**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3569**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Loftis, Clemmons, Henderson, Murphy, Patrick and G.R. Smith

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Introduced in the House on February 2, 2011

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: Coastal tidelands or wetlands

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/2/2011 House Introduced and read first time ([House Journal‑page 58](file:///h:\hj%20archive\2011\02-02-11.docx))

2/2/2011 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 58](file:///h:\hj%20archive\2011\02-02-11.docx))

**VERSIONS OF THIS BILL**

[2/2/2011](file:///p:\pprever\2011-12\3569_20110202.docx)

**A** **BILL**

TO AMEND SECTION 48‑39‑150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPROVAL OR DENIAL OF PERMITS FOR ACTIVITY IN OR ALTERATION OF CRITICAL AREAS IN THE COASTAL TIDELANDS OR WETLANDS, SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ALLOW A PERMIT APPLICANT TO REVIEW THE DEPARTMENT STAFF’S DRAFT PERMIT OR DECISION IF, AT THE TIME THE APPLICATION WAS FILED, THE APPLICANT REQUESTED TO REVIEW A DRAFT PERMIT OR DECISION AND TO REQUIRE THE DEPARTMENT TO ALLOW THE APPLICANT TO DISCUSS THE DRAFT WITH DEPARTMENT PERSONNEL.

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

SECTION 1. Section 48‑39‑150(C) of the 1976 Code is amended to read:

“(C)(1) Before the department issues a staff decision on a permit application, an applicant must be afforded the opportunity to review the staff’s draft permit or decision if the applicant requests in writing at the time the application is submitted that a draft permit or decision be made available for review before issuance of the staff permit or decision. The department shall afford the applicant the opportunity to meet with appropriate department personnel to discuss the draft permit or decision before issuing the staff decision.

(2) The department shall act upon an application for a permit within ninety days after the application is filed. ~~Provided,~~ However, ~~that~~ in the case of minor developments, as defined in Section 48‑39‑10, the department ~~shall have~~ has the authority to approve ~~such~~ these permits and shall act within thirty days. ~~In the event~~ If a permit is denied, the department shall state the reasons for ~~such~~ the denial and ~~such~~ the reasons must be in accordance with the provisions of this chapter.”

SECTION 2. This act takes effect upon approval by the Governor.

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