**South Carolina General Assembly**

122nd Session, 2017-2018

**A209, R227, S1099**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Campbell

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Introduced in the Senate on March 7, 2018

Introduced in the House on April 3, 2018

Passed by the General Assembly on May 4, 2018

Governor's Action: May 15, 2018, Signed

Summary: SC Mining Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/7/2018 Senate Introduced and read first time ([Senate Journal‑page 13](file:///h:\sj\20180307.docx))

3/7/2018 Senate Referred to Committee on **Agriculture and Natural Resources** ([Senate Journal‑page 13](file:///h:\sj\20180307.docx))

3/21/2018 Senate Polled out of committee **Agriculture and Natural Resources** ([Senate Journal‑page 13](file:///h:\sj\20180321.docx))

3/21/2018 Senate Committee report: Favorable **Agriculture and Natural Resources** ([Senate Journal‑page 13](file:///h:\sj\20180321.docx))

3/28/2018 Senate Read second time ([Senate Journal‑page 19](file:///h:\sj\20180328.docx))

3/28/2018 Senate Roll call Ayes‑40 Nays‑0 ([Senate Journal‑page 19](file:///h:\sj\20180328.docx))

3/29/2018 Senate Read third time and sent to House ([Senate Journal‑page 26](file:///h:\sj\20180329.docx))

4/3/2018 House Introduced and read first time ([House Journal‑page 82](file:///h:\hj\20180403.docx))

4/3/2018 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 82](file:///h:\hj\20180403.docx))

4/26/2018 House Committee report: Favorable **Labor, Commerce and Industry** ([House Journal‑page 78](file:///h:\hj\20180426.docx))

5/2/2018 House Requests for debate‑Rep(s). King, Hart, Pendarvis, Brawley, Gilliard, Brown, Anderson, M Rivers ([House Journal‑page 97](file:///h:\hj\20180502.docx))

5/3/2018 House Requests for debate removed‑Rep(s). King, M Rivers, Brawley, Anderson, Brown, Gilliard ([House Journal‑page 19](file:///h:\hj\20180503.docx))

5/3/2018 House Read second time ([House Journal‑page 19](file:///h:\hj\20180503.docx))

5/3/2018 House Roll call Yeas‑95 Nays‑0 ([House Journal‑page 20](file:///h:\hj\20180503.docx))

5/3/2018 House Unanimous consent for third reading on next legislative day ([House Journal‑page 21](file:///h:\hj\20180503.docx))

5/4/2018 House Read third time and enrolled ([House Journal‑page 3](file:///h:\hj\20180504.docx))

5/14/2018 Ratified R 227

5/15/2018 Signed By Governor

5/23/2018 Effective date 05/15/18

5/31/2018 Act No. 209

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**VERSIONS OF THIS BILL**

[3/7/2018](file:///p:\pprever\2017-18\1099_20180307.docx)

[3/21/2018](file:///p:\pprever\2017-18\1099_20180321.docx)

[4/26/2018](file:///p:\pprever\2017-18\1099_20180426.docx)

(A209, R227, S1099)

**AN ACT TO AMEND SECTION 48‑20‑280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ACTIVITIES EXEMPT FROM THE PROVISIONS OF THE SOUTH CAROLINA MINING ACT, SO AS TO EXEMPT CERTAIN ACTIVITIES UNDERTAKEN BY THE DIVISION OF PUBLIC RAILWAYS OF THE DEPARTMENT OF COMMERCE.**

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

**Public rail infrastructure activities exempt from South Carolina Mining Act provisions**

SECTION 1. Section 48‑20‑280 of the 1976 Code is amended to read:

“Section 48‑20‑280. The provisions of this chapter do not apply to those activities of the:

(1) South Carolina State Ports Authority, nor of a person acting under contract with the authority; undertaken solely in connection with the construction, repair, and maintenance of the authority’s shipping container terminals;

(2) Department of Transportation, nor of a person acting under contract with the department, on highway rights‑of‑way or borrow pits maintained solely in connection with the construction, repair, and maintenance of the public road systems of the State. This exemption does not become effective until the department has adopted reclamation standards applying to those activities and the standards have been approved by the council. At the discretion of the department, the provisions of this chapter may apply to mining on federal lands; or

(3) Department of Commerce, Division of Public Railways, nor of a person acting under contract with the Department of Commerce, on rail rights‑of‑way or borrow pits maintained solely in connection with the construction, repair, and maintenance of the public rail infrastructure of the State.”

**Reclamation standards required**

SECTION 2. Section 48‑20‑280(3) is effective upon adoption of the Department of Commerce’s reclamation standards applying to those activities used by the Department of Transportation.

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 14th day of May, 2018.

Approved the 15th day of May, 2018.

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