**South Carolina General Assembly**

124th Session, 2021-2022

**A72, R88, H3541**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hixon, Burns and Forrest

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Introduced in the House on January 12, 2021

Introduced in the Senate on March 17, 2021

Last Amended on March 16, 2021

Passed by the General Assembly on May 4, 2021

Governor's Action: May 17, 2021, Signed

Summary: Fires

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2020 House Prefiled

12/16/2020 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs**

1/12/2021 House Introduced and read first time ([House Journal‑page 232](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 232](file:///h:\hj\20210112.docx))

3/11/2021 House Committee report: Favorable with amendment **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 4](file:///h:\hj\20210311.docx))

3/16/2021 House Amended ([House Journal‑page 25](file:///h:\hj\20210316.docx))

3/16/2021 House Read second time ([House Journal‑page 25](file:///h:\hj\20210316.docx))

3/16/2021 House Roll call Yeas‑110 Nays‑0 ([House Journal‑page 26](file:///h:\hj\20210316.docx))

3/17/2021 House Read third time and sent to Senate ([House Journal‑page 23](file:///h:\hj\20210317.docx))

3/17/2021 Scrivener's error corrected

3/17/2021 Senate Introduced and read first time ([Senate Journal‑page 6](file:///h:\sj\20210317.docx))

3/17/2021 Senate Referred to Committee on **Agriculture and Natural Resources** ([Senate Journal‑page 6](file:///h:\sj\20210317.docx))

4/27/2021 Senate Committee report: Favorable **Agriculture and Natural Resources** ([Senate Journal‑page 7](file:///h:\sj\20210427.docx))

4/29/2021 Senate Read second time ([Senate Journal‑page 31](file:///h:\sj\20210429.docx))

4/29/2021 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 31](file:///h:\sj\20210429.docx))

5/4/2021 Senate Read third time and enrolled ([Senate Journal‑page 18](file:///h:\sj\20210504.docx))

5/13/2021 Ratified R 88

5/17/2021 Signed By Governor

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

6/1/2021 Act No.  72

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**VERSIONS OF THIS BILL**

[12/16/2020](file:///p:\pprever\2021-22\3541_20201216.docx)

[3/11/2021](file:///p:\pprever\2021-22\3541_20210311.docx)

[3/16/2021](file:///p:\pprever\2021-22\3541_20210316.docx)

[3/17/2021](file:///p:\pprever\2021-22\3541_20210317.docx)

[4/27/2021](file:///p:\pprever\2021-22\3541_20210427.docx)

(A72, R88, H3541)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48‑35‑55 SO AS TO PROVIDE THAT THE REGULATION OF FIRES BY THE STATE FORESTER DOES NOT APPLY TO FIRES USED FOR THE PREPARATION OF FOOD OR FIRES USED IN APPROPRIATE ENCLOSURES; AND TO AMEND SECTION 48‑23‑96, RELATING TO THE APPOINTMENT OF LAW ENFORCEMENT OFFICERS TO CARRY OUT THE ENFORCEMENT RESPONSIBILITIES OF THE COMMISSION, SO AS TO ALLOW FOR THE ISSUANCE OF WARNING TICKETS.**

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

**Fire regulation exemptions**

SECTION 1. Chapter 35, Title 48 of the 1976 Code is amended by adding:

“Section 48‑35‑55. Except as otherwise provided by law, the provisions of this chapter do not apply to a fire used for the preparation of food for immediate consumption, or fires burned in portable outdoor fireplaces, chimineas, or permanent fire pits constructed of stone, masonry, metal, or other noncombustible material that conforms with all applicable South Carolina fire codes so long as a person has cleared around the area to be burned and has immediately available sufficient equipment and personnel to adequately secure the fire and prevent its spread.”

**State Forestry Commission, warning tickets**

SECTION 2. Section 48‑23‑96 of the 1976 Code is amended to read:

“Section 48‑23‑96. (A) The State Forestry Commission shall appoint law enforcement officers whose terms of office must be permanent unless revoked by the commission. Officers may be removed by the commission on proof satisfactory to it that they are not fit persons for these commissions. These officers shall carry out the law enforcement responsibilities of the commission.

(B) The officers appointed by the State Forestry Commission may issue a written warning ticket on a form approved by the State Forestry Commission, as appropriate, in their discretion.”

**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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