**South Carolina General Assembly**

123rd Session, 2019-2020

**A76, R96, H4020**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley

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Introduced in the House on February 19, 2019

Introduced in the Senate on April 10, 2019

Last Amended on May 9, 2019

Passed by the General Assembly on May 9, 2019

Governor's Action: May 16, 2019, Signed

Summary: Powers and duties; provide new duties for Parks, Recreation and Tourism

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/19/2019 House Introduced and read first time ([House Journal‑page 42](file:///h:\hj\20190219.docx))

2/19/2019 House Referred to Committee on **Ways and Means** ([House Journal‑page 42](file:///h:\hj\20190219.docx))

3/27/2019 House Committee report: Favorable **Ways and Means** ([House Journal‑page 42](file:///h:\hj\20190327.docx))

4/9/2019 House Member(s) request name added as sponsor: Erickson, Bradley

4/9/2019 House Read second time ([House Journal‑page 40](file:///h:\hj\20190409.docx))

4/9/2019 House Roll call Yeas‑108 Nays‑0 ([House Journal‑page 40](file:///h:\hj\20190409.docx))

4/10/2019 House Read third time and sent to Senate ([House Journal‑page 9](file:///h:\hj\20190410.docx))

4/10/2019 Senate Introduced and read first time ([Senate Journal‑page 21](file:///h:\sj\20190410.docx))

4/10/2019 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 21](file:///h:\sj\20190410.docx))

5/1/2019 Senate Committee report: Favorable **Fish, Game and Forestry** ([Senate Journal‑page 12](file:///h:\sj\20190501.docx))

5/7/2019 Senate Amended ([Senate Journal‑page 173](file:///h:\sj\20190507.docx))

5/7/2019 Senate Read second time ([Senate Journal‑page 173](file:///h:\sj\20190507.docx))

5/7/2019 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 173](file:///h:\sj\20190507.docx))

5/8/2019 Scrivener's error corrected

5/9/2019 Senate Read third time and returned to House with amendments ([Senate Journal‑page 49](file:///h:\sj\20190509.docx))

5/9/2019 House Senate amendment amended ([House Journal‑page 117](file:///h:\hj\20190509.docx))

5/9/2019 House Returned to Senate with amendments ([House Journal‑page 117](file:///h:\hj\20190509.docx))

5/9/2019 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 91](file:///h:\sj\20190509.docx))

5/13/2019 Ratified R 96

5/16/2019 Signed By Governor

5/31/2019 Effective date 05/16/19

6/5/2019 Act No.  76

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**VERSIONS OF THIS BILL**

[2/19/2019](file:///p:\pprever\2019-20\4020_20190219.docx)

[3/27/2019](file:///p:\pprever\2019-20\4020_20190327.docx)

[5/1/2019](file:///p:\pprever\2019-20\4020_20190501.docx)

[5/7/2019](file:///p:\pprever\2019-20\4020_20190507.docx)

[5/9/2019](file:///p:\pprever\2019-20\4020_20190509.docx)

(A76, R96, H4020)

**AN ACT TO AMEND SECTION 51‑1‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51 RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.**

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

**Department of Parks, Recreation and Tourism, new duties added**

SECTION 1. Section 51‑1‑60 of the 1976 Code is amended to read:

“Section 51‑1‑60. The department may contract, be contracted with, use a common seal, and make and adopt regulations. No regulation may be promulgated affecting hunting and fishing except as provided in Section 51‑3‑145. The department may accept gifts and acquire by gift, purchase, or otherwise real estate and other property, but no real estate may be purchased or disposed of by the department except on approval of the State Budget and Control Board. The department shall keep accurate records showing in full the receipts and disbursements and the records must be open at any reasonable time to inspection by the public. The department shall submit annually to the General Assembly and the Budget and Control Board reports the board requires. The department shall have the following duties and responsibilities in addition to such other functions as may, from time to time, be assigned by legislative action or by the State Budget and Control Board:

(a) to promote, publicize, and advertise the state’s tourist attractions;

(b) to promote the general health and welfare of the people of the State by developing and expanding new and existing recreational areas, including the existing State Park System;

(c) to develop a coordinated plan utilizing to best advantage the natural facilities and resources of the State as a tourist attraction, recognizing that the State has within its boundaries mountainous areas and coastal plains, each of unsurpassed beauty, which with the easy accessibility now existing and being provided, has the potential of attracting many visitors in all seasons to take advantage of the natural scenery, the outdoor sports, including hunting, fishing, and swimming, together with other recreational activities such as golfing, boating, and sightseeing;

(d) to include in its plan the preservation and perpetuation of our state’s rich historical heritage by acquiring and owning, recognizing, marking, and publicizing areas, sites, buildings, and other landmarks and items of national and statewide historical interest and significance to the history of our State. No area, site, building, or other landmark shall be acquired for its historical significance without the approval of the Commission of Archives and History;

(e) to use all available services of the several agencies in the management of timber and game and such agencies when requested by the director shall render such cooperation and assistance as may be necessary; provided, that the State Forestry Commission shall continue the forestry program authorized under the provisions of Section 48‑23‑270;

(f) to lease or convey portions of lands under its jurisdiction to municipalities and other political subdivisions charged with the responsibility of providing parks and recreation facilities; provided, that all such leases shall contain a clause to the effect that if such property ceases to be used as a recreation or park facility, the lease shall be void and in the event of a conveyance, the deed shall contain a clause providing that if such property ceases to be used as a recreation or park facility, the title to such property shall revert to the department. All plans for the development of such lands shall be subject to the approval of the department and it shall retain the right to inspect such lands at such times as it considers necessary to determine if such lands are being used for parks and recreation;

(g) to borrow from time to time from any source available such sums of money as the department at its discretion deems advisable at interest rates approved by the State Fiscal Accountability Authority for the purposes of acquisition, construction, development, and maintenance of such lands and facilities as the director is empowered to operate and issue evidences of such indebtedness thereof in the form of notes or bonds as may be determined by the director. The department may secure any sums borrowed under the terms hereof by mortgage of any property or facilities owned by it and it may pledge any and all income from any of its properties or facilities. The State is in no manner liable for any debt incurred under the terms hereof but all such obligations shall be met by the department out of monies coming into its hands from the property and facilities so pledged;

(h) to enter into contracts with the United States Government, its various departments, and agencies for the purpose of obtaining funds, property, or any other purpose which will assist the department in carrying out the provisions for which it has been created;

(i) to allocate funds made available to the department, other than funds specifically allocated to it by legislative appropriation or bond authorization, for development and improvement of park properties in the state system and historic sites approved by the Director of the Department of Parks, Recreation and Tourism and the South Carolina Archives and History Commission;

(j) to promote economic diversity in all areas of the State by extending to them the full benefits of tourism and recreational development; and

(k) to coordinate and act as a liaison with regional tourism organizations, local chambers of commerce, and development agencies.

The Department of Parks, Recreation and Tourism shall study and ascertain the state’s present park, parkway, and outdoor recreational resources and facilities, the need for such resources and facilities, and the extent to which these needs are now being met. A survey shall be included to determine the land suitable and desirable to be acquired as a part of the state park and outdoor recreational system, due consideration being given to the scenic, recreational, archaeological, and other special features attractive to out‑of‑state visitors and to the people of the State. The results of this survey and study should be reported to the Governor and the General Assembly at the earliest practicable time.”

**Repeal**

SECTION 2. Article 3 of Chapter 1, Title 51 of the 1976 Code is repealed.

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 13th day of May, 2019.

Approved the 16th day of May, 2019.

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