

## Session 111 - (1995-1996)

### S\*0921 (Rat #0445, Act #0411 of 1996) General Bill, By Bryan, Elliott, Gregory, Leatherman, Reese, Washington and Wilson

A Bill to amend Section 1-23-10, Code of Laws of South Carolina, 1976, relating to definitions in the Administrative Procedures Act, so as to revise the definition of a "regulation"; to amend Section 1-23-110, as amended, relating to procedures for publishing notice of proposed regulations and content of such notices, so as to require publishing the text of the regulation and a justification for regulations not required for compliance with federal laws and to clarify the basis for the statement of the need and reasonableness of the regulation; to amend Section 1-23-111, relating to the process for agency promulgation of regulations, so as to clarify the basis for the statement of the need and reasonableness of the regulation and to revise the options an agency may elect when the official presiding at the public hearing finds that the need for or reasonableness of the regulation has not been established; to amend Section 1-23-115, as amended, relating to assessment reports on regulations, so as to clarify when an assessment report may be requested, to provide that the one-hundred-twenty day review period is tolled when a report is requested after the regulation has been submitted for General Assembly review and to clarify what factors must be analyzed in determining the need and reasonableness of a regulation; to amend Section 1-23-120, as amended, relating to General Assembly review of regulations, so as to clarify under what conditions an agency may withdraw a regulation from General Assembly review and to require each agency to review its regulations every five years; to amend Section 1-23-125, relating to approval, disapproval, and modification of regulations, so as to further clarify under what conditions an agency may withdraw a regulation from General Assembly review.-amended title

09/26/95	Senate	Prefiled
09/26/95	Senate	Referred to Committee on Judiciary
01/09/96	Senate	Introduced and read first time SJ-62
01/09/96	Senate	Referred to Committee on Judiciary SJ-62
03/20/96	Senate	Committee report: Favorable with amendment Judiciary SJ-12
03/21/96	Senate	Amended SJ-26
03/21/96	Senate	Read second time SJ-26
03/21/96	Senate	Ordered to third reading with notice of amendments SJ-26
03/26/96	Senate	Read third time and sent to House SJ-35
03/27/96	House	Introduced and read first time HJ-27
03/27/96	House	Referred to Committee on Judiciary HJ-27
05/15/96	House	Committee report: Favorable with amendment Judiciary HJ-3
05/21/96	House	Debate adjourned until Wednesday, May 22, 1996 HJ-67
05/21/96	House	Reconsidered HJ-83
05/21/96	House	Amended HJ-83
05/21/96	House	Debate adjourned until Wednesday, May 22, 1996 HJ-90
05/21/96	House	Reconsidered HJ-124
05/21/96	House	Amended HJ-125
05/21/96	House	Read second time HJ-125
05/22/96	House	Read third time and returned to Senate with amendments HJ-14
05/23/96	Senate	Concurred in House amendment and enrolled SJ-20
05/30/96		Ratified R 445
06/04/96		Signed By Governor
06/04/96		See act for exception to or explanation of effective date
06/27/96		Copies available
06/27/96		Act No. 411