**A** **BILL**

TO AMEND SECTION 48-39-145 OF THE 1976 CODE, RELATING TO THE APPLICATION FEE FOR A PERMIT TO ALTER A CRITICAL AREA AND TO SPECIAL PROVISIONS AS TO THE CONSTRUCTION OF MARINAS AND COMMERCIAL DOCK FACILITIES, TO PROVIDE THAT, FOR PERMIT APPLICATIONS TO CONSTRUCT PRIVATE RECREATIONAL DOCKS ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE PERMISSIBLE SIZE OF THE STRUCTURE.

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

SECTION 1. Section 48-39-145 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“( ) For permit applications to construct private recreational docks on the Atlantic Intracoastal Waterway Federal Navigation Project, the department shall defer to the United States Army Corps of Engineers in determining the permissible size of the structure.”

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

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