

## 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ESTABLISHING AUTOMATIC APPROVAL OF REGULATIONS AFTER ONE HUNDRED TWENTY DAYS, PROVIDING THAT A REGULATION IS DEEMED WITHDRAWN IF IT HAS NOT BECOME EFFECTIVE BY THE END OF THE TWO-YEAR LEGISLATIVE SESSION DURING WHICH THE REGULATION WAS SUBMITTED FOR REVIEW AND PROVIDING EXPEDITED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WITHDRAW REGULATIONS UNDER GENERAL ASSEMBLY REVIEW ANYTIME AND TO PROVIDE EXPEDITED PROCEDURES FOR RESUBMISSION OF SUCH WITHDRAWN REGULATIONS; AND TO AMEND SECTION 1-23-270, RELATING TO SMALL BUSINESS REGULATORY FLEXIBILITY, SO AS TO RESTATE THE FIVE-YEAR AGENCY REVIEW REQUIREMENT.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

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

06/18/07

06/20/07

06/20/07

06/27/07

Signed By Governor

Copies available

Effective date See Act for Effective Date

Act No. 104