

## Session 119 - (2011-2012)

### H\*3918 (Rat #0293, Act #0270 of 2012) General Bill, By White

**Similar (S 0707)**

**Summary:** Division of Aeronautics

AN ACT TO AMEND CHAPTER 1, TITLE 55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE DIVISION OF AERONAUTICS WITHIN THE DEPARTMENT OF COMMERCE, SO AS TO PROVIDE DEFINITIONS FOR VARIOUS TERMS, TO MOVE THE FUNCTIONS, DUTIES, AND RESPONSIBILITIES OF THE DIVISION OF AERONAUTICS TO THE SOUTH CAROLINA BUDGET AND CONTROL BOARD, TO PROVIDE THAT ALL FEES AND FINES ASSESSED BY THE DIVISION MUST BE DEPOSITED INTO THE STATE AVIATION FUND, TO REVISE CERTAIN PROVISIONS RELATING TO THE OPERATION OF INTRASTATE SCHEDULED AIRLINE SERVICE, COUNTY AVIATION COMMISSIONS, THE USE OF STATE-OWNED AIRCRAFT, AND THE USE OF ALCOHOLIC BEVERAGES BY FLIGHT CREW MEMBERS, TO MAKE TECHNICAL CHANGES, AND TO REVISE CERTAIN PENALTIES; TO AMEND CHAPTER 3, TITLE 55, RELATING TO THE UNIFORM STATE LAWS FOR AERONAUTICS, SO AS TO MAKE TECHNICAL CHANGES, REVISE CERTAIN PROVISIONS RELATING TO THE DEFINITION OF VARIOUS FORMS OF AIRCRAFT, THE OWNERSHIP OF AIRSPACE, THE LANDING OF AN AIRCRAFT ON LANDS OR WATERS, TO PROVIDE THAT IT IS ILLEGAL TO POINT, AIM, OR DISCHARGE A LASER DEVICE AT CERTAIN AIRCRAFT, AND PROVIDE PENALTIES; TO AMEND CHAPTER 5, TITLE 55, RELATING TO THE UNIFORM STATE AERONAUTICAL REGULATORY LAW, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT CONTAINS VARIOUS TERMS AND THEIR DEFINITIONS, TO DELETE THE PROVISION THAT REQUIRES THE STATE BUDGET AND CONTROL BOARD TO PROVIDE OFFICES FOR THE DIVISION OF AERONAUTICS, TO DELETE THE PROVISION THAT REQUIRES THE DIVISION OF AERONAUTICS TO FURNISH COUNTY AUDITORS A LIST OF ALL AIRCRAFT REGISTERED IN THEIR COUNTY, TO REVISE THE DIVISION'S RESPONSIBILITIES RELATING TO ITS REGULATION OF CERTAIN AIR NAVIGATION AND AIRPORT FACILITIES, THE CONSTRUCTION OF AIRPORTS, THE REPORTS IT FILES WITH THE FEDERAL AVIATION ADMINISTRATION, AND THE OPERATION OF THE DIVISION, TO PROVIDE PENALTIES FOR VIOLATIONS OF PROVISIONS OF THIS CHAPTER, AND TO REVISE PROVISIONS RELATING TO THE USE OF MONIES CONTAINED IN THE STATE AVIATION FUND; TO AMEND CHAPTER 9, TITLE 55, RELATING TO THE UNIFORM SOUTH CAROLINA AIRPORTS ACT, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS CHAPTER ALSO APPLIES TO COUNTIES, AIRPORT COMMISSIONS, AND SPECIAL PURPOSE DISTRICTS, TO DELETE OBSOLETE TERMS, TO REVISE THE PROJECTS THAT MAY BE FUNDED FROM MONIES CONTAINED IN AIRPORT FACILITIES ACCOUNTS, AND TO PROVIDE FOR THE TERM "AIRPORT HAZARD" AND TO PROVIDE ITS DEFINITION AND THE REGULATION OF AN AIRPORT HAZARD; TO AMEND CHAPTER 11, TITLE 55, RELATING TO THE CREATION AND OPERATION OF CERTAIN AIRPORTS WITHIN THE STATE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE DIVISION OF AERONAUTICS IS TRANSFERRED FROM THE DEPARTMENT OF COMMERCE TO THE STATE BUDGET AND CONTROL BOARD, TO DELETE CERTAIN OBSOLETE TERMS, TO REVISE THE PROCESS FOR THE MAKING OF CERTAIN CONTRACTS FOR THE CONSTRUCTION, ERECTION, MAINTENANCE, AND REPAIR OF CERTAIN AIRPORT FACILITIES, TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES AT CERTAIN AIRPORT FACILITIES, TO REVISE CERTAIN PENALTIES, TO REVISE THE DEFINITION OF A "QUORUM" FOR A CERTAIN AIRPORT COMMISSION, TO EXPAND THE AUTHORITY OF CERTAIN AIRPORT COMMISSIONS TO ADOPT RULES AND PROMULGATE REGULATIONS, TO PROVIDE THAT IT IS UNLAWFUL TO ENGAGE IN CERTAIN ACTIVITIES UPON CERTAIN AIRPORT PROPERTIES, TO DELETE THE TERM "SECRETARY" AND ITS DEFINITION, AND REPLACE IT WITH THE TERM "EXECUTIVE DIRECTOR" AND ITS DEFINITION AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 13, TITLE 55, RELATING TO THE PROTECTION OF AIRPORTS AND AIRPORT PROPERTIES, SO AS TO PROVIDE THAT THE DIVISION OF AERONAUTICS SHALL CREATE MAPS OF THE STATE'S PUBLIC USE AIRPORTS AND DISTRIBUTE THEM TO VARIOUS LOCAL GOVERNMENTAL AGENCIES FOR VARIOUS PURPOSES, TO PROVIDE THAT POLITICAL SUBDIVISIONS MAY ASSIST WITH THE PROTECTION OF AREAS THAT POSE HAZARDS TO AIR TRAFFIC, AND TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS CHAPTER; TO AMEND CHAPTER 15, TITLE 55, RELATING TO RELOCATION ASSISTANCE, SO AS TO DELETE THE TERM "DEPARTMENT OF COMMERCE" AND REPLACE IT WITH THE TERM "BUDGET AND CONTROL BOARD", AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 17, TITLE 55, RELATING TO REGIONAL AIRPORT DISTRICTS, SO AS TO REVISE THE PROVISION THAT REVISES THE TYPE OF AIR CARRIERS REGULATED BY THIS CHAPTER, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 13-1-20, RELATING TO CERTAIN RESPONSIBILITIES OF THE DEPARTMENT OF COMMERCE, SO AS TO DELETE ITS RESPONSIBILITY TO DEVELOP STATE PUBLIC AIRPORTS AND AN AIR TRANSPORTATION SYSTEM; TO AMEND SECTION 13-1-30, AS AMENDED, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE

