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# SOUTH CAROLINA STATE REGISTER

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This issue contains notices, proposed regulations, emergency regulations, final form regulations, and other documents filed in the Office of the Legislative Council, pursuant to Article 1, Chapter 23, Title 1, Code of Laws of South Carolina, 1976.

# ***SOUTH CAROLINA STATE REGISTER***

An official state publication, the *South Carolina State Register* is a temporary update to South Carolina's official compilation of agency regulations--the *South Carolina Code of Regulations*. Changes in regulations, whether by adoption, amendment, repeal or emergency action must be published in the *State Register* pursuant to the provisions of the Administrative Procedures Act. The *State Register* also publishes the Governor's Executive Orders, notices or public hearings and meetings, and other documents issued by state agencies considered to be in the public interest. All documents published in the *State Register* are drafted by state agencies and are published as submitted. Publication of any material in the *State Register* is the official notice of such information.

## **STYLE AND FORMAT**

Documents are arranged within each issue of the *State Register* according to the type of document filed:

**Notices** are documents considered by the agency to have general public interest.

**Notices of Drafting Regulations** give interested persons the opportunity to comment during the initial drafting period before regulations are submitted as proposed.

**Proposed Regulations** are those regulations pending permanent adoption by an agency.

**Pending Regulations Submitted to the General Assembly** are regulations adopted by the agency pending approval by the General Assembly.

**Final Regulations** have been permanently adopted by the agency and approved by the General Assembly.

**Emergency Regulations** have been adopted on an emergency basis by the agency.

**Executive Orders** are actions issued and taken by the Governor.

## **2023 PUBLICATION SCHEDULE**

Documents will be accepted for filing on any normal business day from 8:30 A.M. until 5:00 P.M. All documents must be submitted in the format prescribed in the *Standards Manual for Drafting and Filing Regulations*.

To be included for publication in the next issue of the *State Register*, documents will be accepted no later than 5:00 P.M. on any closing date. The modification or withdrawal of documents filed for publication must be made **by 5:00 P.M.** on the closing date for that issue.

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Submission Deadline	1/13	2/10	3/10	4/14	5/12	6/9	7/14	8/11	9/8	10/13	11/10	12/8
Publishing Date	1/27	2/24	3/24	4/28	5/26	6/23	7/28	8/25	9/22	10/27	11/24	12/22

## **REPRODUCING OFFICIAL DOCUMENTS**

Documents appearing in the *State Register* are prepared and printed at public expense. Media services are encouraged to give wide publicity to documents printed in the *State Register*.

## **PUBLIC INSPECTION OF DOCUMENTS**

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## **ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS**

To adopt, amend or repeal a regulation, an agency must publish in the *State Register* a Notice of Drafting; a Notice of the Proposed Regulation that contains an estimate of the proposed action's economic impact; and, a notice that gives the public an opportunity to comment on the proposal. If requested by twenty-five persons, a public hearing must be held at least thirty days after the date of publication of the notice in the *State Register*.

After the date of hearing, the regulation must be submitted to the General Assembly for approval. The General Assembly has one hundred twenty days to consider the regulation. If no legislation is introduced to disapprove or enacted to approve before the expiration of the one-hundred-twenty-day review period, the regulation is approved on the one hundred twentieth day and is effective upon publication in the *State Register*.

## **EMERGENCY REGULATIONS**

An emergency regulation may be promulgated by an agency if the agency finds imminent peril to public health, safety or welfare. Emergency regulations are effective upon filing for a ninety-day period. If the original filing began and expired during the legislative interim, the regulation can be renewed once.

## **REGULATIONS PROMULGATED TO COMPLY WITH FEDERAL LAW**

Regulations promulgated to comply with federal law are exempt from General Assembly review. Following the notice of proposed regulation and hearing, regulations are submitted to the *State Register* and are effective upon publication.

## **EFFECTIVE DATE OF REGULATIONS**

**Final Regulations** take effect on the date of publication in the *State Register* unless otherwise noted within the text of the regulation.

**Emergency Regulations** take effect upon filing with the Legislative Council and remain effective for ninety days. If the original ninety-day period begins and expires during legislative interim, the regulation may be refiled for one additional ninety-day period.

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 South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>

DOC. NO.	RAT. NO.	FINAL ISSUE	SUBJECT	EXP. DATE	AGENCY	HOUSE COMMITTEE	SENATE COMMITTEE
5145			Child Support Guidelines	01/13/2024	Dept of Social Services	Regs and Admin Procedures	Judiciary
5175			Plant Pests	03/11/2024	Clemson University	Regs and Admin Procedures	Ag and Nat Resources
5111			Campaign Practices and Reports	05/08/2024	State Ethics Commission		
5112			Contested Case Procedure	05/08/2024	State Ethics Commission		
5113			General	05/08/2024	State Ethics Commission		
5115			Statement of Economic Interests and Contract Disclosure Forms	05/08/2024	State Ethics Commission		
5114			Lobbyists, Lobbyist's Principals and Rating Entities	05/08/2024	State Ethics Commission		
5180			Definitions	05/08/2024	Dept of Disabilities and Special Needs		
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5183			Article 5, Sewerage Utilities	05/08/2024	Public Service Commission		
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5136			Certification of Need for Health Facilities and Services	Tolled	Dept of Health and Envir Control	Regs and Admin Procedures	Medical Affairs

## **2 EXECUTIVE ORDERS**

### **Executive Order No. 2023-27**

**WHEREAS**, the undersigned has been notified of the passing of Robert James “Duke” Short, who previously served as Chief of Staff to United States Senator J. Strom Thurmond from 1988 until Senator Thurmond’s retirement in 2003; and

**WHEREAS**, in addition to his dutiful service as Chief of Staff to Senator Thurmond, Duke Short previously served the United States of America as a Special Agent with the United States Department of the Treasury’s Intelligence Division and Organized Crime Strike Force, United States Sky Marshal, National Chief of Investigations for the Federal Protective Service, Senior Investigator for the United States Senate Subcommittee on Internal Security, Staff Director and Chief Investigator for the United States Senate Committee on the Judiciary, and in various other national, state, and local capacities; and

**WHEREAS**, prior to his distinguished public service, Duke Short served honorably in the United States Army; and

**WHEREAS**, Duke Short was a principled leader, dedicated public servant, respected and effective advocate for South Carolina, loyal advisor to Senator Thurmond, decorated law enforcement officer, and devoted father and family man, and his passing warrants the people of this State further recognizing and appropriately honoring his extraordinary legacy and lifetime of service to the State of South Carolina and the United States of America; and

**WHEREAS**, section 10-1-161(E) of the South Carolina Code of Laws, as amended, provides that “upon the death of a person of extraordinary stature, the Governor may order that the flags atop the State Capitol Building be lowered to half-staff at a designated time or for a designated period of time.”

**NOW, THEREFORE**, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and of these United States and the powers conferred upon me therein, I hereby order that the flags atop the State Capitol be lowered to half-staff from sunrise until sunset on Saturday, August 19, 2023, in honor of Duke Short and in recognition of his extraordinary legacy and lifetime of service to the State of South Carolina and the United States of America. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT  
SEAL OF THE STATE OF SOUTH CAROLINA,  
THIS 17th DAY OF AUGUST, 2023.**

**HENRY MCMASTER**  
**Governor**

### **Executive Order No. 2023-28**

**WHEREAS**, the undersigned has been notified of the passing of Senator John L. Scott, Jr., who served as a member of the South Carolina Senate from 2009 until the time of his passing; and

**WHEREAS**, in addition to his dutiful service as a member of the South Carolina Senate, Senator Scott previously served the State of South Carolina as a member of the South Carolina House of Representatives and in various other state and local capacities; and

**WHEREAS**, Senator Scott was a charismatic leader, dedicated public servant, tireless advocate for his causes and constituents, successful businessman, and devoted father and family man, and his passing warrants

the people of this State further recognizing and appropriately honoring his extraordinary legacy and lifetime of service to the State of South Carolina; and

**WHEREAS**, Title 4, Section 7(m) of the United States Code, as amended, provides that “[i]n the event of the death of a present or former official of the government of any State, . . . the Governor of that State . . . may proclaim that the National flag shall be flown at half-staff”; and

**WHEREAS**, section 10-1-161 of the South Carolina Code of Laws, as amended, provides, in pertinent part, that “the flags which are flown atop the State Capitol Building must be lowered to half-staff on the day on which funeral services are conducted for . . . current members of the South Carolina General Assembly”; and

**WHEREAS**, section 10-1-161 of the South Carolina Code of Laws further provides that “upon the death of a person of extraordinary stature, the Governor may order that the flags atop the State Capitol Building be lowered to half-staff at a designated time or for a designated period of time.”

