~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 10, 2010

**S. 1051**

Introduced by Senator Davis

S. Printed 3/10/10--S. [SEC 3/11/10 11:54 AM]

Read the first time January 14, 2010.

**THE COMMITTEE ON**

**AGRICULTURE AND NATURAL RESOURCES**

To whom was referred a Bill (S. 1051) to amend Section 48‑39‑290, Code of Laws of South Carolina, 1976, relating to restrictions, exceptions, and special permits concerning construction and reconstruction seaward, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 1, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 48‑39‑290(B)(2)(e) of the 1976 Code is amended to read:

“(e) ~~Subitem (a) does~~ The provisions of this section and Section 48‑39‑280 do not apply to a private island with an Atlantic Ocean shoreline of twenty thousand, two hundred ten feet ~~of which twenty thousand, ninety feet of shoreline~~ which is entirely revetted with existing erosion control devices ~~and one hundred twenty feet of shoreline is not revetted with existing erosion control devices~~. Nothing contained in this section shall be construed as legislative intent to limit the applicability of the requirements of Section 48‑39‑280 or Section 48‑39‑290 to other coastal barrier islands in this State. Limiting the applicability of Sections 48‑39‑280 and 48‑39‑290 is only appropriate where the island is entirely revetted and armored. The baseline for these islands is at the landward edge of erosion control devices. Nothing contained in this subitem makes this island eligible for beach renourishment funds.” /

Renumber sections to conform.

Amend title to conform.

DANIEL B. VERDIN III for Committee.

**A** **BILL**

TO AMEND SECTION 48‑39‑290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS, EXCEPTIONS, AND SPECIAL PERMITS CONCERNING CONSTRUCTION AND RECONSTRUCTION SEAWARD OF THE BASELINE OR BETWEEN THE BASELINE AND THE SET BACK LINE, SO AS TO REVISE THE DESCRIPTION OF A PRIVATE ISLAND WITH AN ATLANTIC SHORELINE THAT IS EXEMPT FROM THE PROVISIONS OF THIS SECTION AND THE FORTY‑YEAR RETREAT POLICY.

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

SECTION 1. Section 48‑39‑290(B)(2)(e) of the 1976 Code is amended to read:

“(e) ~~Subitem (a) does~~ The provisions of this section and Section 48‑39‑280 do not apply to a private island with an Atlantic Ocean shoreline of twenty thousand, two hundred ten feet ~~of which twenty thousand, ninety feet of shoreline~~ which is entirely revetted with existing erosion control devices ~~and one hundred twenty feet of shoreline is not revetted with existing erosion control devices~~. Nothing contained in this subitem makes this island eligible for beach renourishment funds.”

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

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