DEPARTMENT OF COMMERCE, SO AS TO REVISE THE PROVISIONS RELATING TO THE DIVISION OF AERONAUTICS; TO AMEND SECTION 13-1-1050, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO PROVIDE FOR THE APPOINTMENT OF A MEMBER OF THE COMMISSION FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 13-1-1000, RELATING TO THE AERONAUTICS COMMISSION, SO AS TO PROVIDE THAT IT IS NO LONGER A DIVISION OF THE DEPARTMENT OF COMMERCE, BUT A DIVISION OF THE BUDGET AND CONTROL BOARD; TO AMEND SECTION 13-1-1010, RELATING TO THE AERONAUTICS COMMISSION, SO AS TO PROVIDE THAT THE COMMISSIONS DUTIES AND RESPONSIBILITIES ARE TRANSFERRED FROM THE DEPARTMENT OF COMMERCE TO THE BUDGET AND CONTROL BOARD; AND TO REPEAL CHAPTER 8, TITLE 55 RELATING TO THE UNIFORM AIRCRAFT FINANCIAL RESPONSIBILITY ACT. - ratified title

03/10/11	House	Introduced and read first time (House Journal-page 10)
03/10/11	House	Referred to Committee on Judiciary (House Journal-page 10)
02/09/12	House	Committee report: Favorable with amendment Judiciary (House Journal-page 1)
02/22/12	House	Debate adjourned until Tues., 02-28-12 (House Journal-page 21)
02/29/12	House	Amended (House Journal-page 15)
02/29/12	House	Read second time (House Journal-page 15)
02/29/12	House	Roll call Yeas-89 Nays-15 (House Journal-page 102)
03/01/12	House	Read third time and sent to Senate (House Journal-page 20)
03/06/12	Senate	Introduced and read first time (Senate Journal-page 9)
03/06/12	Senate	Referred to Committee on Transportation (Senate Journal-page 9)
05/31/12	Senate	Committee report: Favorable with amendment Transportation (Senate Journal-page 8)
06/05/12	Senate	Committee Amendment Amended and Adopted (Senate Journal-page 56)
06/05/12	Senate	Read second time (Senate Journal-page 56)
06/05/12	Senate	Roll call Ayes-38 Nays-1 (Senate Journal-page 56)
06/07/12	Senate	Amended (Senate Journal-page 20)
06/07/12	Senate	Read third time and returned to House with amendments (Senate Journal-page 20)
06/07/12	Senate	Roll call Ayes-37 Nays-1 (Senate Journal-page 20)
06/07/12	House	Concurred in Senate amendment and enrolled (House Journal-page 38)
06/07/12	House	Roll call Yeas-99 Nays-0 (House Journal-page 41)
06/12/12		Ratified R 293
06/18/12		Signed By Governor
07/02/12		Effective date 06/18/12
07/09/12		Act No. 270