**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 5125**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Cogswell, Sottile, Clary, McCoy, Hyde, Davis, B. Newton, W. Newton, Moore, Stavrinakis, Brown, Willis, Ott, Anderson, Elliott, Wheeler, Cobb‑Hunter, Bennett, B. Cox and Henegan

Document Path: l:\council\bills\df\13014cz20.docx

Companion/Similar bill(s): 1024

Introduced in the House on February 11, 2020

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: SC Thirty-by-Thirty Conservation Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/11/2020 House Introduced and read first time ([House Journal‑page 8](file:///h:\hj\20200211.docx))

2/11/2020 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 8](file:///h:\hj\20200211.docx))

2/12/2020 House Member(s) request name added as sponsor: Cobb‑Hunter, Bennett

2/13/2020 House Member(s) request name added as sponsor: B.Cox

3/4/2020 House Member(s) request name added as sponsor: Henegan

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**VERSIONS OF THIS BILL**

[2/11/2020](file:///p:\pprever\2019-20\5125_20200211.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE “SOUTH CAROLINA THIRTY‑BY‑THIRTY CONSERVATION ACT”, TO ESTABLISH THE GOAL OF PROTECTING THIRTY PERCENT OF THE STATE BY 2030, TO DEFINE NECESSARY TERMS, TO ESTABLISH THE THIRTY‑BY‑THIRTY INTERAGENCY TASKFORCE AND TO PROVIDE FOR THE MEMBERSHIP OF THE TASKFORCE, TO REQUIRE THE DEVELOPMENT AND IMPLEMENTATION OF PLANS TO PROTECT THE LAND AND WATERS OF THIS STATE AND TO REQUIRE THE SUBMISSION OF A PROPOSED PLAN WITHIN A CERTAIN TIME PERIOD.

Whereas, rapid land development in South Carolina has led to the loss of forests, farmlands, wildlife habitats, biodiversity, outstanding natural areas, beaches, and public areas for outdoor recreation and has impacted the health of the state’s streams, rivers, wetlands, estuaries, and bays, all of which impacts the quality of life of the State’s current and future citizens and may jeopardize the well‑being of the State’s environment and economy if not addressed appropriately; and

Whereas, this same rapid land development has also led to the loss of historical and archaeological sites that embody the heritage of the State; and

Whereas, this same rapid land development is occurring across the United States and across the world; and

Whereas, scientists have documented this rapid loss of natural area and wildlife, including the loss of 1,500,000 acres of natural area in the United States per year; the loss of 2,900,000,000, or twenty‑nine percent, of North American birds since 1970; threats to approximately 12,000 plant and animal species in the United States, all of which are in need of proactive conservation efforts; and the loss of one‑half of freshwater and saltwater wetlands in the contiguous forty‑eight states; and

Whereas, scientists have recommended conserving and protecting thirty percent of the land and thirty percent of the ocean in each country by 2030 in order to address the deterioration of natural systems, loss of biodiversity, and rapid land development; and

Whereas, national leaders have introduced measures to commit the United States to protecting thirty percent of its lands and oceans by 2030; and

Whereas, in order to support national efforts and provide state leadership to address the deterioration of natural systems, loss of biodiversity, and rapid land development, South Carolina must establish a bold goal for the amount of land to be protected by 2030. Now, therefore,

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

SECTION 1. This act is known and may be cited as the “South Carolina Thirty‑By‑Thirty Conservation Act”.

SECTION 2. Title 48 of the 1976 Code is amended by adding:

“CHAPTER 61

South Carolina Thirty‑By‑Thirty Conservation Act

Section 48‑61‑100. For the purposes of this chapter:

(1) ‘Conservation goal’ or ‘goal’ means the overall goal of protecting thirty percent of the land and water of this State.

(2) ‘Protect’ or ‘protection’ means the establishment of enduring conservation measures on lands and waters in the State such that their natural character, resources, and functions are preserved for current and future generations.