**NOW, THEREFORE**, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and of these United States and the powers conferred upon me therein, I hereby order that the flags atop the State Capitol be lowered to half-staff from sunrise until sunset on Saturday, August 19, 2023, in honor of Senator Scott and in recognition of his extraordinary legacy and lifetime of service to the State of South Carolina. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT  
SEAL OF THE STATE OF SOUTH CAROLINA,  
THIS 17th DAY OF AUGUST, 2023.**

**HENRY MCMASTER**  
Governor

**Executive Order No. 2023-29**

**WHEREAS**, the National Hurricane Center has determined from the latest forecast models that Hurricane Idalia, which is currently a category 1 hurricane, is anticipated to undergo rapid intensification before making landfall along the coast of the State of Florida on August 30, 2023, and is thereafter expected to impact the State of South Carolina and other areas in the southeastern region of the United States; and

**WHEREAS**, according to preliminary forecasts, Hurricane Idalia and the severe weather conditions associated therewith have the potential to cause significant damage to public and private property and to disrupt essential utility services and other critical systems throughout the State of South Carolina; and

**WHEREAS**, the undersigned has been advised that Hurricane Idalia—including the anticipated strong winds, heavy rain, flash flooding, dangerous storm surge, and other hazardous weather conditions associated therewith—represents a significant threat to the State of South Carolina, which requires that the State proactively prepare for the potential impacts and take timely precautions to protect and preserve property, critical infrastructure, communities, and the general safety and welfare of the people of this State; and

**WHEREAS**, in light of the foregoing circumstances, the undersigned has determined that it is necessary and appropriate to take additional proactive action to expedite ongoing preparations and to facilitate future emergency management, response, recovery, and relief efforts in connection with Hurricane Idalia and the forecasted severe weather conditions and anticipated impacts associated with the same; and

**WHEREAS**, as the elected Chief Executive of the State, the undersigned is authorized pursuant to section 25-1-440 of the South Carolina Code of Laws, as amended, to “declare a state of emergency for all or

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part of the State if he finds a disaster . . . has occurred, or that the threat thereof is imminent and extraordinary measures are considered necessary to cope with the existing or anticipated situation”; and

**WHEREAS**, in accordance with section 25-1-440 of the South Carolina Code of Laws, when an emergency has been declared, the undersigned is “responsible for the safety, security, and welfare of the State and is empowered with [certain] additional authority to adequately discharge this responsibility,” to include issuing, amending, and rescinding “emergency proclamations and regulations,” which shall “have the force and effect of law as long as the emergency exists”; and

**WHEREAS**, pursuant to section 25-1-440 of the South Carolina Code of Laws, when an emergency has been declared, the undersigned is further authorized to “suspend provisions of existing regulations prescribing procedures for conduct of state business if strict compliance with the provisions thereof would in any way prevent, hinder, or delay necessary action in coping with the emergency”; and

**WHEREAS**, in addition to the foregoing, section 25-1-440 of the South Carolina Code of Laws authorizes the undersigned, during a declared emergency, to “transfer the direction, personnel, or functions of state departments, agencies, and commissions, or units thereof, for purposes of facilitating or performing emergency services as necessary or desirable,” and to “compel performance by elected and appointed state, county, and municipal officials and employees of the emergency duties and functions assigned them in the State Emergency Plan or by Executive Order”; and

**WHEREAS**, in accordance with section 56-5-70(A) of the South Carolina Code of Laws, as amended, during a declared emergency and in the course of responding to the emergency, requirements relating to registration, permitting, length, width, weight, and load are suspended for commercial and utility vehicles traveling on non-interstate routes for up to one hundred twenty (120) days, provided that such vehicles do not exceed a gross weight of ninety thousand (90,000) pounds and do not exceed a width of twelve (12) feet, and requirements relating to time of service suspensions for commercial and utility vehicles traveling on interstate and non-interstate routes are suspended for up to thirty (30) days, unless extended for additional periods pursuant to the Federal Motor Carrier Safety Regulations; and

**WHEREAS**, the Federal Motor Carrier Safety Regulations limit, *inter alia*, the hours of service for operators of commercial vehicles, 49 C.F.R. §§ 390 *et seq.*, and federal law prescribes certain weight limitations for vehicles on interstate highways, 23 U.S.C. § 127; and

**WHEREAS**, pursuant to 49 C.F.R. § 390.23, the governor of a state may suspend certain federal rules and regulations for commercial vehicles responding to an emergency if the governor determines that an emergency condition exists; and

**WHEREAS**, the undersigned has determined that the prompt restoration of utility services and the uninterrupted transportation of essential goods, equipment, and products to or from the impacted areas are critical to the safety and welfare of the people of South Carolina and neighboring States, such that it is necessary and appropriate for the State of South Carolina to expedite ongoing preparations and support further emergency management, response, recovery, and relief efforts by facilitating the operation of critical transportation services; and

**WHEREAS**, for the aforementioned and other reasons, and in recognition and furtherance of the undersigned’s responsibility to provide for and ensure the health, safety, security, and welfare of the people of the State of South Carolina, after conferring with the relevant state and federal agencies, officials, and experts, the undersigned has determined that Hurricane Idalia and the forecasted severe weather conditions and anticipated impacts associated therewith constitute an actual or imminent emergency for the State of South Carolina and that extraordinary measures are necessary to cope with the existing or anticipated situation.

**NOW, THEREFORE**, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and of these United States and the powers conferred upon me therein, I hereby declare that a State of Emergency exists in South Carolina. Accordingly, for the foregoing reasons and in accordance with the cited authorities and other applicable law, I further order and direct as follows:

**Section 1. Emergency Measures to Prepare for and Respond to Hurricane Idalia**

A. I hereby activate the South Carolina Emergency Operations Plan (“Plan”), as approved by Executive Order No. 2023-11, and direct that the Plan be further placed into effect and that all prudent preparations be taken at the individual, local, and state levels to prepare for and respond to the forecasted severe weather related to Hurricane Idalia and the potential impacts associated with the same. I further direct the utilization of all available resources of state government as reasonably necessary to address the current State of Emergency. In accordance with Section 1(E) of Executive Order No. 2023-11, “[a]ll departments or agencies of the State shall execute, without delay, the emergency functions so designated in the Plan, or as further ordered or otherwise directed by the undersigned, during any emergency or disaster through the initial use of existing department or agency appropriations and all necessary department or agency personnel, regardless of normal duty assignment.”

B. I hereby place specified units or personnel, or both, of the South Carolina National Guard on State Active Duty, pursuant to section 25-1-1840 of the South Carolina Code of Laws, as amended, and direct the Adjutant General to issue any supplemental orders he deems necessary and appropriate. I further order the activation of South Carolina National Guard personnel and the utilization of appropriate equipment, in the discretion of the Adjutant General and in coordination with the Director of the South Carolina Emergency Management Division (“EMD”), to take necessary and prudent actions to assist the people of this State. I authorize Dual Status Command, as necessary, to allow the Adjutant General or his designee to serve as commander over both federal (Title 10) and state forces (National Guard in Title 32 status or State Active Duty status, or both).

C. I hereby order that all licensing and registration requirements regarding private security personnel or companies contracting with South Carolina security companies in protecting property and restoring essential services in South Carolina shall be suspended, and I direct the South Carolina Law Enforcement Division (“SLED”) to initiate an emergency registration process for those personnel or companies for a period specified, and in a manner deemed appropriate, by the Chief of SLED.

D. I hereby authorize and direct any agency within the undersigned’s Cabinet or any other department within the Executive Branch, as defined by section 1-30-10 of the South Carolina Code of Laws, as amended, through its respective director or secretary, to waive or “suspend provisions of existing regulations prescribing procedures for conduct of state business if strict compliance with the provisions thereof would in any way prevent, hinder, or delay necessary action in coping with the emergency,” in accordance with section 25-1-440 of the South Carolina Code of Laws and other applicable law.

E. I hereby authorize and direct state agencies and departments to utilize the emergency procurement procedures set forth in section 11-35-1570 of the South Carolina Code of Laws, as amended, and any regulations issued pursuant thereto, as necessary and appropriate, to facilitate and expedite the acquisition of any critical materials, resources, or services during the State of Emergency.

F. I hereby declare that the prohibitions against price gouging pursuant to section 39-5-145 of the South Carolina Code of Laws, as amended, are in effect and shall remain in effect for the duration of the State of Emergency.

G. I hereby waive the requirement of a written mutual aid agreement for law enforcement services authorized by the Law Enforcement Assistance and Support Act, codified as amended in Title 23, Chapter 20 of

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the South Carolina Code of Laws, during the State of Emergency in accordance with section 23-20-60 of the South Carolina Code of Laws, as amended.

