**South Carolina General Assembly**

125th Session, 2023-2024

**S. 1061**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Kimbrell

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Introduced in the Senate on February 15, 2024

Currently residing in the Senate Committee on **Judiciary**

Summary: Environmental Regulation Restrictions

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/15/2024 Senate Introduced and read first time ([Senate Journal‑page 3](h:\sj\20240215.docx))

2/15/2024 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 3](h:\sj\20240215.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=1061&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/15/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1061_20240215.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1‑23‑165 SO AS TO PROHIBIT AN AGENCY AUTHORIZED TO IMPLEMENT AND ENFORCE STATE AND FEDERAL ENVIRONMENTAL LAWS FROM ADOPTING A RULE FOR THE PROTECTION OF THE ENVIRONMENT OR NATURAL RESOURCES THAT IMPOSES A MORE RESTRICTIVE STANDARD, LIMITATION, OR REQUIREMENT THAN THOSE IMPOSED BY FEDERAL LAW OR RULE.

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

SECTION 1. Chapter 23, Title 1 of the S.C. Code is amended by adding:

Section 1‑23‑165. (A) An agency authorized to implement and enforce State and federal environmental laws may not adopt a rule for the protection of the environment or natural resources that imposes a more restrictive standard, limitation, or requirement than those imposed by federal law or rule, if a federal law or rule pertaining to the same subject matter has been adopted, unless the adoption of the rule is required:

(1) in response to a serious, unforeseen threat to the public health, safety, or welfare;

(2) pursuant to an act of the General Assembly or United States Congress that expressly requires the agency to adopt rules;

(3) as a change in federal or State budgetary policy;

(4) pursuant to a federal regulation required by an act of the United States Congress to be adopted or administered by the State; or

(5) pursuant to a court order.

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

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