

## Session 117 - (2007-2008)

**H\*3880 (Rat #0376, Act #0342 of 2008) General Bill, By W.D. Smith, Hagood, Mitchell and McLeod**

**Summary:** Brownfields/voluntary cleanup program

AN ACT TO AMEND ARTICLE 7, CHAPTER 56 OF TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BROWNFIELDS/VOLUNTARY CLEANUP PROGRAM, SO AS, AMONG OTHER THINGS, TO REVISE THE LIABILITY PROTECTION PROVIDED AS AN INCENTIVE TO PARTIES TO CONDUCT RESPONSE ACTIONS WHEN THEY ARE NOT RESPONSIBLE FOR ENVIRONMENTAL CONTAMINATION OF PROPERTY; TO FURTHER SPECIFY THE SCOPE OF A COVENANT NOT TO SUE PROVIDED TO PARTIES WHO ARE RESPONSIBLE FOR ENVIRONMENTAL CONTAMINATION OF PROPERTY; TO PROVIDE THAT CONTAMINATION OF PROPERTY INCLUDES IMPACT BY PETROLEUM OR A PETROLEUM PRODUCT; TO SPECIFY THAT PROPERTY ON WHICH A RELEASE OF PETROLEUM PRODUCTS OCCURRED IS PROPERTY ELIGIBLE FOR PARTICIPATION IN THE VOLUNTARY CLEANUP PROGRAM; TO FURTHER PROVIDE THAT ELIGIBILITY FOR A NONRESPONSIBLE PARTY TO PARTICIPATE IN THE PROGRAM REQUIRES THE PARTY TO UNDERTAKE TO EXPAND, REDEVELOP, OR RETURN TO USE THE PROPERTY; TO FURTHER SPECIFY GROUNDS FOR TERMINATING A VOLUNTARY CLEANUP CONTRACT AND A CONTRACT COVENANT NOT TO SUE; TO FURTHER SPECIFY REQUIREMENTS THAT MUST BE MET BEFORE A NONRESPONSIBLE PARTY ENTERS INTO A VOLUNTARY CLEANUP CONTRACT; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO REPORT TO THE GENERAL ASSEMBLY ON THE ACTIVITIES OF THIS PROGRAM; AND TO CONFORM PROVISIONS IN THIS ARTICLE TO THE REVISIONS MADE PURSUANT TO THIS ACT; AND TO AMEND SECTION 12-6-3550, RELATING TO VOLUNTARY CLEANUP ACTIVITY TAX CREDITS, SO AS TO DELETE A REFERENCE TO TAXES DUE UNDER CORPORATE INCOME TAX. - ratified title

04/12/07	House	Introduced and read first time HJ-35
04/12/07	House	Referred to Committee on Judiciary HJ-36
04/17/07	House	Member(s) request name added as sponsor: McLeod
05/02/07	House	Committee report: Favorable with amendment Judiciary HJ-8
05/03/07		Scrivener's error corrected
05/08/07	House	Amended HJ-46
05/08/07	House	Read second time HJ-47
05/09/07	House	Read third time and sent to Senate HJ-26
05/15/07	Senate	Introduced and read first time SJ-13
05/15/07	Senate	Referred to Committee on Medical Affairs SJ-13
05/14/08	Senate	Committee report: Favorable with amendment Medical Affairs SJ-7
05/15/08		Scrivener's error corrected
05/21/08	Senate	Committee Amendment Adopted SJ-83
05/21/08	Senate	Read second time SJ-83
05/22/08		Scrivener's error corrected
05/28/08	Senate	Amended SJ-35
05/28/08	Senate	Read third time and returned to House with amendments SJ-35
06/04/08	House	Concurred in Senate amendment and enrolled HJ-94
06/05/08		Ratified R 376
06/11/08		Signed By Governor
06/27/08		Copies available
06/27/08		Effective date See Act for Effective Date
07/11/08		Act No. 342