**South Carolina General Assembly**

125th Session, 2023-2024

**A87, R78, H3209**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Jordan, Murphy, Brewer, Williams, Henegan and Alexander

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Introduced in the House on January 10, 2023

Introduced in the Senate on February 1, 2023

Last Amended on May 9, 2023

Currently residing in the House

Summary: Economic Development

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/8/2022 House Prefiled

 12/8/2022 House Referred to Committee on **Judiciary**

 1/10/2023 House Introduced and read first time (House Journal‑page 94)

 1/10/2023 House Referred to Committee on **Judiciary** (House Journal‑page 94)

 1/25/2023 House Committee report: Favorable with amendment **Judiciary** (House Journal‑page 5)

 1/31/2023 House Member(s) request name added as sponsor: Murphy,
 Brewer, Williams, Henegan, Alexander

 1/31/2023 House Amended (House Journal‑page 18)

 1/31/2023 House Read second time (House Journal‑page 21)

 1/31/2023 House Roll call Yeas-112 Nays-0 (House Journal‑page 23)

 2/1/2023 House Read third time and sent to Senate (House Journal‑page 17)

 2/1/2023 Senate Introduced and read first time (Senate Journal‑page 6)

 2/1/2023 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 6)

 2/1/2023 Scrivener's error corrected

 3/29/2023 Senate Committee report: Favorable **Judiciary** (Senate Journal‑page 13)

 3/31/2023 Scrivener's error corrected

 4/18/2023 Senate Read second time (Senate Journal‑page 9)

 4/18/2023 Senate Roll call Ayes-45 Nays-0 (Senate Journal‑page 9)

 5/9/2023 Senate Amended (Senate Journal‑page 43)

 5/9/2023 Senate Read third time and returned to House with amendments (Senate Journal‑page 43)

 5/9/2023 Senate Roll call Ayes-43 Nays-2 (Senate Journal‑page 43)

 5/11/2023 House Concurred in Senate amendment and enrolled (House Journal‑page 38)

 5/11/2023 House Roll call Yeas-107 Nays-0 (House Journal‑page 38)

 5/17/2023 Ratified R 78

 5/19/2023 Signed By Governor

 5/26/2023 Effective date 05/19/23

 7/6/2023 Act No. 87

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[01/31/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3209_20230131.docx)

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[03/29/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3209_20230329.docx)

[03/31/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3209_20230331.docx)

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(A87, R78, H3209)

A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENTal APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

Whereas, a state of economic emergency existed in the State of South Carolina and the nation, which drastically affected various segments of the South Carolina economy; and

Whereas, the state of emergency for COVID-19 is no longer in effect; however, as a result of the pandemic, the economy experienced a decline, including reduced demand, canceled orders, declining sales and rentals, and layoffs; and

Whereas, the current national economic downturn has severely weakened several industries due to closures and a dearth of buyers during the COVID‑19 pandemic, uncertainty over the state of the economy, and increasing levels of unemployment; and

Whereas, it is the purpose of this joint resolution to help rectify some of the hardships currently being faced through an extension of permits. Now, therefore,

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

Citation

SECTION 1. This joint resolution must be known and may be cited as the “Permit Extension Joint Resolution of 2023”.

Definitions

SECTION 2. As used in this resolution:

 (1) “Department” means the South Carolina Department of Health and Environmental Control.

 (2) “Development” means the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure or facility; or any grading, soil removal or relocation, excavation or landfill, or any use or change in the use of any building, other structure, land, or extension of the use of land.

 (3)(a) “Development approval” means an approval issued by the State, an agency or subdivision of the State, regardless of the form of the approval, that is for the development of land or for the provision of water or wastewater services by a governmental entity, including:

 (i) a water or wastewater permit issued by the department, including authorization for construction and installation of lines and infrastructure extending water and sewer service and authorization to connect to available or proposed lines and infrastructure;

 (ii) a critical area permit issued by the department’s Office of Ocean and Coastal Resource Management; and

 (iii) an air quality permit issued by the department.

 (b) However, “development approval”, for purposes of this resolution, shall not include development agreements entered pursuant to S.C. Code Ann. Section 6-31-10, et seq., which agreements are expressly excluded from the permit extension provisions herein.

Governmental approval extensions

SECTION 3. This joint resolution is intended to apply retroactively. For development approval that is current and valid at any point during the period beginning January 1, 2020, and ending December 31, 2023, the running of the period of the development approval and any associated vested right is suspended during the period beginning January 1, 2020, and ending December 31, 2023.

Exceptions

SECTION 4. This joint resolution may not be construed or implemented to:

 (1) extend a permit or approval issued by the United States or its agencies or instrumentalities;

 (2) extend a permit or approval issued by the department pursuant to authority delegated by the United States or its agencies or instrumentalities;

 (3) extend a permit or approval for which the term or duration of the permit or approval is specified or determined pursuant to federal law;

 (4) shorten the duration that a development approval would have had in the absence of this joint resolution;

 (5) prohibit the granting of additional extensions provided by law;

 (6) affect an administrative consent order issued by the department in effect or issued at any time from the effective date of this resolution to December 31, 2023;

 (7) affect the ability of a governmental entity to revoke or modify a development approval pursuant to law;

 (8) modify a requirement of law that is necessary to retain federal delegation by the State of the authority to implement a federal law or program;

 (9) affect a Certificate of Need issued pursuant to Article 3, Chapter 7, Title 44 of the S.C. Code or a Demonstration of Need issued pursuant to Article 2, Chapter 96, Title 44 of the S.C. Code; or

 (10) affect SCDHEC‑OCRM permits issued pursuant to R.30‑12(N) Access to Coastal Islands.

State Register notice

SECTION 5. Within thirty days after the effective date of this joint resolution, each agency or subdivision of the State to which this joint resolution applies shall place a notice in the State Register listing the types of development approvals that the agency or subdivision issues and noting the extension provided in this joint resolution. This SECTION does not apply to units of local government.

Construction

SECTION 6. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

Time effective

SECTION 7. This joint resolution takes effect upon approval by the Governor.

Ratified the 17th day of May, 2023.

Approved the 19th day of May, 2023.

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