**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3892**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Yow, Hewitt, McGarry, M.M. Smith, Jefferson, Wetmore and Daning

Document Path: l:\council\bills\cc\16004vr21.docx

Companion/Similar bill(s): 1051

Introduced in the House on February 16, 2021

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: Solid waste management and mining, permitting prohibitions

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/16/2021 House Introduced and read first time ([House Journal‑page 3](file:///h:\hj\20210216.docx))

2/16/2021 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 3](file:///h:\hj\20210216.docx))

2/17/2021 House Member(s) request name added as sponsor: McGarry

2/23/2021 House Member(s) request name added as sponsor: M.M.Smith

4/20/2021 House Member(s) request name added as sponsor: Jefferson

1/27/2022 House Member(s) request name added as sponsor: Wetmore

2/9/2022 House Member(s) request name added as sponsor: Daning

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**VERSIONS OF THIS BILL**

[2/16/2021](file:///p:\pprever\2021-22\3892_20210216.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 44‑96‑295 AND 48‑20‑45 SO AS TO PROHIBIT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FROM ISSUING ANY PERMIT FOR THE CONSTRUCTION OF A SOLID WASTE MANAGEMENT FACILITY OR FOR MINING ACTIVITIES, RESPECTIVELY, IF LOCATED WITHIN A CERTAIN PROXIMITY TO A PUBLIC PARK OR OTHER PUBLIC NATURAL AREA.

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

SECTION 1. Article 2, Chapter 96, Title 44 of the 1976 Code is amended by adding:

“Section 44‑96‑295. Notwithstanding any other provision of law to the contrary, the department is prohibited from issuing a permit for construction of any solid waste management facility including, but not limited to, a landfill, a municipal solid waste landfill, a sanitary landfill, or a solid waste disposal facility, pursuant to this article on land located within two miles of any park, preserve, green space, or other protected natural area owned or managed by the United States, the State, a county, a municipality, another political subdivision, or any other public entity.”

SECTION 2. Chapter 20, Title 48 of the 1976 Code is amended by adding:

“Section 48‑20‑45. Notwithstanding any other provision of law to the contrary, the department is prohibited from issuing a certificate of exploration, general mining permit, operating permit, or any other certificate or permit pursuant to this chapter for exploration or mining activities on affected land located within two miles of any park, preserve, green space, or other protected natural area owned or managed by the United States, the State, a county, a municipality, another political subdivision, or any other public entity.”

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

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