**South Carolina General Assembly**

119th Session, 2011-2012

**A184, R229, H3390**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. R.L. Brown and Whipper

Document Path: l:\council\bills\swb\5076cm11.docx

Introduced in the House on January 20, 2011

Introduced in the Senate on February 23, 2012

Last Amended on February 22, 2012

Passed by the General Assembly on May 30, 2012

Governor's Action: June 7, 2012, Signed

Summary: Notice to abandon or close street

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/20/2011 House Introduced and read first time ([House Journal‑page 5](file:///h:\hj%20archive\2011\01-20-11.docx))

1/20/2011 House Referred to Committee on **Education and Public Works** ([House Journal‑page 5](file:///h:\hj%20archive\2011\01-20-11.docx))

2/9/2012 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 7](file:///h:\hj%20archive\2012\02-09-12.docx))

2/22/2012 House Member(s) request name added as sponsor: Whipper

2/22/2012 House Amended ([House Journal‑page 116](file:///h:\hj%20archive\2012\02-22-12.docx))

2/22/2012 House Read second time ([House Journal‑page 116](file:///h:\hj%20archive\2012\02-22-12.docx))

2/22/2012 House Roll call Yeas‑110 Nays‑0 ([House Journal‑page 116](file:///h:\hj%20archive\2012\02-22-12.docx))

2/23/2012 House Read third time and sent to Senate ([House Journal‑page 57](file:///h:\hj%20archive\2012\02-23-12.docx))

2/23/2012 Senate Introduced and read first time ([Senate Journal‑page 8](file:///h:\sj%20archive\2012\02-23-12.docx))

2/23/2012 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 8](file:///h:\sj%20archive\2012\02-23-12.docx))

5/24/2012 Senate Polled out of committee **Transportation** ([Senate Journal‑page 15](file:///h:\sj%20archive\2012\05-24-12.docx))

5/24/2012 Senate Committee report: Favorable **Transportation** ([Senate Journal‑page 15](file:///h:\sj%20archive\2012\05-24-12.docx))

5/29/2012 Senate Read second time ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\05-29-12.docx))

5/29/2012 Senate Roll call Ayes‑38 Nays‑1 ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\05-29-12.docx))

5/30/2012 Senate Read third time and enrolled ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\05-30-12.docx))

6/5/2012 Ratified R 229

6/7/2012 Signed By Governor

6/18/2012 Effective date 06/07/12

6/18/2012 Act No. 184

**VERSIONS OF THIS BILL**

[1/20/2011](file:///p:\pprever\2011-12\3390_20110120.docx)

[2/9/2012](file:///p:\pprever\2011-12\3390_20120209.docx)

[2/22/2012](file:///p:\pprever\2011-12\3390_20120222.docx)

[5/24/2012](file:///p:\pprever\2011-12\3390_20120524.docx)

(A184, R229, H3390)

**AN ACT TO AMEND SECTION 57‑9‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONING A COURT TO ABANDON OR CLOSE A STREET, ROAD, OR HIGHWAY, SO AS TO PROVIDE THAT A NOTICE OF INTENTION TO FILE A PETITION MUST BE POSTED ALONG THE STREET, ROAD, OR HIGHWAY SUBJECT TO THE APPROVAL OF THE LOCATION OF THE POSTING BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTENANCE OF THE STREET, ROAD, OR HIGHWAY, AND TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PROMULGATE REGULATIONS THAT WILL ESTABLISH THE MINIMUM MANDATORY SIZE, LANGUAGE, AND POSITIONING OF SIGNS PURSUANT TO THIS SECTION.**

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

**Court petition to abandon or close a street, road, or highway**

SECTION 1. Section 57‑9‑10 of the 1976 Code is amended to read:

“Section 57‑9‑10.Any interested person, the State or any of its political subdivisions or agencies may petition a court of competent jurisdiction to abandon or close any street, road or highway whether opened or not. Prior to filing the petition, notice of intention to file shall be published once a week for three consecutive weeks in a newspaper published in the county where such street, road or highway is situated. Notice also shall be sent by mail requiring a return receipt to the last known address of all abutting property owners whose property would be affected by any such change, and posted by the petitioning party along the street, road, or highway, subject to approval of the location of the posting by the governmental entity responsible for maintenance of the street, road, or highway. The Department of Transportation shall promulgate regulations which once effective will establish the minimum mandatory size, language, and specific positioning of signs pursuant to this section.”

**Time effective**

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

Ratified the 5th day of June, 2012.

Approved the 7th day of June, 2012.

\_\_\_\_\_\_\_\_\_\_