**South Carolina General Assembly**

124th Session, 2021-2022

**A41, R54, S107**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen, Climer and Senn

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Introduced in the Senate on January 12, 2021

Introduced in the House on February 10, 2021

Passed by the General Assembly on May 5, 2021

Governor's Action: May 17, 2021, Signed

Summary: Beach preservation policy

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/9/2020 Senate Prefiled

 12/9/2020 Senate Referred to Committee on **Agriculture and Natural Resources**

 1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 175](file:///h%3A%5Csj%5C20210112.docx))

 1/12/2021 Senate Referred to Committee on **Agriculture and Natural Resources** ([Senate Journal‑page 175](file:///h%3A%5Csj%5C20210112.docx))

 2/2/2021 Senate Committee report: Favorable **Agriculture and Natural Resources** ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20210202.docx))

 2/4/2021 Senate Read second time ([Senate Journal‑page 7](file:///h%3A%5Csj%5C20210204.docx))

 2/4/2021 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 7](file:///h%3A%5Csj%5C20210204.docx))

 2/9/2021 Senate Read third time and sent to House ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20210209.docx))

 2/10/2021 House Introduced and read first time ([House Journal‑page 7](file:///h%3A%5Chj%5C20210210.docx))

 2/10/2021 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 7](file:///h%3A%5Chj%5C20210210.docx))

 4/28/2021 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 65](file:///h%3A%5Chj%5C20210428.docx))

 4/29/2021 House Debate adjourned ([House Journal‑page 38](file:///h%3A%5Chj%5C20210429.docx))

 5/4/2021 House Read second time ([House Journal‑page 14](file:///h%3A%5Chj%5C20210504.docx))

 5/4/2021 House Roll call Yeas‑117 Nays‑0 ([House Journal‑page 15](file:///h%3A%5Chj%5C20210504.docx))

 5/5/2021 House Read third time and enrolled ([House Journal‑page 7](file:///h%3A%5Chj%5C20210505.docx))

 5/13/2021 Ratified R 54

 5/17/2021 Signed By Governor

 6/1/2021 Effective date 05/17/21

 6/1/2021 Act No.  41

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=107&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p%3A%5Cpprever%5C2021-22%5C107_20201209.docx)

[2/2/2021](file:///p%3A%5Cpprever%5C2021-22%5C107_20210202.docx)

[4/28/2021](file:///p%3A%5Cpprever%5C2021-22%5C107_20210428.docx)

(A41, R54, S107)

**AN ACT TO AMEND SECTION 48‑39‑280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE’S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.**

Be it enacted by the General Assembly of the State of South Carolina:

**Standard erosion zone baseline**

SECTION 1. Section 48‑39‑280(A)(1) of the 1976 Code, as last amended by Act 173 of 2018, is further amended to read:

 “(1) The baseline for each standard erosion zone is established at the location of the crest of the primary oceanfront sand dune in that zone.

 (a) If the primary ocean front sand dune is more than two hundred feet landward of the current line of stable vegetation, then the baseline must be established seaward of the primary oceanfront sand dune at a distance equal to thirty percent of the measured distance from the primary oceanfront sand dune to the current line of stable vegetation.

 (b) If there is no primary oceanfront sand dune, then the baseline must be established at whichever is further landward of the following:

 (i) the most seaward of the locations specified in item (4); or

 (ii) the landward edge of the active beach.

 (c) If the shoreline has been altered naturally or artificially by the construction of erosion control devices, then the baseline must be established by the department using the best scientific and historical data, as where the crest of the primary oceanfront sand dune for that zone would be located if the shoreline had not been altered.”

**Shoreline study requirement removed**

SECTION 2. Section 48‑39‑280(E)(2) of the 1976 Code, as last amended by Act 173 of 2018, is further amended to read:

 “(2) Surveyed topographical data typically must be gathered at two thousand foot intervals. However, in areas subject to significant near‑term development and in areas currently developed, the interval, at the discretion of the department, may be more frequent. The resulting surveys must locate the crest of the primary oceanfront sand dune to be used as the baseline for computing the forty‑year erosion rate.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 13th day of May, 2021.

Approved the 17th day of May, 2021.

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