**South Carolina General Assembly**

121st Session, 2015-2016

**A138, R142, H4857**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hiott, Clary and Collins

Document Path: l:\council\bills\ggs\22826zw16.docx

Companion/Similar bill(s): 1061

Introduced in the House on February 9, 2016

Introduced in the Senate on February 11, 2016

Last Amended on February 18, 2016

Passed by the General Assembly on February 25, 2016

Governor's Action: March 2, 2016, Signed

Summary: Coal combustion residuals

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/9/2016 House Introduced, read first time, placed on calendar without reference ([House Journal‑page 7](file:///h%3A%5CHJ%20Archive%5C2016%5C02-09-16.docx))

 2/10/2016 House Read second time ([House Journal‑page 24](file:///h%3A%5CHJ%20Archive%5C2016%5C02-10-16.docx))

 2/10/2016 House Read second time ([House Journal‑page 24](file:///h%3A%5CHJ%20Archive%5C2016%5C02-10-16.docx))

 2/10/2016 House Roll call Yeas‑109 Nays‑0 ([House Journal‑page 24](file:///h%3A%5CHJ%20Archive%5C2016%5C02-10-16.docx))

 2/11/2016 House Read third time and sent to Senate ([House Journal‑page 46](file:///h%3A%5CHJ%20Archive%5C2016%5C02-11-16.docx))

 2/11/2016 Senate Introduced and read first time ([Senate Journal‑page 6](file:///h%3A%5CSJ%20Archive%5C2016%5C02-11-16.docx))

 2/11/2016 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 6](file:///h%3A%5CSJ%20Archive%5C2016%5C02-11-16.docx))

 2/17/2016 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2016%5C02-17-16.docx))

 2/18/2016 Senate Committee Amendment Adopted ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2016%5C02-18-16.docx))

 2/18/2016 Senate Read second time ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2016%5C02-18-16.docx))

 2/18/2016 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 19](file:///h%3A%5CSJ%20Archive%5C2016%5C02-18-16.docx))

 2/23/2016 Senate Read third time and returned to House with amendments ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2016%5C02-23-16.docx))

 2/25/2016 House Concurred in Senate amendment and enrolled ([House Journal‑page 38](file:///h%3A%5CHJ%20Archive%5C2016%5C02-25-16.docx))

 2/25/2016 House Roll call Yeas‑101 Nays‑1 ([House Journal‑page 39](file:///h%3A%5CHJ%20Archive%5C2016%5C02-25-16.docx))

 2/25/2016 Ratified R 142

 3/2/2016 Signed By Governor

 3/4/2016 Effective date See Act for Effective Date

 3/7/2016 Act No. 138

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4857&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/9/2016](file:///p%3A%5Cpprever%5C2015-16%5C4857_20160209.docx)

[2/9/2016-A](file:///p%3A%5Cpprever%5C2015-16%5C4857_20160209A.docx)

[2/17/2016](file:///p%3A%5Cpprever%5C2015-16%5C4857_20160217.docx)

[2/18/2016](file:///p%3A%5Cpprever%5C2015-16%5C4857_20160218.docx)

(A138, R142, H4857)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑27‑255 SO AS TO REQUIRE COAL COMBUSTION RESIDUALS RESULTING FROM THE PRODUCTION OF ELECTRICITY TO BE PLACED IN A CLASS 3 LANDFILL AND TO PROVIDE EXCEPTIONS.**

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

**Coal combustion residuals disposal**

SECTION 1. Article 1, Chapter 27, Title 58 of the 1976 Code is amended by adding:

 “Section 58‑27‑255. (A) Coal combustion residuals that result from an electrical utility, an electric cooperative, a governmental entity, a corporation, or an individual producing electricity for sale or distribution by burning coal must be placed in a commercial Class 3 solid waste management landfill, unless the coal combustion residuals are:

 (1) located contiguous with the electric generating unit;

 (2) intended to be beneficially reused;

 (3) placed into beneficial reuse; or

 (4) placed in an appropriate landfill which meets the standards of the Department of Health and Environmental Control Regulation 61‑107, and that is owned or operated by the entity that produced the electricity which resulted in the coal combustion residuals.

 (B) The ‘beneficial reuse’ of coal combustion residuals, as used in this section, is subject to the applicable regulations as promulgated by the Department of Health and Environmental Control.”

**Other provisions or requirements unaffected**

SECTION 2. Nothing in this act affects any other provisions or requirements of law or regulation applicable to coal combustion residuals.

**Provisions to sunset in five years**

SECTION 3. The provisions of this act are repealed five years from the act’s effective date, unless reenacted or otherwise extended by the General Assembly.

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor and applies to the disposal of coal combustion residuals placed in a landfill on or after that date.

Ratified the 25th day of February, 2016.

Approved the 2nd day of March, 2016.

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