses, rates, and charges for the use of its facilities as may be necessary or desirable to the orderly operation of its airport facilities, provided, that all such licenses, rates and charges shall be reasonable and nondiscriminatory; provided, further, that the provisions of this section shall not be construed to be in conflict with the provisions of item (6), supra, which authorize the leasing of land and buildings auxiliary to its airport facilities.

(9) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Section 28-9-10 through Section 28-9-110. All powers conferred on municipalities under such provisions are conferred hereby on the Richland-Lexington Airport Commission.

(10) To appoint officers, agents, employees and servants, and to prescribe the duties of such, including the right to appoint persons charged with the duty of enforcing the rules and regulations promulgated pursuant to the provisions of this article, to fix their compensation, and to determine if, and to what extent they shall be bonded for the faithful performance of their duties.

(11) To employ engineers, architects and attorneys, and to contract for such other services of a technical or professional nature as may be necessary or desirable to the performance of the duties of the commission.

(12) To make contracts for the construction, erection, maintenance and repair of the facilities in its charge, according to the provisions of the State Procurement Code, Chapter 35, Title 11.

(13) To deposit monies derived from the sale of any bonds authorized to be issued under the provisions of this article or from revenue-producing facilities in any bank or trust company having an office within the district, and to withdraw the same for the purpose of operating, maintaining, constructing, improving and extending any facility in its charge.

(14) To apply for, accept, receive, receipt for, disburse, and expend federal, state, county, or municipal monies and other monies, public or private, made available by grant or loan, or both, to accomplish, in

whole or in part, any of the purposes of this article, and to this end, to continue to prosecute any application heretofore filed with the Federal Aviation Agency, or any other federal agency, by the City of Columbia, and to pay from the funds of the district any costs hereafter incurred for any services rendered, since the date the application was filed, in connection with the procuring or processing of the application which is found by the commission to legitimately inure to the benefit of the Richland-Lexington Airport District. All federal monies accepted under this section shall be accepted and expended by the commission upon such terms and conditions as are prescribed by the United States, and as are consistent with state law; and all other monies accepted under this section shall be accepted and expended by the commission upon such terms and conditions as are prescribed by the State or other sources thereof.

(15) To pay for any services rendered for the benefit of the district from February 24, 1961 to July 9, 1973 which are found by the Commission to legitimately inure to the benefit of the Richland-Lexington Airport District.

(16) To accept donations of all sorts, including a deed of conveyance by Lexington County and the City of Columbia of its right, title, and interest in and to lands intended to form the site of the airport facility to be constructed by the district and to accept from the City of Columbia a relinquishment of any leasehold interest or estate now possessed by the City of Columbia.

(17) Invest the funds or monies in its possession, eligible for investment, in the shares of any federal savings and loan association or in the shares of any building and loan association organized and existing under the laws of this State when such shares are insured by the Federal Savings and Loan Insurance Corporation.

(18) To issue under the conditions prescribed in item (20) of this section general obligation bonds of the district in an amount not exceeding two million seven hundred thousand dollars.

(19) In addition to the powers given by item (18) of this section, to borrow on behalf of the district money and to make and issue negotiable bonds, notes, and other evidences of indebtedness payable solely from the revenue derived from the operation of any revenue-producing facility, or facilities, in its charge. The sums borrowed may be those needed to pay costs incident to the operation and maintenance of its airport facilities or such sums as may be needed to pay the costs of any extension, addition, or improvement to its airport facilities, or both. If the method of financing authorized by this item is used, neither the faith and credit of the State of South Carolina, nor of any county lying within the district, nor of the district itself shall be pledged to the payment of the principal and interest of the obligations, and there shall be on the face of such obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon. In order that a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Chapter 21, Title 6, as now and hereafter amended, and Chapter 17, Title 6, as now or hereafter amended. In exercising the powers conferred upon the district by such code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such code provisions. Specifically and notwithstanding contrary provisions in any such Code provisions, the district may:

(a) Provide that such bonds, notes, or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of any revenue-producing facility or facilities, as such net revenues may be defined by the Commission.