(3) ‘Taskforce’ means the Thirty‑By‑Thirty Interagency Taskforce established by this chapter.

(4) ‘Thirty percent of the State’ means thirty percent of the real property, including highlands and wetlands of any description, within the State of South Carolina.

Section 48‑61‑200. It is the goal of the State of South Carolina to protect thirty percent of the State by no later than 2030.

Section 48‑61‑300. (A) There is established the Thirty‑By‑Thirty Interagency Taskforce, consisting of the Director of the Department of Natural Resources, the Director of the South Carolina Conservation Bank, and the Director of the Department of Parks, Recreation and Tourism.

(B) The taskforce shall coordinate with state agencies to identify and implement measures to achieve the conservation goal.

(C) The taskforce shall track progress toward achieving the conservation goal and report the progress to the General Assembly by July first of each year.

Section 48‑61‑400. (A) The head of each state agency shall develop and implement a plan for actions to be taken by the state agency, consistent with the state agency’s mission, to achieve the conservation goal in combination with other state agencies. Each state agency’s plan shall include actions that will make significant and rapid progress toward meeting the conservation goal and shall include the consideration of:

(1) support for private land protection. In recognition of the longstanding conservation traditions shared by the state’s farmers and private landowners, state agency plans must fully support private property rights and develop recommendations that help the state’s private landowners conserve wildlife, waters, and natural areas on their lands; and

(2) a diversity of policies and programs. In recognition of the wide‑ranging racial, income, and cultural diversity of the State, state agency plans must take all reasonable steps to ensure that state agency plans and the policies and programs resulting from state agency plans provide meaningful and lasting benefits to communities that reflect the diversity of the State.

(B) The head of the state agency shall review and revise the plan to ensure that it is sufficient to achieve the conservation in combination with the plans of the other state agencies no less than every twenty‑four months. The head of each state agency shall include the conclusion of each review and any revised plan resulting from the review in the next annual public report.

(C) No later than July first of each year, each state agency shall issue a public report from the preceding calendar year of its plan including any revisions to the plan, actions taken by the state agency pursuant to the plan, and the effects of such actions.”

SECTION 3. (A) No later than nine months after the date of enactment of this act, the head of each state agency shall submit his proposed plan pursuant to Section 48‑61‑400, as added by this act, to the Thirty‑By‑Thirty Interagency Taskforce for review and comment. The Thirty‑By‑Thirty Interagency Taskforce shall:

(1) evaluate the sufficiency of each proposed plan individually, and in combination with the proposed plans of other state agencies to achieve the conservation goal and to address the considerations identified pursuant to the provisions of Chapter 61, Title 48; and

(2) provide, no later than ninety days after receiving the proposed plan of a state agency, written recommendations to the state agency regarding whether the plan is individually and in combination with the proposed plans of other state agencies sufficient to achieve the conservation goal and address the considerations identified pursuant to the provisions of Chapter 61, Title 48.

(B) Upon the request of a state agency, the Thirty‑By‑Thirty Interagency Taskforce shall provide technical assistance in developing or revising a plan.

(C) After the head of each state agency considers comments and, as appropriate, revises a proposed plan, and no later than twelve months after the date of enactment of this act, the head of each state agency shall submit to the General Assembly:

(1) a plan developed pursuant to Chapter 61, Title 48 that, as appropriate, incorporates revisions to the proposed plan to address the recommendations provided by the Thirty‑By‑Thirty Interagency Taskforce;

(2) the recommendations provided by the Thirty‑By‑Thirty Interagency Taskforce; and

(3) the recommendations of the state agency on any additional authority or funding, if any, that would be helpful for the state agency, in combination with the other state agencies, to achieve the conservation goal.

(D) Beginning no later than eighteen months after the date of enactment of this act, the head of each state agency shall implement the plan of the state agency.

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act 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.

SECTION 5. This act takes effect upon approval by the Governor.

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