

## Session 117 - (2007-2008)

**H\*3880 (Rat #0376, Act #0342 of 2008) General Bill, By W.D. Smith, Hagood, Mitchell and McLeod**

**Summary:** Brownfields/voluntary cleanup program

AN ACT TO AMEND ARTICLE 7, CHAPTER 56 OF TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BROWNFIELDS/VOLUNTARY CLEANUP PROGRAM, SO AS, AMONG OTHER THINGS, TO REVISE THE LIABILITY PROTECTION PROVIDED AS AN INCENTIVE TO PARTIES TO CONDUCT RESPONSE ACTIONS WHEN THEY ARE NOT RESPONSIBLE FOR ENVIRONMENTAL CONTAMINATION OF PROPERTY; TO FURTHER SPECIFY THE SCOPE OF A COVENANT NOT TO SUE PROVIDED TO PARTIES WHO ARE RESPONSIBLE FOR ENVIRONMENTAL CONTAMINATION OF PROPERTY; TO PROVIDE THAT CONTAMINATION OF PROPERTY INCLUDES IMPACT BY PETROLEUM OR A PETROLEUM PRODUCT; TO SPECIFY THAT PROPERTY ON WHICH A RELEASE OF PETROLEUM PRODUCTS OCCURRED IS PROPERTY ELIGIBLE FOR PARTICIPATION IN THE VOLUNTARY CLEANUP PROGRAM; TO FURTHER PROVIDE THAT ELIGIBILITY FOR A NONRESPONSIBLE PARTY TO PARTICIPATE IN THE PROGRAM REQUIRES THE PARTY TO UNDERTAKE TO EXPAND, REDEVELOP, OR RETURN TO USE THE PROPERTY; TO FURTHER SPECIFY GROUNDS FOR TERMINATING A VOLUNTARY CLEANUP CONTRACT AND A CONTRACT COVENANT NOT TO SUE; TO FURTHER SPECIFY REQUIREMENTS THAT MUST BE MET BEFORE A NONRESPONSIBLE PARTY ENTERS INTO A VOLUNTARY CLEANUP CONTRACT; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO REPORT TO THE GENERAL ASSEMBLY ON THE ACTIVITIES OF THIS PROGRAM; AND TO CONFORM PROVISIONS IN THIS ARTICLE TO THE REVISIONS MADE PURSUANT TO THIS ACT; AND TO AMEND SECTION 12-6-3550, RELATING TO VOLUNTARY CLEANUP ACTIVITY TAX CREDITS, SO AS TO DELETE A REFERENCE TO TAXES DUE UNDER CORPORATE INCOME TAX. - ratified title

<b>04/12/07</b>	<b>House</b>	<b>Introduced and read first time HJ-35</b>
<b>04/12/07</b>	<b>House</b>	<b>Referred to Committee on Judiciary HJ-36</b>
<b>04/17/07</b>	<b>House</b>	<b>Member(s) request name added as sponsor: McLeod</b>
<b>05/02/07</b>	<b>House</b>	<b>Committee report: Favorable with amendment Judiciary HJ-8</b>
<b>05/03/07</b>		<b>Scrivener's error corrected</b>
<b>05/08/07</b>	<b>House</b>	<b>Amended HJ-46</b>
<b>05/08/07</b>	<b>House</b>	<b>Read second time HJ-47</b>
<b>05/09/07</b>	<b>House</b>	<b>Read third time and sent to Senate HJ-26</b>
<b>05/15/07</b>	<b>Senate</b>	<b>Introduced and read first time SJ-13</b>
<b>05/15/07</b>	<b>Senate</b>	<b>Referred to Committee on Medical Affairs SJ-13</b>
<b>05/14/08</b>	<b>Senate</b>	<b>Committee report: Favorable with amendment Medical Affairs SJ-7</b>
<b>05/15/08</b>		<b>Scrivener's error corrected</b>
<b>05/21/08</b>	<b>Senate</b>	<b>Committee Amendment Adopted SJ-83</b>
<b>05/21/08</b>	<b>Senate</b>	<b>Read second time SJ-83</b>
<b>05/22/08</b>		<b>Scrivener's error corrected</b>
<b>05/28/08</b>	<b>Senate</b>	<b>Amended SJ-35</b>
<b>05/28/08</b>	<b>Senate</b>	<b>Read third time and returned to House with amendments SJ-35</b>
<b>06/04/08</b>	<b>House</b>	<b>Concurred in Senate amendment and enrolled HJ-94</b>
<b>06/05/08</b>		<b>Ratified R 376</b>
<b>06/11/08</b>		<b>Signed By Governor</b>
<b>06/27/08</b>		<b>Copies available</b>
<b>06/27/08</b>		<b>Effective date See Act for Effective Date</b>
<b>07/11/08</b>		<b>Act No. 342</b>