(b) Covenant and agree that upon its being adjudged in default as to the payment of any installment of principal and interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and also all revenues derived from the operation of the revenue-producing facility whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by resolutions adopted by the commission as an incident to the issuance of any notes, bonds, or other evidences of indebtedness.

(d) Dispose of its obligations at public or private sale and upon such terms and conditions as it shall approve.

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without a premium, and on such terms and conditions as the Commission shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of principal and interest of any obligation shall be in a fixed amount.

(g) Covenant and agree that it will not enter into any agreements with any person, firm, corporation, or with the government of this State, the United States, or any of the political subdivisions of the same for the furnishing of free services where such services are ordinarily charged for.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the evidences of default and conditions upon which all or any obligation shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

(20) The commission, on behalf of the district, shall be empowered to issue not exceeding two million seven hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used to defray the cost of constructing and establishing suitable airport facilities within the district. For the purpose of this section, the term "construct and establish" shall embrace the cost of direct construction, the cost of all land, property, rights, easements, and franchises acquired (in addition to such property as may be conveyed to the district by Lexington County and the City of Columbia) which are deemed necessary for the construction and use of runways, terminal buildings, maintenance shops, freight depots, service establishments, and any and all facilities incident, or in anywise appurtenant, to an airport facility, and all machinery and equipment needed therefor, payments to contractors, laborers, or others for work done or material furnished, financing charges, interest incurred in connection therewith, interest on the bonds herewith authorized for not exceeding eighteen months, cost of engineering services, architectural services, legal services, legal and engineering expenses, plans, specifications, surveys, projections, drawings, brochures, administrative expenses and such other expenses as may be necessary or incident to the construction and operation of an airport facility within the district, hereafter incurred, for the purposes for which the district is created. All or any general obligation bonds issued pursuant to this paragraph shall conform to the following specifications and be subject to the following procedures:

(a) They shall be issued as a single issue, or from time to time as several separate issues. They shall bear such date or dates as the commission shall determine, and bonds of any issue shall mature in such equal or unequal installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe, and they shall bear interest at such rate or rates, and shall be payable in such manner as the commission may determine. The bonds may be issued with the privilege of having them registered as to principal on the books of the commission and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this item may be made subject to redemption prior to its stated maturity, on such terms and conditions and with such redemption premium as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale. At least ten days prior to any sale, notice announcing the intention to receive bids for sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 12-1-60.

(d) All general obligation bonds issued pursuant to this article shall be manually signed by the chairman of the commission. The seal of the district shall be affixed to, impressed or reproduced upon each of such bonds, and each of such bonds shall be attested by the secretary of the commission. The

coupons attached to such bonds shall be authenticated by a facsimile of the signatures of the chairman and the secretary of the commission, who shall be in office on the date of the adoption of the resolution of the commission authorizing the bonds.

(e) The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution and authentication.