H. I hereby authorize and direct state agencies and departments, including state-supported colleges, universities, and technical colleges, to follow county government closure determinations, consistent with the normal state procedure associated with hazardous weather conditions, for purposes of closing state government offices in any such counties or operating the same on an abbreviated schedule to ensure the safety of state employees and the general public. Emergency or other critical personnel designated and determined by, and in the sole discretion of, the corresponding Agency Head, or their designee, as essential or mission-critical to the State's preparation for or response to emergency conditions related to Hurricane Idalia, or otherwise necessary to serve the State of South Carolina or to ensure the continuity of critical operations of state government, may still be required to report to work. State agencies and departments shall utilize, to the maximum extent possible, telecommuting or work-from-home options for non-essential employees. Notwithstanding the foregoing, pursuant to section 25-1-440 of the South Carolina Code of Laws, as well as other applicable law, I hereby prohibit any county, municipality, or other political subdivision of the State of South Carolina from restricting access by essential state employees to any location or facility that is occupied or utilized, in whole or in part, by any state agency or department. Accordingly, I hereby direct that any such county, municipality, or other political subdivision of the State shall authorize, allow, and provide access to said locations or facilities by any state agency or department, and the officials and employees thereof, as deemed necessary and appropriate and in the manner prescribed by the state agency or department so as to ensure the uninterrupted performance and provision of emergency, essential, or otherwise mission-critical government functions and services during the State of Emergency.

### **Section 2. Transportation Waivers to Facilitate Emergency Management**

A. I hereby determine and declare that the existing and anticipated threats, circumstances, or conditions described herein associated with Hurricane Idalia and the potential impacts related to the same constitute an emergency pursuant to 49 C.F.R. § 390.23 for purposes of suspending certain rules and regulations, as set forth below, for commercial vehicles and operators of commercial vehicles in accordance with 49 C.F.R. § 390.23 and section 56-5-70 of the South Carolina Code of Laws.

B. I hereby authorize and direct the South Carolina Department of Transportation ("DOT") and the South Carolina Department of Public Safety ("DPS"), including the State Transport Police, as needed, to waive or suspend application and enforcement of the requisite state and federal rules and regulations pertaining to registration, permitting, length, width, weight, load, and hours of service for commercial vehicles and operators of commercial vehicles operating in accordance with the provisions of any emergency declaration issued by the Federal Motor Carrier Safety Administration ("FMCSA"); responding or providing direct assistance, as defined by 49 C.F.R. § 390.5, to any emergency conditions or declared emergencies in the State of South Carolina or in other States in connection with the forecasted severe weather associated with Hurricane Idalia or the anticipated impacts thereof; providing direct assistance to supplement state and local efforts and capabilities related to the same; or otherwise assisting with the existing or anticipated threats and circumstances associated with Hurricane Idalia, to include commercial vehicles and operators of commercial vehicles transporting equipment, materials, or persons necessary for the restoration of utility services or debris removal and those transporting essential goods and products, such as food, water, medicine, medical supplies and equipment, fuels and petroleum products (to include fuel oil, diesel oil, gasoline, kerosene, propane, liquid petroleum, and other refined petroleum products and related equipment or assets), livestock, poultry, feed for livestock and poultry, and crops and other agricultural products ready to be harvested (to include timber and wood chips).

C. I hereby authorize DOT and DPS, as applicable, to apply for or request any additional federal regulatory relief, waivers, permits, or other appropriate flexibility deemed necessary, whether pertaining to the transportation of overweight loads on interstate highways or otherwise, on behalf of the State of South Carolina and to promptly implement the same without the need for further Orders.

D. This Section shall not be construed to require or allow an ill or fatigued driver to operate a commercial motor vehicle. In accordance with 49 C.F.R. § 390.23, “a driver who informs the motor carrier that he or she needs immediate rest must be permitted at least ten (10) consecutive hours off duty before the driver is required to return to such terminal or location.” Likewise, this Section shall not be construed as an exemption from the applicable controlled substances and alcohol use and testing requirements in 49 C.F.R. § 382, the commercial driver’s license requirements in 49 C.F.R. § 383, or the financial responsibility requirements in 49 C.F.R. § 387, and it shall not be interpreted to relieve compliance with any other state or federal statute, rule, order, regulation, restriction, or other legal requirement not specifically waived, suspended, or addressed herein or addressed in any additional or supplemental guidance, rules, regulations, restrictions, or clarifications issued, provided, or promulgated by DOT or DPS.

E. Subject to any guidance, rules, regulations, restrictions, or clarification issued, provided, or promulgated, or which may be issued, provided, or promulgated, by DOT or DPS, as authorized herein or as otherwise provided by law, and notwithstanding the waiver or suspension of certain rules and regulations as set forth above, drivers in South Carolina are still subject to the following state requirements to ensure public safety:

1. Weight, height, length, and width for any such vehicle with a minimum of five (5) weight bearing axles on highways or roadways maintained by the State of South Carolina shall not exceed, for continuous travel on all non-interstates, United States, and South Carolina designated routes, maximum dimensions of twelve (12) feet in width (except as provided in Paragraph 5 below), thirteen (13) feet six (6) inches in height, and ninety thousand (90,000) pounds in gross weight.

2. Posted bridges may not be crossed.

3. All vehicles shall be operated in a safe manner, shall not damage the highways nor unduly interfere with highway traffic, shall maintain the required limits of insurance, and shall be clearly identified as a utility vehicle or shall provide appropriate documentation indicating they are responding to the emergency.

4. Except as provided below, any vehicles that exceed the above dimensions, weights, or both, must obtain a permit with defined routes from DOT’s Oversize/Overweight Permit (“OSOW”) Office. To order a permit, please call (803) 737-6769 during normal business hours, 8:30 a.m. – 5:00 p.m., or (803) 206-9566 after normal business hours.

5. In accordance with federal law, vehicles traveling on non-interstate routes within the National Network may not exceed a width of 102 inches or 8.6 feet without a special permit. A special permit for width on the National Network is available on DOT’s OSOW website, and a list of routes on the National Network is set forth in Appendix A to 23 C.F.R. Part 658.

6. Transporters are responsible for ensuring they have oversize signs, markings, flags, and escorts as required by the South Carolina Code of Laws and OSOW guidelines relating to oversize/overweight loads operating on South Carolina roadways.

F. I hereby authorize DOT and DPS to issue, provide, or promulgate any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application, implementation, or enforcement of this Section, or to otherwise provide clarification regarding the same, without the need for further Orders.

G. I hereby authorize and direct DPS, including the South Carolina Highway Patrol, as needed, to waive or suspend, in whole or in part, operation of the requisite rules and regulations, to include Regulation 38-600 of the South Carolina Code of Regulations, pertaining to the use of the South Carolina Highway Patrol Wrecker Rotation List.

H. This Section is effective immediately and shall remain in effect for thirty (30) days or the duration of the emergency, whichever is less, in accordance with 49 C.F.R. § 390.23 and section 56-5-70(D) of the South Carolina Code of Laws, except that requirements relating to registration, permitting, length, width, weight, and load are suspended for commercial and utility vehicles traveling on non-interstate routes for up to one hundred twenty (120) days, pursuant to the provisions of section 56-5-70 of the South Carolina Code of Laws, unless otherwise modified, amended, or rescinded by subsequent Order.

## **8 EXECUTIVE ORDERS**

### **Section 3. General Provisions**

A. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of South Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

B. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Order is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this Order, as the undersigned would have issued this Order, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

C. This Order shall be implemented consistent with and to the maximum extent provided by applicable law and shall be subject to the availability of appropriations. This Order shall not be interpreted, applied, implemented, or construed in a manner so as to impair, impede, or otherwise affect the authority granted by law to an executive agency or department, or the officials or head thereof, including the undersigned.

D. I hereby expressly authorize the Office of the Governor to provide or issue any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application of this Order or to otherwise provide clarification regarding the same, through appropriate means, without the need for further Orders.

E. This Order is effective immediately and shall remain in effect for a period of fifteen (15) days unless otherwise expressly stated herein or modified, amended, or rescinded by subsequent Order. Further proclamations, orders, and directives deemed necessary to ensure the fullest possible protection of life and property during this State of Emergency shall be issued orally by the undersigned and thereafter reduced to writing and published for dissemination within the succeeding 24-hour period.

**GIVEN UNDER MY HAND AND THE GREAT  
SEAL OF THE STATE OF SOUTH CAROLINA,  
THIS 29th DAY OF AUGUST, 2023.**

**HENRY MCMASTER  
Governor**

### **Executive Order No. 2023-30**

**WHEREAS**, the undersigned has been notified that a vacancy will exist in the office of Clerk of Court of Calhoun County due to the resignation of Kenneth Hasty, effective September 1, 2023; and

**WHEREAS**, in the event of a vacancy in the office of a county clerk of court, the undersigned is authorized to appoint a suitable person, who shall be an elector of the county, to serve as clerk of court pursuant to sections 1-3-220(2), 4-11-20(1), and 14-17-30 of the South Carolina Code of Laws, as amended; and

**WHEREAS**, Lakeisha Moorner, of Saint Matthews, South Carolina, is a fit and proper person to serve as Clerk of Court of Calhoun County.



