

**Session 117 - (2007-2008)**

**S\*0065 (Rat #0170, Act #0113 of 2007) General Bill, By Martin, Vaughn, McConnell, Knotts, Verdin, Fair, Alexander and Elliott**

**Similar (H 3346)**

**Summary:** Cemeteries

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 43, TITLE 27 SO AS TO ESTABLISH REQUIREMENTS TO ALLOW ACCESS TO CEMETERIES ON PRIVATE PROPERTY, INCLUDING, AMONG OTHER THINGS, TO SPECIFY PERSONS WHO MUST BE ALLOWED SUCH ACCESS, TO ESTABLISH PURPOSES FOR EXERCISING ACCESS, TO REQUIRE WRITTEN NOTICE TO THE OWNER OF THE PROPERTY, TO REQUIRE A WRITTEN PROPOSAL FROM THE OWNER DESIGNATING CONDITIONS FOR ACCESS, TO PROVIDE PROCEDURES FOR SEEKING RELIEF IN MAGISTRATES COURT, TO SPECIFY THE JURISDICTION AND REMEDIES THAT APPLY, TO PROVIDE CIRCUMSTANCES UNDER WHICH IMMUNITY FROM LIABILITY IS GRANTED TO AN OWNER OF PROPERTY FOR ACCESS GRANTED, TO SPECIFY THE CONDUCT REQUIRED AND PROHIBITED OF PERSONS EXERCISING ACCESS TO SUCH PROPERTY, TO PROVIDE CONDITIONS UNDER WHICH THESE ACCESS PROVISIONS DO NOT APPLY, AND IN CERTAIN CIRCUMSTANCES, TO LIMIT THE APPLICATION OF THESE ACCESS PROVISIONS; TO AMEND SECTION 6-29-1145, RELATING TO PROHIBITING A LOCAL PLANNING AGENCY FROM ISSUING A PERMIT FOR ACTIVITY THAT IS CONTRARY TO, CONFLICTS WITH, OR IS PROHIBITED BY A RESTRICTIVE COVENANT UNLESS THE COVENANT HAS BEEN WAIVED, SO AS TO FURTHER SPECIFY THAT THE LOCAL PLANNING AGENCY MUST HAVE ACTUAL NOTICE OF THE RESTRICTIVE COVENANT AND TO PROVIDE HOW THE AGENCY IS TO ASCERTAIN THE EXISTENCE OF THE COVENANT, TO FURTHER SPECIFY THAT THE RESTRICTIVE COVENANT MUST BE RELEASED, RATHER THAN WAIVED, AND THAT IT MUST BE RELEASED BY THE APPROPRIATE AUTHORITY OR PROPERTY HOLDERS, AND TO DEFINE "ACTUAL NOTICE"; TO DESIGNATE SECTIONS 27-43-10 THROUGH 27-43-40 AS ARTICLE 1 OF CHAPTER 43, TITLE 27, ENTITLED "REMOVAL OF ABANDONED CEMETERIES", AND TO REENTITLED CHAPTER 43 OF TITLE 27 AS "CEMETERIES". - ratified title

- 11/29/06 Senate Prefiled**
- 11/29/06 Senate Referred to Committee on Judiciary**
- 01/09/07 Senate Introduced and read first time SJ-53**
- 01/09/07 Senate Referred to Committee on Judiciary SJ-53**
- 01/17/07 Senate Referred to Subcommittee: Martin (ch), Malloy, Campsen, Williams**
- 02/07/07 Senate Committee report: Favorable with amendment Judiciary SJ-30**
- 02/08/07 Senate Amended SJ-14**
- 02/08/07 Senate Read second time SJ-14**
- 02/13/07 Senate Read third time and sent to House SJ-17**
- 02/14/07 House Introduced and read first time HJ-4**
- 02/14/07 House Referred to Committee on Judiciary HJ-5**
- 05/09/07 House Committee report: Favorable with amendment Judiciary HJ-6**
- 05/15/07 House Amended HJ-30**
- 05/15/07 House Read second time HJ-33**
- 05/16/07 House Read third time and returned to Senate with amendments HJ-21**
- 05/23/07 Senate Non-concurrence in House amendment SJ-81**
- 05/24/07 House House insists upon amendment and conference committee appointed Reps. Hagood, GR Smith, and McLeod HJ-4**
- 05/24/07 Senate Conference committee appointed Martin, Campsen, and Williams SJ-29**
- 06/19/07 Senate Free conference powers granted SJ-48**
- 06/19/07 Senate Free conference committee appointed Martin, Campsen, and Williams SJ-48**
- 06/20/07 House Free conference powers granted HJ-66**
- 06/20/07 House Free conference committee appointed Reps. Hagood, GR Smith, and McLeod HJ-67**
- 06/20/07 Senate Free conference report adopted SJ-66**
- 06/20/07 House Free conference report adopted HJ-68**
- 06/20/07 Senate Ordered enrolled for ratification SJ-71**
- 06/21/07 Ratified R 170**
- 06/27/07 Signed By Governor**
- 07/02/07 Copies available**

07/02/07

Effective date 06/27/07

07/06/07

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