

## Session 119 - (2011-2012)

**H\*3631 (Rat #0157, Act #0139 of 2012) General Bill, By Harrison, Clemmons, Funderburk, Pitts, Anderson, R.L. Brown, Govan, Hodges, Allen, White, Edge, Whipper, Hiott, Limehouse, Horne, Vick, Herbkersman, Agnew, Viers, Hardwick, Harrell, Sellers, Skelton, Gambrell, Young and Taylor**

**Similar (S 0340, S 0501)**

**Summary:** Requirements for conducting a prescribed fire

AN ACT TO AMEND SECTION 48-34-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR CONDUCTING A PRESCRIBED FIRE, SO AS TO PROVIDE THAT THESE FIRES MUST COMPLY WITH SOUTH CAROLINA SMOKE MANAGEMENT GUIDELINES; TO FURTHER SPECIFY RESPONSIBILITIES OF A CERTIFIED PRESCRIBED FIRE MANAGER; AND TO EXEMPT PURPOSEFULLY SET PRESCRIBED FIRES THAT COMPLY WITH SMOKE MANAGEMENT GUIDELINES AND STATUTORY REQUIREMENTS IF THEY ARE SET FOR CERTAIN MANAGEMENT PRACTICES, AGRICULTURAL PURPOSES, OR GAME MANAGEMENT PURPOSES; TO AMEND SECTION 48-34-50, RELATING TO IMMUNITY FROM LIABILITY FOR DAMAGES CAUSED BY A PRESCRIBED FIRE, EXCEPT FOR RESULTING SMOKE, SO AS TO PROVIDE THAT A PROPERTY OWNER, LESSEE, AGENT, OR EMPLOYEE IS NOT LIABLE FOR DAMAGES, INJURY, OR LOSS CAUSED BY THE RESULTING SMOKE OF A PRESCRIBED FIRE UNLESS GROSS NEGLIGENCE OR RECKLESSNESS IS PROVEN; AND TO PROVIDE THAT "SMOKE MANAGEMENT GUIDELINES FOR VEGETATIVE DEBRIS BURNING FOR FORESTRY, AGRICULTURE, AND WILDLIFE PURPOSES IN THE STATE OF SOUTH CAROLINA" IS DEEMED TO BE PROMULGATED BY THE STATE FORESTRY COMMISSION AND ANY AMENDMENT TO THESE GUIDELINES MUST BE PROMULGATED BY THE COMMISSION. - ratified title

02/09/11	House	Introduced and read first time (House Journal-page 9)
02/09/11	House	Referred to Committee on Judiciary (House Journal-page 9)
02/10/11	House	Member(s) request name added as sponsor: Clemmons, Funderburk, Pitts, Anderson, R.L.Brown, Govan, Hodges, Allen, White, Edge, Whipper, Hiott, Limehouse, Horne, Vick, Herbkersman, Agnew, Viers, Hardwick
02/16/11	House	Member(s) request name added as sponsor: Harrell
03/02/11	House	Member(s) request name added as sponsor: Sellers, Skelton, Gambrell
03/09/11	House	Member(s) request name added as sponsor: Young, Taylor
03/09/11	House	Committee report: Favorable with amendment Judiciary (House Journal-page 3)
03/10/11	House	Amended (House Journal-page 21)
03/10/11	House	Read second time (House Journal-page 21)
03/10/11	House	Unanimous consent for third reading on next legislative day (House Journal-page 22)
03/11/11	House	Read third time and sent to Senate (House Journal-page 2)
03/11/11		Scrivener's error corrected
03/15/11	Senate	Introduced and read first time (Senate Journal-page 13)
03/15/11	Senate	Referred to Committee on Fish, Game and Forestry (Senate Journal-page 13)
04/20/11	Senate	Committee report: Favorable Fish, Game and Forestry (Senate Journal-page 12)
02/21/12	Senate	Special order, set for February 21, 2012 (Senate Journal-page 47)
02/21/12	Senate	Roll call Ayes-42 Nays-2 (Senate Journal-page 47)
03/07/12	Senate	Consideration Interrupted (Senate Journal-page 50)
03/08/12	Senate	Amended (Senate Journal-page 21)
03/08/12	Senate	Roll call Ayes-40 Nays-0 (Senate Journal-page 21)
03/09/12		Scrivener's error corrected
03/15/12	Senate	Read third time and returned to House with amendments (Senate Journal-page 15)
03/21/12	House	Concurred in amendment (House Journal-page 47)
03/21/12	House	Roll call Yeas-101 Nays-0 (House Journal-page 48)
03/29/12		Ratified R 157
04/02/12		Signed By Governor
04/05/12		Effective date 04/02/12
04/11/12		Act No. 139