**A** **BILL**

TO AMEND SECTION 48-20-280 OF THE 1976 CODE, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA MINING ACT, TO ADD EXEMPTIONS FOR THE DEPARTMENT OF COMMERCE, DIVISION OF PUBLIC RAILWAYS, AND PERSONS ACTING UNDER CONTRACT WITH THE DEPARTMENT OF COMMERCE.

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

SECTION 1. Section 48-20-280 of the 1976 Code is amended to read:

“Section 48-20-280. The provisions of this chapter do not apply to those activities of the:

(1) South Carolina State Ports Authority, nor of a person acting under contract with the authority; undertaken solely in connection with the construction, repair, and maintenance of the authority’s shipping container terminals; ~~or~~

(2) Department of Transportation, nor of a person acting under contract with the department, on highway rights‑of‑way or borrow pits maintained solely in connection with the construction, repair, and maintenance of the public road systems of the State. This exemption does not become effective until the department has adopted reclamation standards applying to those activities and the standards have been approved by the council. At the discretion of the department, the provisions of this chapter may apply to mining on federal lands; or

(3) Department of Commerce, Division of Public Railways, nor of a person acting under contract with the Department of Commerce, on rail rights-of-way or borrow pits maintained solely in connection with the construction, repair, and maintenance of the public rail infrastructure of the State.”

SECTION 2. Section 48-20-280(3) is effective upon adoption of the Department of Commerce’s reclamation standards applying to those activities used by the Department of Transportation.

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

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