**NOW, THEREFORE**, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby appoint Lakeisha Moorer to serve as Clerk of Court of Calhoun County, effective September 1, 2023, until a successor shall qualify as provided by law. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT  
SEAL OF THE STATE OF SOUTH CAROLINA,  
THIS 31st DAY OF AUGUST, 2023.**

**HENRY MCMASTER  
Governor**

## 10 NOTICES

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

#### NOTICE OF GENERAL PUBLIC INTEREST

In accordance with Section 44-7-200(D), Code of Laws of South Carolina, the public is hereby notified that a Certificate of Need application has been accepted for filing and publication on **September 22, 2023**, for the following project(s). After the application is deemed complete, affected persons will be notified that the review cycle has begun. For further information, please contact Certificate of Need Program, 2600 Bull Street, Columbia, South Carolina 29201, at (803) 545-4200, or by email at [coninfo@dhec.sc.gov](mailto:coninfo@dhec.sc.gov).

##### **Affecting Greenville County**

##### **Regency Hospital of Greenville, LLC d/b/a Regency Hospital of Greenville**

Relocation of the long-term acute care hospital to AnMed Health in Anderson County and renovation of 28,063 sf with a total of 31 beds at a total project cost of \$4,431,233.00.

In accordance with Section 44-7-210(A), Code of Laws of South Carolina, and S.C. DHEC Regulation 61-15, the public and affected persons are hereby notified that for the following projects, applications have been deemed complete, and the review cycle has begun. A proposed decision will be made no earlier than 30 days, but no later than 90 days, from **September 22, 2023**. "Affected persons" have 30 days from the above date to submit requests for a public hearing to Certificate of Need Program, 2600 Bull Street, Columbia, South Carolina 29201. If a public hearing is timely requested, the Department's decision will be made after the public hearing, but no later than 120 days from the above date. For further information call (803) 545-4200 or email [coninfo@dhec.sc.gov](mailto:coninfo@dhec.sc.gov).

##### **Affecting Greenville County**

##### **Regency Hospital of Greenville, LLC d/b/a Regency Hospital of Greenville**

Relocation of the long-term acute care hospital to AnMed Health in Anderson County and renovation of 28,063 sf with a total of 31 beds at a total project cost of \$4,431,233.00.

**CLEMSON UNIVERSITY**  
**CHAPTER 27**  
Statutory Authority: 1976 Code Section 46-13-30

**Notice of Drafting:**

Clemson University is considering the deletion, clarification and/or changes to regulations which govern, to the extent authorized by the S.C. Code, Title 46, Chapter 13, certain pesticide application and compliance regulations.

Interested parties should submit written comments to Dr. Stephen E. Cole, Director, Regulatory Services, Clemson University, 511 Westinghouse Road, Pendleton, SC 29670. To be considered, comments should be received no later than October 31, 2023, the close of the comment period.

**Synopsis:**

The proposed amendments will correct grammatical errors, provide clarification of certain definitions and terms, as well as updating training manual requirements and clarification on certain physical areas of application and regulation.

These proposed regulations will require legislative action.

**STATE BOARD OF EDUCATION**  
**CHAPTER 43**  
Statutory Authority: 1976 Code Sections 59-5-60 and 60-9-30

**Notice of Drafting:**

The State Board of Education proposes to draft a new regulation that addresses school and classroom library materials. Interested persons may submit their comments in writing to Lisa Widener, Assistant Director of Governmental Affairs, 1429 Senate Street, Columbia, SC 29201 or by email to [scleg@ed.sc.gov](mailto:scleg@ed.sc.gov). To be considered, all comments must be received no later than 5:00 p.m. on October 20, 2023, the close of the drafting comment period.

**Synopsis:**

The proposed regulation will address aligning school and classroom library materials with South Carolina's instructional program and state standards.

Legislative review is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**MANUFACTURED HOUSING BOARD**  
**CHAPTER 79**  
Statutory Authority: 1976 Code Section 40-29-10(D)

**Notice of Drafting:**

The South Carolina Manufactured Housing Board is proposing amendments to Chapter 79. Interested persons may submit written comments to Molly F. Price, Program Director, Manufactured Housing Board, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, SC 29211-1329.

## **12 DRAFTING NOTICES**

### **Synopsis:**

The South Carolina Manufactured Housing Board is proposing amendments to Chapter 79.

Legislative review of this amendment is required.

### **DEPARTMENT OF NATURAL RESOURCES**

#### **CHAPTER 123**

Statutory Authority: 1976 Code Sections 50-11-2200 and 50-11-2210

### **Notice of Drafting:**

The Department of Natural Resources proposes to amend Regulation 123-204 “Additional Regulations Applicable to Specific Properties.” The subject of the proposed action is to amend the regulations to restrict the use of the use of bicycles on Tall Pines WMA and to expand access on Botany Bay Plantation WMA.

### **Synopsis:**

These amendments to existing regulations will restrict the use of bicycles to periods of open hunting seasons on Tall Pines WMA and will expand hours of operation on Botany Bay Plantation WMA. Since 50-11-2200 prohibits many uses on DNR lands, regulations are required to allow use and set restrictions and conditions for those uses.

Legislative review is required.

### **DEPARTMENT OF NATURAL RESOURCES**

#### **CHAPTER 123**

Statutory Authority: 1976 Code Section 50-11-1090

### **Notice of Drafting:**

The Department of Natural Resources proposes to amend Regulation 123-46, “Rules and Regulations Governing the Issuance of Deer Depredation Permits.” The proposed action is to amend the regulations to correct reference to an obsolete statute, remove unnecessary requirements on the part of applicant, remove obsolete language, and update permit requirements.

### **Synopsis:**

These amendments to existing regulations will streamline and update the application process for deer depredation permits and will update permit requirements for applicants.

Legislative review is required.

**DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 123**

Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-520, 50-11-525, 50-11-530, 50-11-580, 50-11-2200, and 50-11-2210

**Notice of Drafting:**

The Department of Natural Resources proposes to amend Regulations 123-40 Wildlife Management Area Regulations. The subject of the proposed action is to amend seasons, bag limits, and methods of hunting and taking of wildlife on existing Wildlife Management Areas. Any person interested may submit written comments to Emily Cope, Deputy Director, Wildlife & Freshwater Fisheries Division, S.C. Department of Natural Resources, Post Office Box 167, Columbia, SC 29202.

**Synopsis:**

These amended regulations will establish seasons, bag limits, and methods of take on Wildlife Management Areas including the establishment of new Wildlife Management Areas.

Legislative review is required.

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Document No. 5233

### DEPARTMENT OF LABOR, LICENSING AND REGULATION CHAPTER 10

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-47-650, and 40-47-800

10-24. Board of Medical Examiners.

#### **Preamble:**

The South Carolina Department of Labor, Licensing and Regulation proposes to amend the fee schedule for the Board of Medical Examiners, whose fees appear in Chapter 10 of the South Carolina Code of Regulations.

#### **Section-by-Section Discussion:**

10-24(A). No change.

10-24(B)(1). No change.

10-24(B)(2). Add late renewal fee, \$50.

10-24(B)(3). Renumber (2) as (3). Add reactivation fee.

10-24(E)(1)-(2). No change.

10-24(E)(3). Add late renewal fee of \$50.

10-24(E)(3)-(7). Renumber as (4)-(8).

10-24(G). New Section for Athletic Trainer fees.

10-24(G)(1). Add fee for Certification, \$50, from DHEC regulations.

10-24(G)(2). Add fee for Biennial Certification Renewal, \$40, from DHEC regulations.

10-24(G)(3). Add fee for Renewal Late Fee, \$15, from DHEC regulations.

10-24(G)(4). Add fee for restoring Certification, \$100, from DHEC regulations.

10-24(G)(5). Add fee for Duplicate Certificates and Identification Certificate cards \$7, from DHEC regulations.

10-24(H). Formerly section (G). No change.

The Notice of Drafting was published in the *State Register* on July 28, 2023.

#### **Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 10:00 a.m. on December 11, 2023. Written comments may be directed to Holly Beeson, Counsel to the Office of Communications and Governmental Affairs, South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1329, no later than 5:00 p.m., on October 23, 2023. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

#### **Preliminary Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for the promulgation of these regulations.

#### **Statement of Need and Reasonableness:**

As to need, the General Assembly passed Act No. 77 of 2023, transferring regulatory authority of athletic trainers from DHEC to the Board of Medical Examiners within LLR. S.C. Code Section 40-47-1760 in the new law provides that the Board may levy fees in an amount sufficient to administer the requirements of this chapter. This law is consistent with South Carolina Code Section 40-1-50(D) which requires that the Agency assess, collect, and adjust fees on behalf of each board biennially to ensure that fees are sufficient but not excessive to cover the expenses, including the total of the direct and indirect costs to the State, for the operations of each

respective board. As to reasonableness, the Board is proposing to charge the same fees athletic trainers are currently paying for certification through DHEC, *see* R.61-96. The Board is also adding reactivation and late renewal fees for other licensees of the Board, authorized by statute, that did not appear in the regulation.

