

Session 122 - (2017-2018)

H*4683 (Rat #0186, Act #0173 of 2018) General Bill, By Hewitt, Fry, Erickson, Clemmons, Duckworth, Yow, Martin, Hardee, Johnson, McGinnis, Crawford, Anderson, Herbkersman, Sottile, Hixon, Taylor, Arrington, D.C. Moss, Atwater, S. Rivers, Mace, Lucas, Bradley, Elliott, Atkinson, Bannister, Loftis, Williams, Jefferson and Hamilton

Summary: Beachfront Management Reform Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "BEACHFRONT MANAGEMENT REFORM ACT"; TO AMEND SECTION 44-1-60, RELATING TO APPEALS FROM DECISIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL GIVING RISE TO CONTESTED CASES, SO AS TO EXCLUDE DECISIONS TO ESTABLISH BASELINES OR SETBACK LINES FROM THE APPEAL PROCEDURES; TO AMEND SECTION 48-39-10, RELATING TO COASTAL TIDELANDS AND WETLANDS DEFINITIONS, SO AS TO REDEFINE THE TERM "PRIMARY OCEANFRONT SAND DUNE" FOR PURPOSES OF ESTABLISHING A BASELINE AND TO DEFINE THE TERM "STORM SURGE"; AND TO AMEND SECTION 48-39-280, RELATING TO THE STATE'S FORTY-YEAR RETREAT POLICY, SO AS TO IMPLEMENT A BEACH PRESERVATION POLICY, TO PROHIBIT THE SEAWARD MOVEMENT OF A BASELINE FROM A CERTAIN LOCATION, TO ESTABLISH THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST ESTABLISH BASELINES AND SETBACK LINES FOR CERTAIN AREAS AND UNDER CERTAIN GUIDELINES, TO PROHIBIT THE USE OF DATA FROM AN AREA IMPACTED BY A STORM SYSTEM OR EVENT NAMED BY THE NATIONAL WEATHER SERVICE FOR EIGHTEEN MONTHS AFTER THE STORM, TO REQUIRE THE DEPARTMENT TO GRANT A REVIEW OF A BASELINE OR SETBACK LINE FOR A LANDOWNER, A MUNICIPALITY, COUNTY, OR ORGANIZATION ACTING ON BEHALF OF A LANDOWNER THAT SUBMITS SUBSTANTIATING EVIDENCE SHOWING AN ADVERSE AFFECT ON HIS PROPERTY AND TO ESTABLISH GUIDELINES FOR REVIEW; TO AMEND SECTION 48-39-250, RELATING TO LEGISLATIVE FINDINGS REGARDING THE COASTAL BEACH AND DUNE SYSTEM, SO AS TO REMOVE REFERENCES TO THE RETREAT POLICY; TO AMEND SECTION 48-39-260, RELATING TO THE STATE'S POLICY STATEMENT ON THE BEACH AND DUNE SYSTEM, SO AS TO REMOVE REFERENCES TO THE RETREAT POLICY; TO AMEND SECTION 48-39-350, RELATING TO THE LOCAL COMPREHENSIVE BEACH MANAGEMENT PLAN, SO AS TO REMOVE REFERENCES TO THE RETREAT POLICY; BY ADDING SECTION 48-39-285 SO AS TO REQUIRE DHEC TO INITIATE A NEW BASELINE CYCLE BY NO SOONER THAN JANUARY 1, 2024, AND TO PROVIDE WHICH BASELINE AND SETBACK LINES WILL BE IN EFFECT FOR A LANDOWNER UNTIL THE NEW BASELINE AND SETBACK LINE ARE ESTABLISHED. - ratified title

01/24/18	House	Introduced and read first time (House Journal-page 31)
01/24/18	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs (House Journal-page 31)
02/06/18	House	Member(s) request name added as sponsor: Herbkersman
02/07/18	House	Member(s) request name added as sponsor: Sottile, Hixon, Taylor, Arrington, D.C.Moss, Atwater, S.Rivers
02/08/18	House	Member(s) request name added as sponsor: Mace, Lucas
02/13/18	House	Member(s) request name added as sponsor: Bradley
02/15/18	House	Committee report: Favorable with amendment Agriculture, Natural Resources and Environmental Affairs (House Journal-page 53)
02/20/18		Scrivener's error corrected
02/22/18	House	Debate adjourned until Tues., 3-06-18 (House Journal-page 15)
03/06/18	House	Member(s) request name added as sponsor: Elliott, Atkinson, Bannister
03/07/18	House	Member(s) request name added as sponsor: Loftis
03/07/18	House	Debate adjourned until Thur., 3-8-18 (House Journal-page 17)
03/08/18	House	Member(s) request name added as sponsor: Williams, Jefferson, Hamilton
03/08/18	House	Amended (House Journal-page 29)
03/08/18	House	Read second time (House Journal-page 29)
03/08/18	House	Roll call Yeas-98 Nays-0 (House Journal-page 39)
03/08/18	House	Unanimous consent for third reading on next legislative day (House Journal-page 104)
03/09/18	House	Read third time and sent to Senate (House Journal-page 1)
03/09/18		Scrivener's error corrected
03/12/18		Scrivener's error corrected
03/13/18	Senate	Introduced and read first time (Senate Journal-page 9)
03/13/18	Senate	Referred to Committee on Agriculture and Natural Resources (Senate Journal-page 9)

03/29/18	Senate	Committee report: Favorable with amendment Agriculture and Natural Resources (Senate Journal-page 6)
04/03/18		Scrivener's error corrected
04/18/18	Senate	Committee Amendment Amended and Adopted (Senate Journal-page 23)
04/18/18	Senate	Read second time (Senate Journal-page 23)
04/18/18	Senate	Roll call Ayes-41 Nays-0 (Senate Journal-page 23)
04/19/18	Senate	Read third time and returned to House with amendments (Senate Journal-page 12)
04/19/18		Scrivener's error corrected
04/25/18	House	Concurred in Senate amendment and enrolled (House Journal-page 33)
04/25/18	House	Roll call Yeas-99 Nays-0 (House Journal-page 34)
05/01/18		Ratified R 186
05/03/18		Signed By Governor
05/11/18		Effective date 05/03/18
05/14/18		Act No. 173