**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 25 TO TITLE 51 SO AS TO PLACE THE BEACH RESTORATION AND IMPROVEMENT TRUST FUND UNDER THE AUTHORITY OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM AND TO RENAME THE TRUST FUND, TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE A CERTAIN AMOUNT OF DOLLARS FOR THE FUND ANNUALLY, TO PROVIDE THAT THE FUNDING FOR ANNUAL MONITORING AND EVALUATION OF EROSION RATES AND BEACH PROFILES MUST BE PROVIDED BY THE TRUST FUND, AND TO MAKE CONFORMING CHANGES; AND TO REPEAL CHAPTER 40 OF TITLE 48 RELATING TO THE SOUTH CAROLINA BEACH RESTORATION AND IMPROVEMENT TRUST ACT.

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

SECTION 1. Title 51 of the 1976 Code is amended by adding:

“CHAPTER 25

Beach Preservation Trust Act

Section 51‑25‑10. As used in this chapter:

(1) ‘Trust fund’ means the South Carolina Beach Preservation Trust Fund.

(2) ‘Department’ means the Department of Parks, Recreation and Tourism.

(3) ‘Beach renourishment’ means the artificial establishment and periodic renourishment of a beach with sand that is compatible with the existing beach in a way so as to create a dry sand beach at all stages of the tide, as described in Section 48‑39‑270.

(4) ‘Groin maintenance’ means activities in furtherance of maintaining the functionality of a groin:

(a) that was in existence prior to January 1, 2020;

(b) located on a beach with a high erosion rate; and

(c) whose maintenance activity is done in conjunction with beach renourishment.

(5) ‘Hazard removal’ means removal of a structure located on an active beach where the structure has been determined to be unfit for occupancy or habitation by the local government.

(6) ‘Public beach restoration and maintenance’ includes beach renourishment, groin maintenance, and hazard removal.

(7) ‘OCRM’ means the Office of Ocean Coastal Resource Management of the Department of Health and Environmental Control.

Section 51‑25‑20. There is established the South Carolina Beach Preservation Trust Fund for the purposes of:

(1) providing matching funds to qualifying municipal and county governments for public beach restoration and maintenance of eroded public beaches and improvement and enhancement of public beach access; and

(2) restoring beaches and protective sand dunes on an emergency basis after significant storm damage.

Section 51‑25‑30. (A) The trust fund must be funded by annual appropriations from admissions tax revenues. The appropriated monies must be credited to the trust fund and maintained separately from the general fund and other funds. The monies credited to the trust fund must be retained and carried forward, along with all interest earned.

(B) The trust fund must be administered by the Department of Parks, Recreation and Tourism pursuant to this chapter and its regulations governing grant application review, ranking, and approval.”

SECTION 2. Chapter 40, Title 48 of the 1976 Code is repealed.

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

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