**DESCRIPTION OF REGULATION:**

**Purpose:** The proposed regulation is offered to comply with Act No. 77 of 2023 and two additional statutes, S.C. Code Sections 40-47-650 and 800.

**Legal Authority:** 1976 Code Sections 40-1-50, 40-1-70, 40-47-650, and 40-47-800.

**Plan for Implementation:** The new regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will notify licensees of the new regulations and post the regulations on the agency's website.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS THEREIN AND EXPECTED BENEFITS:**

The proposed regulation is necessary to carry out the requirements of statute Act No. 77 of 2023, which transferred regulatory authority of athletic trainers from DHEC to the Board of Medical Examiners within LLR. S.C. Code Section 40-47-1760 in the new law provides that the Board may levy fees in an amount sufficient to administer the requirements of this chapter. This law is consistent with South Carolina Code Section 40-1-50(D) which requires that the Agency assess, collect, and adjust fees on behalf of each board biennially to ensure that fees are sufficient but not excessive to cover the expenses, including the total of the direct and indirect costs to the State, for the operations of each respective board. The proposed regulation is reasonable in that the Board is proposing to charge the same fees athletic trainers are currently paying for certification through DHEC, *see* R.61-96. The Board is also adding reactivation and late renewal fees for other licensees of the Board, authorized by statute, that did not appear in the regulation.

**DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state concerning the promulgation of these regulations.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no detrimental effect on the environment. These regulations contribute to the Department's function of protecting public health in the state of South Carolina.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

**Statement of Rationale:**

The updated regulation will comport with the statutory requirements set forth in Act No. 77 of 2023, which transferred regulatory authority of athletic trainers from DHEC to the Board of Medical Examiners within LLR. S.C. Code Section 40-47-1760 in the new law provides that the Board may levy fees in an amount sufficient to

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administer the requirements of this chapter. This law is consistent with South Carolina Code Section 40-1-50(D) which requires that the Agency assess, collect, and adjust fees on behalf of each board biennially to ensure that fees are sufficient but not excessive to cover the expenses, including the total of the direct and indirect costs to the State, for the operations of each respective board. The proposed regulation is reasonable in that the Board is proposing to charge the same fees athletic trainers are currently paying for certification through DHEC, *see* R.61-96. The Board is also adding reactivation and late renewal fees for other licensees of the Board, authorized by statute, that did not appear in the regulation.

### **Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5234

### **DEPARTMENT OF LABOR, LICENSING AND REGULATION STATE BOARD OF MEDICAL EXAMINERS**

#### **CHAPTER 81**

Statutory Authority: 1976 Code Sections 40-1-70, 40-47-10, 40-47-110, and 40-47-1720

81-500. Powers and Duties of Athletic Trainers' Advisory Committee. (New)

81-501. Renewal and Reinstatement of License. (New)

81-502. Change of Name or Address. (New)

81-503. Standards of Conduct. (New)

81-505. Patient Care. (New)

81-507. Code of Ethics and Professional Standards. (New)

### **Preamble:**

The South Carolina Board of Medical Examiners proposes adding regulations for athletic trainers as required by 2023 Act No. 77.

### **Section-by-Section Discussion:**

81-500. Adding the powers and duties of the Athletic Trainers' Advisory Committee.

81-501. Adding information related to renewal and reinstatement of the license.

81-502. Adding guidance related to a change of name or address.

81-503. Adding the standards of conduct.

81-505. Adding information related to patient care.

81-507. Adopting the Code of Ethics and Professional Standards.

A Notice of Drafting was published in the *State Register* on July 28, 2023.

### **Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 10:00 a.m. on November 9, 2023. Written comments may be directed to Bob Horner, Counsel, Board of Medical Examiners, South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11289, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., October 23, 2023. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.



**Preliminary Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Need and Reasonableness:**

These regulations are necessary to comply with Act No. 77, passed by the General Assembly in June of 2023, transferring regulatory authority of athletic trainers from DHEC to LLR. Sections 3 and 5 of the Act, uncodified provisions, established that regulations promulgated by DHEC were continued, and LLR would assume licensure of athletic trainers upon the effective date of the new regulations it promulgated, which are to include a fee schedule and a provision creating a uniform renewal date for all athletic trainers' licenses. The regulations are reasonable as they are consistent with existing regulations applicable to the program while at DHEC.

**DESCRIPTION OF REGULATION:**

**Purpose:** The South Carolina Board of Medical Examiners proposes to promulgate regulations following passage of Act 77 of 2023 transferring regulatory authority of athletic trainers from DHEC to LLR.

**Legal Authority:** 1976 Code Sections 40-1-70, 40-47-10, 40-47-110, and 40-47-1720.

**Plan for Implementation:** The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will notify licensees of the revised regulation and post the revised regulations on the agency's website.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

These regulations are necessary to comply with Act No. 77, passed by the General Assembly in June of 2023, transferring regulatory authority of athletic trainers from DHEC to LLR. Sections 3 and 5 of the Act, uncodified provisions, established that regulations promulgated by DHEC were continued, and LLR would assume licensure of athletic trainers upon the effective date of the new regulations it promulgated, which are to include a fee schedule and a provision creating a uniform renewal date for all athletic trainers' licenses. The regulations are reasonable as they are consistent with existing regulations applicable to the program while at DHEC.

**DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state for the promulgation of these regulations. This would result in a cost-savings to the State.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no effect on the environment.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

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### Statement of Rationale:

The South Carolina Board of Medical Examiners proposes to promulgate regulations for athletic trainers following transfer of regulatory authority from DHEC to LLR following passage of Act 77 of 2023.

### Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5236  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**OFFICE OF OCCUPATIONAL SAFETY AND HEALTH**  
CHAPTER 71  
Statutory Authority: 1976 Code Section 41-15-210

71-1201. Reimbursement of Expenses.

71-1202. Hourly Compensation; Itemized Submissions.

### Preamble:

The South Carolina Department of Labor, Licensing and Regulation – Division of Occupational Safety and Health (SC OSHA) proposes to repeal R.71-1201 and 71-1202.

### Section-by-Section Discussion:

71-1201. Repeal.

71-1202. Repeal.

A Notice of Drafting was published in the *State Register* on July 28, 2023.

### Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to S. C. Code Section 1-23-110(A)(3), such a hearing will be conducted at the Administrative Law Court at 2:00 P.M. on November 9, 2023. Written comments may be directed to Gwen Thomas, OSHA State Plan Manager, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., on October 23, 2023. If qualifying requests pursuant to Section 1-23-110(A)(3) are not timely received, the hearing will be canceled.

### Preliminary Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

### Statement of Need and Reasonableness:

The South Carolina Department of Labor, Licensing and Regulation, Division of Labor, Office of Occupational Safety and Health, proposes to repeal R.71-1201 and 71-1202, as the law establishing the Occupational Health and Safety Review Board was repealed by 2008 Act No. 188, Section 3, effective January 1, 2009.

DESCRIPTION OF REGULATION:

Purpose: The South Carolina Department of Labor, Licensing and Regulation, Division of Labor, Office of Occupational Safety and Health, proposes to repeal R.71-1201 and 71-1202, as the law establishing the Occupational Health and Safety Review Board was repealed by 2008 Act No. 188, Section 3, effective January 1, 2009.

Legal Authority: 1976 Code Section 41-15-210.

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will post the revised regulations on the agency's website.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The South Carolina Department of Labor, Licensing and Regulation, Division of Labor, Office of Occupational Safety and Health, proposes to repeal R.71-1201 and 71-1202, as the law establishing the Occupational Health and Safety Review Board was repealed by 2008 Act No. 188, Section 3, effective January 1, 2009.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the state for the promulgation of these regulations.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates concerning the regulations.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

These regulations will have no effect on the environment.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

**Statement of Rationale:**

The South Carolina Department of Labor, Licensing and Regulation, Division of Labor, Office of Occupational Safety and Health, proposes to repeal R.71-1201 and 71-1202, as the law establishing the Occupational Health and Safety Review Board was repealed by 2008 Act No. 188, Section 3, effective January 1, 2009.

**Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

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Document No. 5235  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**STATE BOARD OF PHYSICAL THERAPY EXAMINERS**  
CHAPTER 101  
Statutory Authority: 1976 Code Section 40-45-60

101-01. Definitions.  
101-07. Continuing Education and Competency.  
101-08. Fees.  
101-09. Supervision Guidelines.  
101-11. Referral.  
101-15. Sexual Misconduct.

