**South Carolina General Assembly**

119th Session, 2011-2012

**A248, R276, S1220**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campbell, Hayes and Ford

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Introduced in the Senate on February 15, 2012

Introduced in the House on April 17, 2012

Last Amended on June 6, 2012

Passed by the General Assembly on June 6, 2012

Governor's Action: June 18, 2012, Signed

Summary: Surface water withdrawal

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/15/2012 Senate Introduced and read first time ([Senate Journal‑page 4](file:///h:\sj%20archive\2012\02-15-12.docx))

2/15/2012 Senate Referred to Committee on **Agriculture and Natural Resources** ([Senate Journal‑page 4](file:///h:\sj%20archive\2012\02-15-12.docx))

3/29/2012 Senate Polled out of committee **Agriculture and Natural Resources** ([Senate Journal‑page 11](file:///h:\sj%20archive\2012\03-29-12.docx))

3/29/2012 Senate Committee report: Favorable **Agriculture and Natural Resources** ([Senate Journal‑page 11](file:///h:\sj%20archive\2012\03-29-12.docx))

4/11/2012 Senate Read second time ([Senate Journal‑page 29](file:///h:\sj%20archive\2012\04-11-12.docx))

4/11/2012 Senate Roll call Ayes‑41 Nays‑1 ([Senate Journal‑page 29](file:///h:\sj%20archive\2012\04-11-12.docx))

4/12/2012 Senate Read third time and sent to House ([Senate Journal‑page 12](file:///h:\sj%20archive\2012\04-12-12.docx))

4/17/2012 House Introduced and read first time ([House Journal‑page 9](file:///h:\hj%20archive\2012\04-17-12.docx))

4/17/2012 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 9](file:///h:\hj%20archive\2012\04-17-12.docx))

5/24/2012 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 5](file:///h:\hj%20archive\2012\05-24-12.docx))

5/30/2012 House Debate adjourned until Thur.,05‑31‑12 ([House Journal‑page 64](file:///h:\hj%20archive\2012\05-30-12.docx))

5/31/2012 House Debate adjourned until Tues., 06‑05‑12 ([House Journal‑page 43](file:///h:\hj%20archive\2012\05-31-12.docx))

6/5/2012 House Debate adjourned ([House Journal‑page 53](file:///h:\hj%20archive\2012\06-05-12.docx))

6/5/2012 House Amended ([House Journal‑page 60](file:///h:\hj%20archive\2012\06-05-12.docx))

6/5/2012 House Read second time ([House Journal‑page 60](file:///h:\hj%20archive\2012\06-05-12.docx))

6/5/2012 House Roll call Yeas‑77 Nays‑2 ([House Journal‑page 67](file:///h:\hj%20archive\2012\06-05-12.docx))

6/6/2012 House Debate adjourned ([House Journal‑page 35](file:///h:\hj%20archive\2012\06-06-12.docx))

6/6/2012 House Amended ([House Journal‑page 103](file:///h:\hj%20archive\2012\06-06-12.docx))

6/6/2012 House Read third time and returned to Senate with amendments ([House Journal‑page 103](file:///h:\hj%20archive\2012\06-06-12.docx))

6/6/2012 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 97](file:///h:\sj%20archive\2012\06-06-12.docx))

6/6/2012 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 97](file:///h:\sj%20archive\2012\06-06-12.docx))

6/12/2012 Ratified R 276

6/18/2012 Signed By Governor

6/25/2012 Effective date 01/01/13

6/27/2012 Act No. 248

**VERSIONS OF THIS BILL**

[2/15/2012](file:///p:\pprever\2011-12\1220_20120215.docx)

[3/29/2012](file:///p:\pprever\2011-12\1220_20120329.docx)

[5/24/2012](file:///p:\pprever\2011-12\1220_20120524.docx)

[6/5/2012](file:///p:\pprever\2011-12\1220_20120605.docx)

[6/6/2012](file:///p:\pprever\2011-12\1220_20120606.docx)

(A248, R276, S1220)

**AN ACT TO AMEND SECTION 48‑2‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES IMPOSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR CERTAIN ENVIRONMENTAL PROGRAMS, INCLUDING THE SURFACE WATER WITHDRAWAL PROGRAM, WHICH ARE DEPOSITED INTO THE ENVIRONMENTAL PROTECTION FUND FOR ADMINISTRATION OF THESE PROGRAMS, SO AS TO ENUMERATE THE FEES FOR SURFACE WATER WITHDRAWAL APPLICATIONS AND PERMITS THAT WOULD OTHERWISE HAVE BEEN REPEALED JANUARY 1, 2013; BY ADDING SECTION 49‑4‑175 SO AS TO REIMPOSE THE FEES THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY CHARGE FOR SURFACE WATER WITHDRAWAL AND APPLICATIONS AND PERMITS AND TO PROVIDE THAT THE DEPARTMENT SHALL RETAIN THESE FEES TO IMPLEMENT AND OPERATE THE SURFACE WATER WITHDRAWAL PROGRAM; AND TO AMEND ACT 247 OF 2010, RELATING TO THE SOUTH CAROLINA SURFACE WATER WITHDRAWAL, PERMITTING, USE, AND REPORTING ACT SO AS TO REPEAL PROVISIONS THAT PROSPECTIVELY REPEAL THE IMPOSITION OF SURFACE WATER WITHDRAWAL PERMIT FEES.**

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

**Surface water withdrawal permit fees added**

SECTION 1. Section 48‑2‑50(H) of the 1976 Code, as last amended by Act 247 of 2010, is further amended by adding an appropriately numbered item at the end to read:

“( ) Surface Water Withdrawals:

(a) Existing surface water withdrawal permit application processing fee $1,000;

(b) New surface water withdrawal permit application processing fee $7,500;

(c) Modification of surface water withdrawal permit application processing fee $2,000;

(d) Renewal of surface water withdrawal permit with modifications application processing fee $1,000;

(e) Surface water withdrawal annual operating fee per permitted intake $1,000.”

**Authority to collect, and the amount of, surface water withdrawal permit fees**

SECTION 2. Chapter 4, Title 49 of the 1976 Code is amended by adding:

“Section 49‑4‑175.(A) The department is authorized to collect the following surface water withdrawal program fees:

(1) existing surface water withdrawal permit application processing fee $1,000;

(2) new surface water withdrawal permit application processing fee $7,500;

(3) modification of surface water withdrawal permit application processing fee $2,000;

(4) renewal of surface water withdrawal permit with modifications application processing fee $1,000;

(5) surface water withdrawal annual operating fee per permitted intake $1,000.

(B) The department shall retain the fees collected pursuant to this section for the purposes of implementing and operating the Surface Water Permitting and Withdrawal regulatory program, including permit application review, compliance inspections, and enforcement and for technical assistance and monitoring.”

**Repeal**

SECTION 3. Section 3C of Act 247 of 2010, which reads as stated below, is repealed:

“C. The new item added to Section 48‑2‑50 by this SECTION is repealed January 1, 2013. No new fees may be charged for Surface Water Withdrawal applications following that date without an act of the General Assembly setting the fee schedule.”

**Time effective**

SECTION 4. This act takes effect January 1, 2013.

Ratified the 12th day of June, 2012.

Approved the 18th day of June, 2012.

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