(f) There shall be irrevocably pledged for the payment of such bonds and interest as they mature the full faith, credit and resources of the district. Until the principal and interest of all bonds issued under this article shall be fully paid, there shall be levied on all taxable property in the district an annual tax ad valorem sufficient to pay the principal and interest of all bonds issued under this article as such principal and interest becomes due. The tax shall be annually levied by the Comptroller General of South Carolina and collected by the county treasurers of Richland and Lexington Counties at the same time and in the same manner as county taxes are collected. Each of the county treasurers shall collect the tax in his county and pay the same to the State Treasurer in the manner and within the time heretofore provided by law for the payment of state taxes to the State Treasurer, who shall set them apart in a special fund and apply them solely to the payment of principal and interest of the bonds so long as any such principal or interest remains outstanding. The tax to be levied under the provisions of this item shall not be substantially greater than the amount necessary to pay principal and interest of bonds maturing during the year in which monies produced by such levy will come into the hands of the State Treasurer, as reduced by the anticipated balance of funds actually in the hands of the State Treasurer, on the occasion when it becomes necessary to fix such tax levy, produce by: (a) additional collections from such levies made in prior years; (b) net revenues derived by the commission from the operation of its facilities not required to meet costs of operating, maintaining, enlarging and improving its facilities, or to discharge covenants securing bonds issued pursuant to item (19). When all principal and interest of outstanding bonds have been paid, the State Treasurer shall transfer any balance remaining in the special fund created under the terms of this paragraph to the general fund of the commission subject to its draft or order for any legitimate purpose incident to the operation, maintenance or extension of the district's airport facilities.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of the State of South Carolina in a separate and special fund, and shall be subject to transfer, upon warrants or orders of the commission, to any bank or trust company having an office within the district, to be expended by the commission for the purposes specified herein, and no others; provided, however, that any premium received shall be deposited with the Treasurer of the State of South Carolina and applied by him to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the State Treasurer to the first installment of interest becoming due on the bonds and provided, further, pending such withdrawals, the Treasurer of South Carolina shall, upon the request of the commission, be empowered to invest and reinvest the proceeds derived from the sale of the bonds in direct general obligations of the United States of America having a maturity of not more than one year from the date as of which such investment shall be made. Income derived from such investments shall be applied to the payment of any interest to accrue on the general obligation bonds of the district. Neither the purchaser of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sales.

(21) Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

HISTORY: 1962 Code Section 2-390.16; 1961 (52) 53; 1962 (52) 1660; 1964 (53) 1718; 1973 (58) 822; 1989 Act No. 16, Section 1; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-350. Regulation of use of roads, streets and parking facilities; employment of police officers; enforcement of rules and applicable laws; penalty.

The Richland-Lexington Airport Commission is authorized to adopt rules and promulgate regulations governing the use of roads, streets, and buildings, parking facilities, and all other airport facilities upon

the lands of the Richland-Lexington Airport Commission. Such rules and regulations shall not be in conflict with any State law and all State laws are hereby declared to be applicable to the roads, streets and parking facilities under the control of the commission. The rules and regulations authorized herein shall be effective when filed with the Director of the Columbia Metropolitan Airport and in accordance with Chapter 23, Title 1.

The Richland-Lexington Airport Commission is authorized to employ police officers to be commissioned by the Governor who shall enforce all laws, rules and regulations authorized herein and shall, in addition, have authority to issue summonses for violations thereof in the manner provided for South Carolina State Highway Patrolmen.

Persons violating any of the applicable laws within a magistrate's jurisdiction or any of the rules or regulations of the commission shall be tried by magistrates having jurisdiction of the area in which the violation occurred.

A person violating the provisions of any rule or regulation of the commission is guilty of a misdemeanor and, upon conviction, must be sentenced not more than the maximum fine or imprisonment allowed in magistrates court.

All fines and forfeitures collected under the provisions of this article shall be forwarded weekly to the Richland-Lexington Airport Commission by the enforcing magistrate, to be credited to the general operating fund of the district.

Notwithstanding the provisions of this section, any public road, street, or highway located in the Richland-Lexington Airport District which is contiguous to or intersects the corporate limits of a municipality is within the police jurisdiction of that municipality. Summonses issued by municipal police officers in the jurisdiction authorized pursuant to this section must be tried in municipal court, and all fines and forfeitures collected under the provisions of this paragraph may be retained by the enforcing municipality.

HISTORY: 1962 Code Section 2-390.16:1; 1969 (56) 140, 443; 1973 (58) 1822; 1997 Act No. 105, Section 3, eff upon approval (became law without the Governor's signature June 15, 1997); 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-351. Unauthorized entry on airport property; obstruction of access on airport property; physical violence upon airport property.

It is unlawful for a person or group of persons wilfully and knowingly to:

(1) enter or remain on an airport's roads, streets, buildings, parking facilities, or other airport properties unless the person is authorized by airport rules and regulations when entry is done for the purpose of uttering loud, threatening, and abusive language, or to engage in disorderly or disruptive conduct with the intent to impede, disrupt, or disturb the orderly conduct of business by airport or airport tenants' employees;

(2) obstruct or impede passage on an airport's properties or buildings; or

(3) engage in an act of physical violence upon airport properties or buildings.

