

Session 121 - (2015-2016)

H 4985 General Bill, By Neal, Henegan, Whipper, Gilliard, Clyburn, Hosey, Mack and McKnight

Summary: Private property rights requirements for trespassing

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-65 SO AS TO PROVIDE THAT A PERSON WHO APPLIES FOR A PERMIT, LICENSE, OR OTHER ACTION OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL PROVIDE PERSONAL NOTICE TO ALL ADJACENT, ADJOINING, AND AFFECTED LANDOWNERS, TO PROHIBIT AN APPLICANT FROM TRESPASSING ON PRIVATE PROPERTY AND TO PROVIDE AN EXCEPTION, TO ESTABLISH THAT THE DEPARTMENT WILL NOT ISSUE A PERMIT IF THE APPLICANT FAILED TO GIVE NOTICE AND ALLOW FOR DUE PROCESS FOR THE POTENTIALLY AFFECTED PROPERTY OWNERS, TO ESTABLISH THAT THE DEPARTMENT WILL NOT ISSUE A PERMIT THAT WOULD IMPACT PUBLIC TRUST PROPERTY WITHOUT PROVIDING NOTICE AND DUE PROCESS FOR THE PUBLIC, AND TO PROVIDE STANDING FOR AN APPLICANT, PERMITTEE, LICENSEE, OR AFFECTED PROPERTY OWNER WHEN A REQUEST FOR FINAL REVIEW HAS BEEN FILED.

02/25/16 House Introduced and read first time (House Journal-page 12)

02/25/16 House Referred to Committee on Agriculture, Natural Resources and Environmental Affairs (House Journal-page 12)