~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED--NOT PRINTED IN THE HOUSE

Amt. No. 1A (3700C003.JN.CZ19)

May 8, 2019

**H. 3700**

Introduced by Reps. Bailey, Hewitt, Hardee and Clemmons

S. Printed 4/23/19--S.

Read the first time February 12, 2019.

**A** **BILL**

TO AMEND SECTION 48‑39‑290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

Amend Title To Conform

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

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

“(a) No new erosion control structures or devices are allowed seaward of the setback line except:

(i) structures or devices to protect a public highway ~~which~~ that existed on ~~the effective date of this act~~ June 25, 1990; and

(ii) shoreline perpendicular wingwalls that extend landward at a 90 degree angle from the ends of existing erosion control structures or devices that are consistent in height and composition with the existing erosion control structures to which they are attached, subject to any special conditions imposed by the department.”

SECTION 2. Section 48‑39‑130(D) of the 1976 Code is amended by adding an appropriately numbered section at the end to read:

“( )(a) The rehabilitation, reinforcement, or protection of an existing erosion control device for which:

(i) the erosion control device is approximately four thousand one hundred linear feet;

(ii) the erosion control device is oceanward of an unincorporated private oceanfront residential community of approximately two thousand seven hundred acres with an Atlantic Ocean shoreline of approximately eight thousand one hundred linear feet;

(iii) the beach for which the erosion control device is being used is not eligible for public beach renourishment funds;

(iv) no public funds have ever been expended on maintaining the beach for which the erosion control device is being used; and

(v) the rehabilitation, reinforcement, or protection activities are authorized by a permit, if required, issued by the United States Army Corps of Engineers.

(b) All other department‑administered certifications for these activities are waived.”

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

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