

Session 109 - (1991-1992)

H*4258 (Rat #0585, Act #0473 of 1992) General Bill, By J.J. Snow, R.L. Altman, Bailey, T.L. Farr, Kennedy, J.G. McAbee, D.E. McTeer, Rhoad, Sharpe, R. Smith, D.C. Waldrop and J.B. Wilder

A Bill to amend Section 46-45-20, as amended, Code of Laws of South Carolina, 1976, relating to the definitions of "agricultural facility" and "agricultural operation" under the provisions of law concerning nuisance suits related to agricultural operations, so as to include "trees" and "silviculture" within those defined terms, respectively; to amend Section 57-25-150, relating to outdoor advertising, permits for the erection and maintenance of signs, and fees, so as to provide that the nonrefundable permit application fee shall be waived for South Carolina farmers advertising agricultural products produced on land that they farm which are for sale to the public and if the signs do not exceed thirty-two square feet; to require the Department of Highways and Public Transportation to issue permits for existing signs and outdoor advertising signs on highways in the interstate system or federal-aid primary system in South Carolina that are nonconforming only because a permit was not obtained prior to erection of the sign, and prohibit the Department from requiring removal of conforming signs and outdoor advertising signs as a prerequisite to issuing a permit for such signs that would otherwise qualify for a permit; to amend Section 57-25-140, relating to outdoor advertising, signs permitted along interstate or federal-aid primary highways, the customary use exception, and the removal of vegetation from right-of-ways, so as to authorize the erection and maintenance of signs of thirty-two square feet or less advertising agricultural products of a seasonal nature, signs of a political nature, signs erected by or on the behalf of eleemosynary, civic, nonprofit, church, or charitable organizations, or signs advertising special community events which are erected temporarily for ninety days or less; to provide that a sign in existence adjacent to an interstate or federal-aid primary highway which is illegal solely because a permit has not been issued by the Department of Highways and Public Transportation is allowed to remain erected without penalty for one hundred twenty days from passage of this legislation in order to allow for the application for a permit to be made; to require the Department of Highways and Public Transportation to promulgate regulations consistent with Section 131(O), Title 23, United States Code, or such other provisions of Title 23 as may be appropriate, to allow signs, displays, and devices on federally-aided primary routes outside of non-urban areas which provide directional information about goods and services in the interest of the traveling public and which are such that removal would work an economic hardship in such areas, and provide that pursuant to Section 131(O), Title 23, United States Code, the Department shall submit these regulations to the United States Secretary of Transportation for approval; and to provide that in order to comply with Section 131, Title 23, United States Code and regulations promulgated under that Section and to prevent interruption of the State's federally-aided highway funding, the Department of Highways and Public Transportation shall confer with the Federal Highway Administration as to how best to structure a nonconforming sign removal program, require the Department to submit to the Federal Highway Administration in a timely fashion its process, program, and timetable for removal of nonconforming signs under Section 131, Title 23, United States Code and regulations promulgated under that Section, and provide that in developing and implementing this removal program, the Department shall consult with interested parties and affected entities, including but not limited to, other State and local agencies, sign owners, environmental groups, and the business community.-amended title

01/22/92	House	Introduced and read first time HJ-13
01/22/92	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-13
02/27/92	House	Committee report: Favorable Agriculture, Natural Resources and Environmental Affairs HJ-4
03/05/92	House	Read second time HJ-39
03/05/92	House	Unanimous consent for third reading on next legislative day HJ-41
03/06/92	House	Read third time and sent to Senate HJ-1
03/10/92	Senate	Introduced and read first time SJ-6
03/10/92	Senate	Referred to Committee on Agriculture and Natural Resources SJ-6
04/30/92	Senate	Polled out of committee Agriculture and Natural Resources SJ-14
05/12/92	Senate	Read second time SJ-17
05/12/92	Senate	Ordered to third reading with notice of amendments SJ-17
05/19/92	Senate	Amended SJ-22
05/19/92	Senate	Read third time and returned to House with amendments SJ-23
05/20/92	Senate	Recalled from House SJ-8
05/20/92	House	Returned HJ-13
05/21/92	Senate	Returned SJ-13
06/02/92	House	Senate amendment amended HJ-68
06/02/92	House	Returned to Senate with amendments HJ-69
06/02/92	Senate	Concurred in House amendment and enrolled SJ-58

06/04/92 **Ratified R 585**
06/18/92 **Signed By Governor**
06/18/92 **Effective date 06/18/92**
06/18/92 **Act No. 473**
07/08/92 **Copies available**