**A** **BILL**

TO AMEND SECTION 49-11-240 OF THE 1976 CODE, RELATING TO THE INSPECTION OF DAMS, TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF ENVIRONMENTAL CONTROL TO INSPECT ALL DAMS ON WHICH A STATE HIGHWAY TRAVERSES EVEN IF THE DAM DOES NOT MEET THE DEFINITION CONTAINED IN SECTION 49-11-120(4).

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

SECTION 1. Section 49-11-240 of the 1976 Code is amended to read:

“Section 49-11-240. (A) The department or its authorized agents may inspect the dam or reservoir and surrounding area to determine the safety of the structure.

(B) An authorized member, agency, or representative of the department may enter state or private lands and natural or artificial waterways in the State to discharge the duties set forth in this article.

(C) The department shall formulate reasonable regulations, including, but not limited to, minimum safety design standards for impoundments, safety inspection standards, water discharge, or drawdown rates and levels in unsafe impoundments and for other purposes necessary to administer this article.

(D) The department shall issue all orders, permits, or licenses set forth in this article.

(E) Notwithstanding any other provision of law, the department shall be required to inspect all dams traversed by a state highway, even if the dam does not fall within the definition provided by Section 49-11-120(4).”

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

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