**South Carolina General Assembly**

118th Session, 2009-2010

**S. 1291**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Verdin and O'Dell

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Introduced in the Senate on March 17, 2010

Currently residing in the Senate

Summary: Solid waste collection

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/17/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\03-17-10.docx)‑5

3/17/2010 Senate Referred to Committee on **Medical Affairs** [SJ](file:///h:\SJ%20Archive\2010\03-17-10.docx)‑5

4/22/2010 Senate Committee report: Favorable **Medical Affairs** [SJ](file:///h:\SJ%20Archive\2010\04-22-10.docx)‑11

**VERSIONS OF THIS BILL**

[3/17/2010](file:///p:\pprever\2009-10\1291_20100317.docx)

[4/22/2010](file:///p:\pprever\2009-10\1291_20100422.docx)

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Indicates New Matter

COMMITTEE REPORT

April 22, 2010

**S. 1291**

Introduced by Senators Verdin and O’Dell

S. Printed 4/22/10--S.

Read the first time March 17, 2010.

**THE COMMITTEE ON MEDICAL AFFAIRS**

To whom was referred a Bill (S. 1291) to amend Section 44‑96‑80 of the 1976 Code, relating to county solid waste programs, to provide that an ordinance that restricts solid waste disposal at permitted facilities, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

HARVEY S. PEELER, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 44‑96‑80 OF THE 1976 CODE, RELATING TO COUNTY SOLID WASTE PROGRAMS, TO PROVIDE THAT AN ORDINANCE THAT RESTRICTS SOLID WASTE DISPOSAL AT PERMITTED FACILITIES LOCATED OUTSIDE A COUNTY’S BOUNDARIES OR IMPEDES A RECYCLING PROGRAM IS INCONSISTENT WITH THE PROVISIONS OF THE CHAPTER; AND TO AMEND SECTION 44‑55‑1210, RELATING TO COUNTIES ENGAGING IN SOLID WASTE COLLECTION, TO PROVIDE THAT AN ORDINANCE IS VOID TO THE EXTENT THAT A COUNTY ORDINANCE RESTRICTS SOLID WASTE DISPOSAL AT A PERMITTED SITE OUTSIDE A COUNTY’S BOUNDARIES OR IMPEDES A RECYCLING PROGRAM.

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

SECTION 1. Section 44‑96‑80(K) of the 1976 Code is amended to read:

“(K) The governing body of a county is authorized to enact ~~such~~ ordinances ~~as may be~~ necessary to carry out its responsibilities under this chapter~~; provided, however, that the governing body of a county~~, but may not enact an ordinance inconsistent with the state solid waste management plan, with ~~any~~ a provision of this chapter, with ~~any other~~ another applicable provision of state law, or with ~~any~~ a regulation promulgated by the department providing for the protection of public health ~~and~~, public safety, or ~~for protection of~~ the environment. An ordinance that restricts or prohibits disposal of waste at a permitted solid waste management facility located outside the county’s boundaries or impedes the development and implementation of a public or private recycling program is considered inconsistent with the provisions of this chapter.”

SECTION 2. Section 44‑55‑1210 of the 1976 Code is amended to read:

“Section 44‑55‑1210. The governing body of ~~any~~ a county may by ordinance or resolution provide that the county ~~shall~~ must engage in the collection and disposal of solid waste. ~~Such~~ This collection and disposal may be accomplished either by use of county employees and equipment or by contract with a private ~~agencies~~ agency or ~~municipalities~~ municipality of the county. ~~Service charges~~ A service charge may be levied against ~~persons~~ a person for whom a collection ~~services are~~ service is provided whether ~~such services are~~ this service is performed by the county, a municipality, or a private agency. To the extent that a county ordinance restricts or prohibits disposal of waste at a permitted solid waste management facility located outside the county’s boundaries or impedes the development and implementation of a public or private recycling program, the ordinance is void.”

SECTION 3. This act takes effect upon approval by the Governor.

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