### **Preamble:**

The South Carolina Board of Physical Therapy Examiners proposes to amend Chapter 101 of the Code of Regulations, including but not limited to sections R.101-07 regarding continuing education and R.101-11 regarding referral. Scrivener's errors and other matters will be corrected following the Board's review of its regulations, pursuant to S.C. Code Section 1-23-120.

### Section-by-Section Discussion:

101-01(1). Remove "s" from "therapists".  
101-01(2)-(5). No change.  
101-01(6). Remove "d" from "received". Remove "s" from "hour."  
101-07(1). Add "30 hours" following 3.0 CEUs per biennium. Strike "of the three (3.0) CEUs total" and replace with "thirty hours".  
101-07(2). No change.  
101-07(3)(a). No change.  
101-07(3)(b). Correct the name of the SC Chapter of APTA to APTA-SC from SCAPTA.  
101-07(3)(c). No change.  
101-07(3)(d). Correct the name of the SC Chapter of APTA to APTA-SC from SCAPTA.  
101-07(3)(e)-(i). No change.  
101-07(4)-(8). No change.  
101-08. No change to language. Correct header; strike "Continuing Education" and replace with "Fees" under Article 4.  
101-09. No change to language. Correct header; strike "Fees" and replace with "Supervision Guidelines" under Article 5.  
101-11. Repeal.  
101-15. Add "but is not limited to" following including.

The Notice of Drafting was published in the *State Register* on April 28, 2023.

### **Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 10:00 a.m. on November 7, 2023. Written comments may be directed to Mack Williams, Administrator, Board of Physical Therapy Examiners, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., October 23, 2023. If qualifying requests pursuant to Section 1-23-110(A)(3) are not timely received, the hearing will be canceled.

**Preliminary Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Need and Reasonableness:**

DESCRIPTION OF REGULATION:

Purpose: The purpose of the regulation is to amend Chapter 101 of the Code of Regulations, including but not limited to sections R.101-07 regarding continuing education and R.101-11 regarding referral. Scrivener's errors and other matters will be corrected following the Board's review of its regulations, pursuant to S.C. Code Section 1-23-120.

Legal Authority: 1976 Code Section 40-45-60.

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will notify licensees of the revised regulation and post the revised regulations on the agency's website.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

It is necessary and reasonable to make corrections to the regulations to correct scrivener's errors, update terminology and comport with statute.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the state for the promulgation of these regulations.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates concerning the regulations.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

These regulations will have no effect on the environment.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

**Statement of Rationale:**

The updated regulation will amend Chapter 101 of the Code of Regulations, including but not limited to sections R.101-07 regarding continuing education and R.101-11 regarding referral. Scrivener's errors and other matters will be corrected following the Board's review of its regulations, pursuant to S.C. Code Section 1-23-120.

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### Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5238

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**SOUTH CAROLINA REAL ESTATE COMMISSION**  
CHAPTER 105

Statutory Authority: 1976 Code Sections 27-50-10(2), 40-1-70, and 40-57-60

105-14. Residential Property Condition Disclosure Statement Form. (New)

### Preamble:

The Real Estate Commission proposes to amend its regulations to comport with S.C. Code Section 27-50-10(2) requiring the Commission to promulgate a regulation for the residential property condition disclosure statement form.

### Section-by-Section Discussion:

105-14. New section added to publish the contents of the residential property condition disclosure statement form.

A Notice of Drafting was published in the *State Register* on June 23, 2023.

### Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 10:00 AM on November 8, 2023. Written comments may be directed to Meredith Buttler, Program Director, Real Estate Commission, South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., October 23, 2023. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

### Preliminary Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

### Statement of Need and Reasonableness:

The regulation is necessary because S.C. Code Section 27-50-10(2) defines “Disclosure statement” as a residential property condition disclosure statement written on a form as required by this article and as promulgated by regulations of the commission.” Since passage of the law, the residential property disclosure form had not been codified in regulation. The regulation is reasonable in that the substance of the most recent iteration of the form was discussed in public meetings of the Real Estate Commission in January and February of 2023, to include a discussion group meeting devoted solely to the issue of the disclosure form, prior to the Commission voting unanimously to approve it.

### DESCRIPTION OF REGULATION:

Purpose: By promulgating this regulation, the Commission seeks to comport with applicable existing law.

Legal Authority: 1976 Code Sections 27-50-10(2), 40-1-70, and 40-57-60.

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will notify licensees of the revised regulation and post the revised regulations on the agency's website.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

The proposed regulations will publish the contents of the residential property condition disclosure form bringing the Commission into compliance with statute.

**DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state for the promulgation of these regulations.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no effect on the environment.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

**Statement of Rationale:**

The updated regulations will publish the contents of the residential property condition disclosure form bringing the Commission into compliance with statute.

**Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5237

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BOARD OF EXAMINERS IN SPEECH/LANGUAGE PATHOLOGY AND AUDIOLOGY  
CHAPTER 115**

Statutory Authority: 1976 Code Sections 40-1-70 and 40-67-70

- 115-2. Speech-Language Pathology Assistants.
- 115-4. Audiology License – Hearing Aid Dispensing.
- 115-6. Continuing Education.
- 115-7. Code of Ethics.

## 24 PROPOSED REGULATIONS

### Preamble:

The South Carolina Board of Examiners in Speech-Language Pathology and Audiology proposes to: amend R.115-2, R.115-4, R.115-6, and R.115-7.

### Section-by-Section Discussion:

115-2(A)-(D). No change.

115-2(E). Add numbering to existing language to reflect requirements in a list rather than paragraph form. Add appropriate capitalization and punctuation.

115-2(F). Add numbering to existing language to reflect requirements in a list rather than paragraph form. Add appropriate capitalization and punctuation. Strike outdated reference to pager.

115-2(G). Add numbering to existing language to reflect requirements in a list rather than paragraph form.

115-2(H). No change.

115-2(I). Add numbering to existing language to reflect requirements in a list rather than paragraph form. Add appropriate capitalization and punctuation. Clarify that the documentation reflecting quarterly performance reviews must be made available for an audit that the Board may conduct.

115-2(J)-(K). No change.

115-4(A)-(C). No change.

115-4(D). Divide first sentence into two sentences with no change in language. Add appropriate capitalization and punctuation.

115-4(E). No change.

115-6(A)-(F). No change.

115-6(G). Add three sections related to required documentation and the audit process. Number accordingly.

115-7. Add Rule 1d prohibiting harassment, power abuse or sexual harassment. Clarify, in Rule 2a, that individuals shall collaborate with members of their profession and other professions. Add Rule 2g requiring individuals to use independent and evidence-based clinical judgment, keeping paramount the best interests of the clients. Add Rule 2h prohibiting a supervisor from requiring a staff member to compromise his independent and objective professional judgment. In Principle 5, correct “communicative” to read, “communication.”

The Notice of Drafting was published in the *State Register* on June 23, 2023.

### Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 2:00 p.m., on November 7, 2023. Written comments may be directed to Mack Williams, Administrator, Board of Examiners in Speech-Language Pathology and Audiology, South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., October 23, 2023. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

### Preliminary Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

### Statement of Need and Reasonableness:

#### DESCRIPTION OF REGULATION:

Purpose: The regulations are amended to correct scribes’ errors and clarify existing language by adding substantive language in certain sections, and restructuring the regulation by using a list format rather than a paragraph format in other sections. The regulation also provides additional instruction regarding compliance with continuing education audits. Finally, the regulation adds sections to the code of ethics regarding the



prohibition on harassment, collaborating with other professionals, relying upon independent and evidence-based judgment, and the prohibition on a supervisor's requiring or permitting a professional to provide services or conduct clinical activities that compromise their objective professional judgment.

Legal Authority: 1976 Code Sections 40-1-70 and 40-67-70.

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will notify licensees of the revised regulation and post the revised regulations on the agency's website.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

The proposed regulations are necessary to correct scrivener's errors and to clarify existing language by adding substantive language in certain sections, and restructuring the regulation by using a list format rather than a paragraph format in other sections. The regulations are also reasonable in that, to the extent substantive changes are made, they are designed to aid in implementation of the practice act.

**DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state for the promulgation of these regulations.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no effect on the environment.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

**Statement of Rationale:**

The updated regulation will correct scrivener's errors and will clarify existing language by adding substantive language in certain sections, and restructuring the regulation by using a list format rather than a paragraph format in other sections. The regulation will provide additional instruction regarding compliance with continuing education audits. Finally, the regulation will add sections to the code of ethics regarding the prohibition on harassment, collaborating with other professionals, relying upon independent and evidence-based judgment, and the prohibition on a supervisor's requiring or permitting a professional to provide services or conduct clinical activities that compromise their objective professional judgment.

**Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

## 26 PROPOSED REGULATIONS

Document No. 5231  
**DEPARTMENT OF SOCIAL SERVICES**  
CHAPTER 114  
Statutory Authority: 1976 Code Section 63-11-30

114-591. Organization and Administration.

114-594. Additional Requirements for Specified Group Home Populations.

### **Preamble:**

The South Carolina Department of Social Services is amending Regulations 114-591 regarding criminal and child protective services background checks and 114-594 regarding additional requirements for specified group home populations.

### Section-by-Section Discussion:

114-591. Organization and Administration.

1. Revises subparagraph (L), which relates to child protective services and criminal background checks, to enhance clarity and create consistency in such requirements between Residential Group Care Organizations for Children and Wilderness Therapeutic Camps.

114-594. Additional Requirements for Specified Group Home Populations.

1. Revises subparagraph (A), (B), (C), (D), and (E), to clarify applicability of additional requirements.

The Notice of Drafting was published in the *State Register* on June 23, 2023.

### **Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code of Laws, as amended, such matter will be heard before the Honorable Milton G. Kimpson at the Administrative Law Court, Edgar A. Brown Building, 1205 Pendleton Street, Second Floor, Columbia, South Carolina 29201 on Thursday, November 2, 2023, at 10:00 a.m. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

Written comments may be directed to Dawn Barton, Director, South Carolina Department of Social Services, Office of Permanency Management, 1535 Confederate Avenue, Post Office Box 1520, Columbia, South Carolina 29202, and by way of electronic mail to [dawn.barton@dss.sc.gov](mailto:dawn.barton@dss.sc.gov), no later than 5:00 p.m. on October 23, 2023.

### **Preliminary Fiscal Impact Statement:**

There will be no increased costs to the State or its political subdivisions.

### **Statement of Need and Reasonableness:**

#### DESCRIPTION OF REGULATION:

Purpose: The Department is revising the regulations to clarify requirements related to child protective services and criminal background checks for adults who work with children placed in Residential Group Care Facilities for Children and to clarify applicability of additional requirements for Residential Group Care Facilities for Children.

Legal Authority: 1976 Code Section 63-11-30.

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the *State Register*. The Department of Social Services will notify licensees of the revised regulations and will post the regulations on the Department’s website in the Child Welfare Services Policy and Procedures Manual.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

The proposed regulations are necessary to promote compliance with licensing standards concerning the care of children who are placed in Residential Group Care Facilities for Children.

**DETERMINATION OF COSTS AND BENEFITS:**

The costs associated with the regulations are primarily related to licensing and administrative functions, as well as foster care maintenance payments. The regulations will benefit children in foster care and other children who need residential group care placement by establishing consistent standards related to admissions, safety, protection, and care of these children by adult caregivers.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

The regulations will have no effect on the environment. The regulations further public health interests because the regulations support the Department’s mission to promote the safety, permanency, and well-being of children in foster care and other children who may need residential group care placement.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

There is no detrimental effect on the environment; however, an inability to regulate Residential Group Care Facilities for Children would have a detrimental effect on children who are in foster care and other children who may need residential placement for their care, safety, and well-being.

**Statement of Rationale:**

As the administrator of the State’s foster care system, the Department of Social Services is responsible for establishing and promulgating rules and regulations for the licensure of Residential Group Care Facilities for Children. The above referenced regulations need amendments to enhance consistency in licensing standards among child serving organizations licensed by the department and reduce burdensome requirements.

The proposed amendments promote the application of a consistent set of rules and regulations for the licensure of Residential Group Care Facilities for Children, thereby promoting the safety, permanency, stability, and well-being of children who are in the State’s foster care system.

**Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

## 28 PROPOSED REGULATIONS

Document No. 5232  
**DEPARTMENT OF SOCIAL SERVICES**  
CHAPTER 114  
Statutory Authority: 1976 Code Section 63-11-30

114-600. Wilderness Therapeutic Camps for Children.

### **Preamble:**

The South Carolina Department of Social Services is amending Regulations 114-600C.(12) and F.(6), regarding criminal and child protective services background checks.

### Section-by-Section Discussion:

114-600. Wilderness Therapeutic Camps for Children.

1. Revises subparagraph C.(8)(b) to create consistency with background check requirements stated in subparagraph C.(12).
2. Revises subparagraph C.(12), which relates to child protective services and criminal background checks, to enhance clarity and create consistency in such requirements between Wilderness Therapeutic Camps and Residential Group Care Organizations for Children.
3. Revises subparagraph F.(6), which relates to annual review and relicensing, to clarify that all child protective services, criminal, and sex offender registry background checks must be current in accordance with the regulations requiring such checks.

The Notice of Drafting was published in the *State Register* on June 23, 2023.

### **Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code of Laws, as amended, such matter will be heard before the Honorable Milton G. Kimpson at the Administrative Law Court, Edgar A. Brown Building, 1205 Pendleton Street, Second Floor, Columbia, South Carolina 29201 on Thursday, November 2, 2023, at 1:00 p.m. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

Written comments may be directed to Dawn Barton, Director, South Carolina Department of Social Services, Office of Permanency Management, 1535 Confederate Avenue, Post Office Box 1520, Columbia, South Carolina 29202, and by way of electronic mail to [dawn.barton@dss.sc.gov](mailto:dawn.barton@dss.sc.gov), no later than 5:00 p.m. on October 23, 2023.

### **Preliminary Fiscal Impact Statement:**

There will be no increased costs to the State or its political subdivisions.

### **Statement of Need and Reasonableness:**

#### DESCRIPTION OF REGULATION:

Purpose: The Department is revising the regulations to clarify requirements related to child protective services and criminal background checks for adults who work with children placed in Wilderness Therapeutic Camps for Children.

Legal Authority: 1976 Code Section 63-11-30.

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the *State Register*. The Department of Social Services will notify licensees of the revised regulations and will post the regulations on the Department's website in the Child Welfare Services Policy and Procedures Manual.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

The proposed regulations are necessary to promote compliance with licensing standards concerning the care of children who are placed in Wilderness Therapeutic Camps for Children.

**DETERMINATION OF COSTS AND BENEFITS:**

The costs associated with the regulations are primarily related to licensing and administrative functions, as well as foster care maintenance payments. The regulations will benefit children in foster care and other children who need residential group care placement by establishing consistent standards related to admissions, safety, protection, and care of these children by adult caregivers.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

The regulations will have no effect on the environment. The regulations further public health interests because the regulations support the Department's mission to promote the safety, permanency, and well-being of children in foster care and other children who may need residential group care placement.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

There is no detrimental effect on the environment; however, an inability to regulate Wilderness Therapeutic Camps for Children would have a detrimental effect on children who are in foster care and other children who may need residential placement for their care, safety, and well-being.

**Statement of Rationale:**

As the administrator of the State's foster care system, the Department of Social Services is responsible for establishing and promulgating rules and regulations for the licensure of Wilderness Therapeutic Camps for Children. The above referenced regulations, regarding licensure of Wilderness Therapeutic Camps for Children, need amendments to enhance consistency in licensing standards among child serving organizations licensed by the department and reduce burdensome requirements.

The proposed amendments promote the application of a consistent set of rules and regulations for the licensure of Wilderness Therapeutic Camps for Children, thereby promoting the safety, permanency, stability, and well-being of children who are in the State's foster care system.

**Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

## **30 EMERGENCY REGULATIONS**

**Filed: August 30, 2023 9:42 am**

Document No. 5230  
**DEPARTMENT OF NATURAL RESOURCES**  
CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-2200, and 50-11-2210

### **Emergency Situation:**

These emergency regulations establish seasons, limits and special restrictions for dove hunting on Dove Management Areas. Because the dove season begins September 2, it is necessary to file these regulations as emergency.

### **Text:**

#### **WILDLIFE MANAGEMENT AREA PUBLIC DOVE FIELDS 2023-2024**

Dove Management Area Regulations: The following fields are open only during the dates and times indicated below. A Wildlife Management Area permit and a Migratory Bird Permit are required for dove hunting on all fields. Fields denoted by an asterisk (\*) require hunters to sign in and sign out on ALL hunts. No species other than mourning doves and Eurasian collared doves may be hunted during scheduled dove hunts.

#### **Statewide Season Dates:**

September 2 - October 7, November 11 - November 25, December 24, 2023 - January 31, 2024.

Bag Limit: Mourning Doves: 15 doves per day. No limit on Eurasian collared doves.

The following special regulations apply to all Wildlife Management Area Public Dove Fields: Hunters are limited to 50 shells per hunt. No entry onto fields before 12:00 noon. No shooting after 6:00 p.m. during the first segment of the season (September 2 – October 7).

