

Session 118 - (2009-2010)

**H*3203 (Rat #0031, Act #0014 of 2009) General Bill, By Brady, Harrison, J.E. Smith, Battle and Simrill
Similar (S 0296)**

Summary: Drycleaning Facility Restoration Trust Fund

AN ACT TO AMEND ARTICLE 4, CHAPTER 56, TITLE 44 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DRYCLEANING FACILITY RESTORATION TRUST FUND, SO AS TO, AMONG OTHER THINGS, FURTHER SPECIFY THAT WHOLESALE DRYCLEANING FACILITIES ARE SUBJECT TO THE PROVISIONS OF THIS ARTICLE AND ARE ELIGIBLE TO SEEK RESTORATION ASSISTANCE UNDER THIS ARTICLE; TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO USE FUNDS, OTHER THAN FUNDS FROM THE DRYCLEANING FACILITY RESTORATION TRUST FUND, IF AN EMERGENCY EXISTS AND FUNDS ARE NOT AVAILABLE FROM THE TRUST FUND AND TO FURTHER PROVIDE THAT THESE FUNDS MUST BE REPAYED FROM THE TRUST FUND; TO PROVIDE EXEMPTIONS FROM THE ENVIRONMENTAL SURCHARGE IMPOSED ON THE GROSS PROCEEDS OF SALES OF RETAIL DRYCLEANING FACILITIES, INCLUDING AN EXEMPTION FOR WHOLESALE SALES OF DRYCLEANING SERVICES; TO FURTHER PROVIDE FOR ELIGIBILITY REQUIREMENTS AND PROCEDURES FOR REQUESTING AND ISSUING RESTORATION ASSISTANCE, INCLUDING PROVIDING CRITERIA FOR DEDUCTIBLES AND CONDUCTING SECONDARY ASSESSMENTS; TO PROVIDE INITIAL AND ANNUAL REGISTRATION FEES FOR DRYCLEANING FACILITIES ESTABLISHED AFTER OCTOBER 1, 1995, AND TO AUTHORIZE THE PROPERTY OWNER TO REGISTER A FACILITY IF THE OWNER OR OPERATOR OF THE FACILITY DOES NOT; TO PROVIDE FOR THE ISSUANCE OF CERTIFICATES OF REGISTRATION, TO REQUIRE PRESENTATION OF CERTIFICATES IN ORDER TO PURCHASE DRYCLEANING SOLVENT, TO PROHIBIT A SUPPLY FACILITY, OR OTHER DRYCLEANING FACILITY, FROM SELLING DRYCLEANING SOLVENT TO A DRYCLEANING FACILITY IF THE FACILITY DOES NOT POSSESS A CERTIFICATE, AND TO PROVIDE CIVIL PENALTIES FOR VIOLATIONS; TO SPECIFY REQUIREMENTS FOR A DRYCLEANING FACILITY EXEMPTION CERTIFICATE; TO AUTHORIZE A DRYCLEANING FACILITY PREVIOUSLY REGISTERED UNDER THIS ARTICLE TO OPT OUT IF THE FACILITY HAS BEEN IN OPERATION BEFORE JANUARY 1, 1940, AND ONLY HAS USED NONHALOGENATED CLEANERS; AND TO REVISE THE MEMBERSHIP OF THE DRYCLEANING ADVISORY COUNCIL. - ratified title

12/16/08	House	Prefiled
12/16/08	House	Referred to Committee on Ways and Means
01/13/09	House	Introduced and read first time HJ-90
01/13/09	House	Referred to Committee on Ways and Means HJ-91
03/31/09	House	Committee report: Favorable Ways and Means HJ-11
04/01/09	House	Read second time HJ-34
04/02/09	House	Read third time and sent to Senate HJ-13
04/14/09	Senate	Introduced, read first time, placed on calendar without reference SJ-16
04/15/09	Senate	Amended SJ-33
04/16/09		Scrivener's error corrected
04/21/09	Senate	Amended SJ-32
04/21/09	Senate	Read second time SJ-32
04/22/09		Scrivener's error corrected
04/22/09	Senate	Read third time and returned to House with amendments SJ-15
04/23/09	House	Concurred in Senate amendment and enrolled HJ-265
04/23/09	House	Roll call Yeas-97 Nays-0 HJ-266
04/30/09		Ratified R 31
05/06/09		Signed By Governor
05/15/09		Effective date See Act for Effective Date
05/19/09		Act No. 14