HISTORY: 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-355. Airport district not barrier to contiguity requirements for purpose of annexation.

No property of the Richland-Lexington Airport District is a barrier to the contiguity requirements for the purposes of annexation. Any municipality which is contiguous to property owned by the district may annex, as provided by law, any property contiguous to the district.

HISTORY: 1997 Act No. 105, Section 2, eff upon approval (became law without the Governor's signature on June 15, 1997); 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-360. Revenues.

All revenues derived by the commission from the operation of any revenue-producing facility which may not be required to operate, maintain, enlarge and improve its airport facilities, or to pay obligations incurred in the issuance of any revenue bonds sold pursuant to the authorizations of item (19), Section 55-11-340, shall be paid over to the State Treasurer, and held by him for the payment of interest and principal of general obligation bonds of the district.

HISTORY: 1962 Code Section 2-390.17; 1961 (52) 53; 1962 (52) 1660; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-370. Rates not subject to State supervision or regulation.

The rates charged for services furnished by any revenue-producing facility of the district as constructed, improved, enlarged or extended, shall not be subject to supervision or regulation of any State bureau, commission, board or other like instrumentality or agency thereof.

HISTORY: 1962 Code Section 2-390.18; 1961 (52) 53; 1962 (52) 1660; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-380. Exemption from taxes.

Property and income of the district shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

HISTORY: 1962 Code Section 2-390.19; 1961 (52) 53; 1962 (52) 1660; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-390. Obligations not to be impaired.

So long as the district shall be indebted to any person, firm or corporation on any bonds, notes, or other obligations issued pursuant to the authority of this article, provisions of this article and the powers granted to the district and the commission shall not be in any way diminished and the provisions of this article shall be deemed a part of the contract between the district and the holders of such obligations.

HISTORY: 1962 Code Section 2-390.20; 1961 (52) 53; 1962 (52) 1660; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-400. Richland and Lexington Counties to furnish funds to Airport Commission.

The governing body of the county of Richland and the governing body of the county of Lexington are hereby authorized and directed to make, execute and deliver a contract, each with the other, agreeing to pay to the Richland-Lexington Airport Commission, in equal amounts, the funds necessary to meet the annual operating deficit, if any, of the Richland-Lexington Airport Commission or to provide for the commission sufficient funds to prevent any such deficit from arising by annual equal payments to the commission's anticipated budget.

HISTORY: 1962 Code Section 2-390.21; 1961 (52) 119; 1962 (52) 2256; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-410. Annual appropriations; defaults.

There shall be provided in the annual act levying taxes for county purposes by Richland County and Lexington County appropriations sufficient to carry out the provisions of Section 55-11-400.

In the event that the County of Richland or the County of Lexington, or either of them, should fail or refuse to make any such contract, or if such contract should be made and there should be a default thereunder, and for either of such reasons or for any other reason the County of Richland or the County of Lexington should fail to provide its one-half share of the operating deficit, the Comptroller General of the State of South Carolina is authorized and directed to withhold from the monies to be received by the County of Richland or the County of Lexington, as the case may be, from the annual distribution made by the State of South Carolina to counties and municipalities from its receipts from the taxes levied by the State of South Carolina on alcoholic beverages, beer and wine, and on personal and corporate income an amount sufficient to pay such share or shares of the operating deficit.

HISTORY: 1962 Code Section 2-390.22; 1961 (52) 119; 1962 (52) 2256; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-420. Exceptions.

The provisions of this article shall not prohibit the operation of any public or private airport located within the district by any other public agency or governmental authority, or by any private agency or person.

HISTORY: 1962 Code Section 2-390.23; 1973 (58) 822; 2012 Act No. 270, Section 5, eff June 18, 2012.

SECTION 55-11-430. Omitted by 2012 Act No. 270, Section 5, eff June 18, 2012.