#### **ABBEVILLE**

U.S. Forest Service – Power of Partnerships Field – Sept. 2 Wheelin’ Sportsmen’s Hunt. 1<sup>st</sup> season – Saturdays Only beginning Sept. 9. 2<sup>nd</sup> and 3<sup>rd</sup> seasons open Mon. – Sat.

#### **AIKEN**

\*US Dept of Energy - Crackerneck WMA. 1<sup>st</sup> season – Sept. 2, 9, 16.

#### **ANDERSON**

Clemson University - Fant’s Grove WMA. 1<sup>st</sup> season - Saturdays Only Beginning Sept. 2. Field Closed Oct. 7. Open 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Saturdays Only.

#### **BERKELEY**

\*U.S. Army Corps of Engineers - Canal WMA. Sept. 2, 23; Oct. 7; Nov. 18. Sept. 9 is Wounded Warrior Hunt Only -Invitation Only.

#### **CHARLESTON**

\*DNR Botany Bay Plantation WMA. Sept. 2, 9, Oct. 7, Nov. 11. All hunts are Adult/Youth Only.

#### **CHEROKEE**

Duke Energy – London Creek WMA. Saturdays only beginning Sept. 2.

**CHESTER**

U.S. Forest Service - Worthy Bottoms. 1<sup>st</sup> season - Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat.

DNR Landsford Canal Forest Legacy Area. 1<sup>st</sup> season - Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat.

**CHESTERFIELD**

SC Forestry Commission – Sand Hills State Forest - Wilkes Chapel Field. 1<sup>st</sup> season – Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. – Sat.

SC Forestry Commission – Sand Hills State Forest - Davis Field. 1<sup>st</sup> season – Opening Day Sept. 2, then Wednesdays Only beginning Sept. 13. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. – Sat.

**CLARENDON**

\*Santee Cooper - Santee Dam WMA. Sept. 2, 16, 30; Nov. 18.

\*SC Forestry Commission - Oak Lea WMA. Sept. 2, 9, 16, 23, 30, Dec. 27; Jan. 3.

**COLLETON**

\*DNR - Donnelley WMA. Sept. 2, 9; Oct. 7; Nov. 11.

**FLORENCE**

Santee Cooper – Pee Dee Station Site WMA. Sept. 2, 16; Oct. 7; Nov. 25; Dec. 30; Jan. 13, 27. Dove Hunting Only.

**GEORGETOWN**

\*DNR Samworth WMA - Sept. 2, 16; Oct. 7; Nov. 18; Jan. 13.

**GREENVILLE**

DNR Tall Pines WMA. Dove Hunting Only. 1<sup>st</sup> Season - Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> and 3<sup>rd</sup> seasons – Saturdays Only.

**HAMPTON**

\*DNR – Palachucola WMA. Sept. 2, 16, 30; Nov. 25; Dec. 30; Jan. 13, 27.

\*DNR - Webb Wildlife Center. Sept. 2, 16, 30; Nov. 25; Dec. 30; Jan. 13, 27.

**LAURENS**

DNR Cliff Pitts WMA - 1<sup>st</sup> season – Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> and 3<sup>rd</sup> seasons open Mon. – Sat.

DNR Gray Court Field. 1<sup>st</sup> season - Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. - Sat.

**LEXINGTON**

Hallman Field. 1<sup>st</sup> season - Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Saturdays Only. Dove Hunting Only.

**MARLBORO**

DNR - Lake Wallace WMA. Sept. 2, 16; Oct. 7; Nov. 25; Dec. 30; Jan. 13, 27. Dove Hunting Only.

**MCCORMICK**

\*U.S. Army Corps of Engineers - Bordeaux Field. Sept. 2 & 20; Oct. 4; Nov. 22; Dec. 27; Jan. 10 & 24; Dove Hunting Only. Hunters must sign-in & out at 1009 McIntosh Rd.

## **32 EMERGENCY REGULATIONS**

U.S. Army Corps of Engineers – Parksville Field. 1<sup>st</sup> season – Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. - Sat.

US Army Corp of Engineers - Plum Branch Fields. 1<sup>st</sup> season – Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. - Sat.

### **NEWBERRY**

SCDOT McCullough Field. Saturdays Beginning Sept. 2. Dove Hunting Only.

DNR Belfast WMA. Sept. 2, 9, 16, 30; Nov. 25. 3<sup>rd</sup> season - Open Mon. - Sat.

### **OCONEE**

U.S. Forest Service – Long Creek Tract. In order to hunt, adults must have 1 or 2 youth age 17 or younger. 1<sup>st</sup> season – Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> season – Open November 11, 18, 25 Only. 3<sup>rd</sup> season – Closed.

U.S. Forest Service - Ross Mtn. Field. Open 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> seasons. Saturdays Only Beginning Sept. 2.

### **ORANGEBURG**

\*Santee Cooper - Santee Cooper WMA. Sept. 2 is Adult/Youth Only. Sept. 9, 23; Nov. 11.

### **PICKENS**

DNR Property - Rifle Range. Open 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> seasons. Saturdays Only Beginning Sept. 2. Dove hunting only.

Clemson University - Gravely WMA - Causey Tract. Open 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> seasons. Saturdays Only Beginning Sept. 2. Dove hunting only.

DNR Property – Jocassee Gorges – Cane Creek Field. Open Wednesday Only, Beginning Sept. 20. Open 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> seasons.

### **RICHLAND**

Love WMA – Sept. 2, 9, 16, 23, 30.

### **SALUDA**

SCE&G Saluda River Field. 1<sup>st</sup> season - Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat.

### **SPARTANBURG**

Santee Cooper. 1<sup>st</sup> season – Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. – Sat.

### **SUMTER**

S.C. Forestry Commission - Manchester State Forest

\*Bland Field 1. Sept. 2 is Adult/Youth Hunt Only. 1<sup>st</sup> season - Saturdays Only Beginning Sept. 9. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. – Sat. (Designated fields and the general forest).

\*Tuomey Fields Field A –1<sup>st</sup> season – Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. – Sat. (Designated fields and the general forest).

### **UNION**

DNR Thurmond Tract. 1<sup>st</sup> season – Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. – Sat.

U.S. Forest Service - Sedalia. Sept. 2 is Adult/Youth Only. 1<sup>st</sup> season – Saturdays Only Beginning Sept. 9. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat.



U.S. Forest Service - Herbert Field. 1<sup>st</sup> season - Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat.

**YORK**

DNR - Draper Tract. 1<sup>st</sup> season – Sept. 2, 16; Oct. 7; Nov. 25; Dec. 30; Jan. 13, 27. Dove Hunting Only.

York County – Worth Mountain WMA. Sept. 2, 16; Oct. 7; Nov. 25; Dec. 30; Jan. 13, 27. Dove Hunting Only.

**SPECIAL YOUTH DOVE HUNTS:**

Eligibility for these hunts requires adults 21 years or older to bring 1 or 2 youths 15 years of age and younger. Youths 16 & 17 years of age may participate in the hunt with or without an accompanying adult. The following regulations also apply: (1) Adult must remain in the field and closely supervise participating youth at all times. (2) In parties of one adult and 2 youths, only one youth hunter may be handling a loaded firearm at any given time. (3) Adults are allowed to shoot. (4) Bag limit is 15 birds per youth participant. Birds harvested by individual hunters must be kept separate, and in no instance may an individual hunter harvest more than 15 birds.

**CHARLESTON COUNTY YOUTH HUNT**

Botany Bay Plantation WMA - September 2, 9; October 7; November 11.

**OCONEE COUNTY ADULT/YOUTH HUNT**

1<sup>st</sup> season – Saturdays only beginning Sept. 2. 2<sup>nd</sup> season – Open November 11, 18, 25 Only. 3<sup>rd</sup> season – Closed.

**ORANGEBURG COUNTY YOUTH HUNT**

Santee Cooper - Santee Cooper WMA. September 2.

**SUMTER COUNTY YOUTH HUNT**

Manchester State Forest near Wedgefield Bland Tract - Field 1 near Wedgefield - September 2.

**UNION COUNTY YOUTH HUNT**

Sedalia Field (U.S. Forest Service) - September 2.

**YORK COUNTY YOUTH HUNT**

SCDNR - Draper WMA - September 2.

**Statement of Need and Reasonableness:**

Since existing regulations only apply to specific wildlife management areas, new regulations must be filed to establish seasons, bag limits and methods of hunting and taking of wildlife on new WMAs as well as expanding use opportunities on existing WMAs. Since the availability of specific fields changes each year and season dates change as allowed by Federal Regulation, it is necessary to file Dove Field regulations annually. Because these hunts begin on September 2, it is necessary to file these regulations as emergency so they take effect immediately.

**Fiscal Impact Statement:**

This amendment of Regulation 123-40 will result in increased public hunting opportunities which should generate additional State revenue through license sales. In addition, local economies should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.