

## Session 117 - (2007-2008)

### **H\*3249 (Rat #0157, Act #0104 of 2007) General Bill, By Scarborough, Umphlett and McLeod**

**Summary:** Administrative Procedures Act

AN ACT TO AMEND SECTION 1-23-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AGENCY PROCEDURES FOR PROMULGATING REGULATIONS, SO AS TO INCLUDE CERTAIN REQUIREMENTS PROVIDED FOR ELSEWHERE IN THE ADMINISTRATIVE PROCEDURES ACT; TO AMEND SECTION 1-23-120, AS AMENDED, RELATING TO GENERAL ASSEMBLY REVIEW OF REGULATIONS, SO AS TO REVISE PROCEDURES GOVERNING THIS REVIEW BY, AMONG OTHER THINGS, REQUIRING AGENCIES TO STRIKE THROUGH TEXT BEING DELETED FROM EXISTING REGULATIONS AND TO UNDERLINE TEXT BEING ADDED, REQUIRING LEGISLATIVE COUNCIL TO PROVIDE NOTICE TO ALL MEMBERS OF THE GENERAL ASSEMBLY WHEN REGULATIONS ARE SUBMITTED FOR REVIEW, DELETING THE PROVISIONS ESTABLISHING AUTOMATIC APPROVAL OF REGULATIONS AFTER ONE HUNDRED TWENTY DAYS, PROVIDING THAT A REGULATION IS DEEMED WITHDRAWN IF IT HAS NOT BECOME EFFECTIVE BY THE END OF THE TWO-YEAR LEGISLATIVE SESSION DURING WHICH THE REGULATION WAS SUBMITTED FOR REVIEW AND PROVIDING EXPEDITED PROCEDURES FOR SUBMITTING THE SAME REGULATION FOR LEGISLATIVE REVIEW IN THE NEXT SESSION; TO AMEND SECTION 1-23-125, RELATING TO THE APPROVAL, DISAPPROVAL, AND MODIFICATION OF REGULATIONS, SO AS TO DELETE PROVISIONS PROVIDED FOR ELSEWHERE IN THE ADMINISTRATIVE PROCEDURES ACT, TO DELETE PROVISIONS RELATING TO THE ONE-HUNDRED-TWENTY-DAY AUTOMATIC APPROVAL PROCEDURES, AND TO AUTHORIZE, RATHER THAN PROHIBIT, AN AGENCY TO WITHDRAW REGULATIONS UNDER GENERAL ASSEMBLY REVIEW ANYTIME AND TO PROVIDE EXPEDITED PROCEDURES FOR RESUBMISSION OF SUCH WITHDRAWN REGULATIONS; AND TO AMEND SECTION 1-23-270, RELATING TO SMALL BUSINESS REGULATORY FLEXIBILITY, SO AS TO RESTATE THE FIVE-YEAR AGENCY REVIEW REQUIREMENT. -

ratified title

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|-----------------|---------------|--|
| <b>01/16/07</b> | <b>House</b>  | <b>Introduced and read first time HJ-6</b>   |
| <b>01/16/07</b> | <b>House</b>  | <b>Referred to Committee on Judiciary HJ-7</b>   |
| <b>01/17/07</b> | <b>House</b>  | <b>Member(s) request name added as sponsor: Umphlett</b>   |
| <b>02/28/07</b> | <b>House</b>  | <b>Committee report: Favorable with amendment Judiciary HJ-21</b>  |
| <b>03/01/07</b> | <b>House</b>  | <b>Member(s) request name added as sponsor: McLeod</b>   |
| <b>03/01/07</b> |               | <b>Scrivener's error corrected</b>   |
| <b>03/06/07</b> | <b>House</b>  | <b>Amended HJ-23</b>   |
| <b>03/06/07</b> | <b>House</b>  | <b>Requests for debate-Rep(s). Rice, Bannister, Crawford, Simrill, Chalk, Bedingfield, Scarborough, Loftis, Shoopman, Leach, Kelly, Talley, Umphlett, Merrill, and Perry HJ-34</b> |
| <b>03/07/07</b> | <b>House</b>  | <b>Read second time HJ-40</b>  |
| <b>03/07/07</b> | <b>House</b>  | <b>Roll call Yeas-101 Nays-0 HJ-45</b>   |
| <b>03/08/07</b> | <b>House</b>  | <b>Read third time and sent to Senate HJ-34</b>  |
| <b>03/08/07</b> | <b>Senate</b> | <b>Introduced and read first time SJ-4</b>   |
| <b>03/08/07</b> | <b>Senate</b> | <b>Referred to Committee on Judiciary SJ-4</b>   |
| <b>03/12/07</b> | <b>Senate</b> | <b>Referred to Subcommittee: Moore (ch), Ford, Mescher, Rankin, Scott</b>  |
| <b>05/23/07</b> | <b>Senate</b> | <b>Committee report: Favorable with amendment Judiciary SJ-56</b>  |
| <b>05/24/07</b> |               | <b>Scrivener's error corrected</b>   |
| <b>05/24/07</b> | <b>Senate</b> | <b>Committee Amendment Adopted SJ-45</b>   |
| <b>05/24/07</b> | <b>Senate</b> | <b>Read second time SJ-45</b>  |
| <b>05/25/07</b> |               | <b>Scrivener's error corrected</b>   |
| <b>05/29/07</b> | <b>Senate</b> | <b>Read third time and returned to House with amendments SJ-35</b>   |
| <b>05/31/07</b> | <b>House</b>  | <b>Senate amendment amended HJ-39</b>  |
| <b>05/31/07</b> | <b>House</b>  | <b>Returned to Senate with amendments HJ-39</b>  |
| <b>06/06/07</b> | <b>Senate</b> | <b>Non-concurrence in House amendment SJ-95</b>  |
| <b>06/06/07</b> | <b>House</b>  | <b>House insists upon amendment and conference committee appointed Reps. Scarborough, Hagood, and McLeod HJ-97</b>   |
| <b>06/07/07</b> | <b>Senate</b> | <b>Conference committee appointed Rankin, Ford, and Scott SJ-61</b>  |
| <b>06/07/07</b> | <b>House</b>  | <b>Conference report received and adopted HJ-145</b>   |
| <b>06/07/07</b> | <b>Senate</b> | <b>Conference report adopted SJ-62</b>   |
| <b>06/07/07</b> | <b>Senate</b> | <b>Ordered enrolled for ratification SJ-72</b>   |
| <b>06/12/07</b> |               | <b>Ratified R 157</b>  |

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| <b>06/18/07</b> | <b>Signed By Governor</b>                        |
| <b>06/20/07</b> | <b>Copies available</b>                          |
| <b>06/20/07</b> | <b>Effective date See Act for Effective Date</b> |
| <b>06/27/07</b> | <b>Act No. 104</b>                               |