**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3622**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Umphlett and Knight

Document Path: l:\council\bills\ggs\22211mm09.docx

Introduced in the House on February 26, 2009

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Vested Rights Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/26/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\02-26-09.docx)‑106

2/26/2009 House Referred to Committee on **Labor, Commerce and Industry** [HJ](file:///h:\HJ%20Archive\2009\02-26-09.docx)‑106

**VERSIONS OF THIS BILL**

[2/26/2009](file:///p:\pprever\2009-10\3622_20090226.docx)

**A** **BILL**

TO AMEND SECTION 6‑29‑1540, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONDITIONS AND LIMITATIONS IN CONNECTION WITH THE “VESTED RIGHTS ACT”, SO AS TO PROVIDE FOR REVOCATION OF VESTED RIGHTS ESTABLISHED PURSUANT TO THE ACT IF A LANDOWNER SEEKS A VARIANCE, REGULATION, SPECIAL EXCEPTION, OR OTHER MODIFICATION THAT MATERIALLY OR SUBSTANTIALLY AFFECTS THE APPROVED DEVELOPMENT PLAN.

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

SECTION 1. Section 6‑29‑1540(10) of the 1976 Code, as added by Act 287 of 2004, is amended to read:

“(10) a vested right to a site specific development plan or phased development plan is subject to revocation by the local governing body upon its determination, after notice and public hearing, that:

(a) there was a material misrepresentation by the landowner or substantial noncompliance with the terms and conditions of the original or amended approval; or

(b) the landowner seeks a variance, regulation, special exception, or other modification that materially and substantially affects the original or amended approval.”

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

‑‑‑‑XX‑‑‑‑