

Session 121 - (2015-2016)

H 5093 General Bill, By Forrester, Sandifer and Rivers

Summary: Nuisance suits

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 24 TO TITLE 31 SO AS TO MAKE FINDINGS CONCERNING NUISANCE SUITS RELATED TO EXISTING USES OF REAL PROPERTY; TO DEFINE NECESSARY TERMINOLOGY; TO PROVIDE CRITERIA FOR DETERMINING THE ESTABLISHED DATE OF OPERATION OF AN EXISTING FACILITY; TO PROVIDE AN EXISTING INDUSTRIAL FACILITY IS NOT OR MAY NOT BECOME A PUBLIC OR PRIVATE NUISANCE BY ANY CHANGED CONDITIONS IN OR ABOUT THE LOCALITY OF THE FACILITY; TO PROVIDE AN EXCEPTION FOR NUISANCE CONDITIONS RESULTING FROM THE ILLEGAL OPERATION OF AN EXISTING FACILITY; TO PROVIDE THIS NUISANCE EXEMPTION FOR EXISTING INDUSTRIAL FACILITIES DOES NOT AFFECT OR DEFEAT THE RIGHT OF A PERSON TO RECOVER DAMAGES FOR INJURIES HE SUSTAINED FROM POLLUTION OR OTHER WATER CONDITION CHANGES OF A STREAM OR BECAUSE OF AN OVERFLOW ON HIS LANDS; AND TO PROVIDE MISCELLANEOUS PROVISIONS CONCERNING LOCAL LAWS AND GOVERNMENTS.

03/10/16 House Introduced and read first time (House Journal-page 41)

03/10/16 House Referred to Committee on Labor, Commerce and Industry (House Journal-page 41)

05/24/16 House Member(s) request name added as sponsor: Rivers