**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3552**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Duncan, Brantley, Hardwick, Bedingfield, Gilliard, Willis, Clemmons, Daning, Hamilton, Harrison, Lowe, Nanney, M.A. Pitts, G.R. Smith, Spires, Stringer, Umphlett and Williams

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Introduced in the House on February 17, 2009

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

Summary: DHEC

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/17/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\02-17-09.docx)‑29

2/17/2009 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** [HJ](file:///h:\HJ%20Archive\2009\02-17-09.docx)‑29

**VERSIONS OF THIS BILL**

[2/17/2009](file:///p:\pprever\2009-10\3552_20090217.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-55 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS PROVIDING DEADLINES FOR THE ISSUANCE, DENIAL, RENEWAL, SUSPENSION, AND REVOCATION OF PERMITS, LICENSES, OR OTHER ACTIONS IF A DEADLINE IS NOT PROVIDED BY STATUTE, TO PROVIDE THAT IF THE DEPARTMENT DOES NOT MEET ITS DEADLINE THAT THE PERMIT OR LICENSE MUST BE ISSUED OR A DECISION MUST BE RENDERED IN FAVOR OF THE REQUESTING PARTY, TO AUTHORIZE THE DEPARTMENT TO SUSPEND THE DEADLINE PERIOD FOR CAUSE, AND TO REQUIRE THE DEPARTMENT TO PROVIDE NOTICE OF THE SUSPENSION AND ACTION THAT MUST BE TAKEN TO END THE SUSPENSION.

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

SECTION 1. Chapter 1, Title 44 of the 1976 Code is amended by adding:

“Section 44-1-55. (A)If not already provided in statute, the department shall promulgate regulations to set reasonable deadlines for the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other actions of the department.

(B) The department shall reach a decision involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other actions of the department within the deadline provided by statute or in regulation. If the department fails or refuses to reach a decision by the deadline, the department shall issue the license or permit to the applicant, or render a decision in favor of the party seeking the decision, without any additional conditions or requirements.

(C) The department may suspend its consideration of the application or request for other action for good cause. Written notice of the suspension must be sent certified mail, return receipt requested, to the applicant or party requesting action. The notice must include the reason of the suspension and describe the actions that must be taken to end the suspension period.”

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

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