

SOUTH CAROLINA STATE REGISTER DISCLAIMER

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SOUTH CAROLINA STATE REGISTER

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THE LEGISLATIVE COUNCIL
of the
GENERAL ASSEMBLY

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This issue contains notices, proposed regulations, emergency regulations, final form regulations, and other documents filed in the Office of the Legislative Council, pursuant to Article 1, Chapter 23, Title 1, Code of Laws of South Carolina, 1976.

SOUTH CAROLINA STATE REGISTER

An official state publication, the *South Carolina State Register* is a temporary update to South Carolina’s official compilation of agency regulations--the *South Carolina Code of Regulations*. Changes in regulations, whether by adoption, amendment, repeal, or emergency action must be published in the *State Register* pursuant to the provisions of the Administrative Procedures Act. The *State Register* also publishes the Governor’s Executive Orders, notices of public hearings and meetings, and other documents issued by state agencies considered to be in the public interest. All documents published in the *State Register* are drafted by state agencies and are published as submitted. Publication of any material in the *State Register* is the official notice of such information.

STYLE AND FORMAT

Documents are arranged within each issue of the *State Register* according to the type of document filed:

Pending Regulations Submitted to the General Assembly are regulations adopted by the agency pending approval by the General Assembly.

Executive Orders are actions issued and taken by the Governor.

Notices are documents considered by the agency to have general public interest.

Notices of Drafting Regulations give interested persons the opportunity to comment during the initial drafting period before regulations are submitted as a proposed regulation.

Proposed Regulations are those regulations pending permanent adoption by an agency.

Final Regulations have been permanently adopted by the agency and approved by the General Assembly.

Emergency Regulations have been adopted on an emergency basis by the agency.

2025 PUBLICATION SCHEDULE

Documents will be accepted for filing on any normal business day from 8:30 A.M. until 5:00 P.M. All documents must be submitted in the format prescribed in the *Standards Manual for Drafting and Filing Regulations*.

To be included for publication in the next issue of the *State Register*, documents must be submitted no later than 5:00 P.M. on the second Friday of each month. The modification or withdrawal of documents filed for publication must be made **by 5:00 P.M.** on the submission deadline for that issue.

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Submission Deadline	1/10	2/14	3/14	4/11	5/9	6/13	7/11	8/8	9/12	10/10	11/14	12/12
Publishing Date	1/24	2/28	3/28	4/25	5/23	6/27	7/25	8/22	9/26	10/24	11/28	12/26

REPRODUCING OFFICIAL DOCUMENTS

Documents appearing in the *State Register* are prepared and printed at public expense. Media services are encouraged to give wide publicity to documents printed in the *State Register*.

PUBLIC INSPECTION OF DOCUMENTS

Documents filed with the Office of the State Register are available for public inspection during normal office hours, 8:30 A.M. to 5:00 P.M., Monday through Friday. The Office of the State Register is in the Legislative Council, Fourth Floor, Rembert C. Dennis Building, 1000 Assembly Street, in Columbia. Telephone inquiries concerning material in the *State Register* or the *South Carolina Code of Regulations* may be made by calling (803) 212-4500.

ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS

To adopt, amend, or repeal a regulation, an agency must publish in the *State Register* a Notice of Drafting and a Notice of the Proposed Regulation that contains an estimate of the proposed action's economic impact and gives the public an opportunity to comment on the proposal. If requested by twenty-five persons, a public hearing must be held at least thirty days after the date of publication of the notice in the *State Register*.

After the date of hearing, the regulation must be submitted to the General Assembly for approval. The General Assembly has one-hundred-twenty days to consider the regulation. If no legislation is introduced to disapprove or enacted to approve the regulation before the expiration of the one-hundred-twenty-day review period, the regulation is approved on the one-hundred-twentieth day and is effective upon publication in the *State Register*.

EMERGENCY REGULATIONS

An emergency regulation may be promulgated by an agency if the agency finds imminent peril to public health, safety, or welfare. Emergency regulations are effective upon filing for a ninety-day period. If the original filing began and expired during the legislative interim, the regulation can be renewed once.

REGULATIONS PROMULGATED TO COMPLY WITH FEDERAL LAW

Regulations promulgated to comply with federal laws are exempt from General Assembly review. Following the notice of proposed regulation and hearing, regulations are submitted to the *State Register* and are effective upon publication.

EFFECTIVE DATE OF REGULATIONS

Final Regulations take effect on the date of publication in the *State Register* unless otherwise noted within the text of the regulation.

Emergency Regulations take effect upon filing with the Legislative Council and remain effective for ninety days. If the original ninety-day period begins and expires during the legislative interim, the regulation may be refiled for one additional ninety-day period.

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South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>

DOC. NO.	RAT. NO.	FINAL ISSUE	SUBJECT	EXP. DATE	AGENCY	HOUSE COMMITTEE	SENATE COMMITTEE
5342			Residential Treatment Facilities for Children and Adolescents	01/25/2026	Department of Public Health	Regs, Admin. Proc., AI & CS	Medical Affair
5319			Sign Language Interpreters	02/01/2026	State Board of Education	Regs, Admin. Proc., AI & CS	Education
5370			Honey Bees	03/05/2026*	Clemson University	Regs, Admin. Proc., AI & CS	Ag and Nat Resources
5366			Procedures and Standards for Review of Charter School Applications	04/04/2026*	State Board of Education	Regs, Admin. Proc., AI & CS	Education
5371			Defined Program, Grades 9-12 and Graduation Requirements	05/02/2026*	State Board of Education	Regs, Admin. Proc., AI & CS	Education
5373			General Retention Schedule for Data Processing Records of State Agencies/Institutions	05/03/2026	SC Department of Archives and History		
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5379			General Retention Schedule for State Colleges and Universities	05/03/2026	SC Department of Archives and History		
5380			General Retention Schedule for State Financial Records	05/03/2026	SC Department of Archives and History		
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5403			Test Security	05/03/2026	State Board of Education		
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5199			R.45-9, Write-in Ballots, Sealed After Tabulation	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5201			Emergency Election Procedures	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5202			Poll Worker Training; Candidate Withdrawals	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5203			Procedures for Electronic Petitions	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5192			R.45-1, Definitions	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5204			R.45-10, Retention and Disposition of Certain Voting Records	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
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5193			R.45-2, Instructions and Certification of Managers and Clerks in the Use of Vote Recorders	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
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5195			R.45-4, Certification of Program Instructions	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5196			R.45-5, Ballot Envelopes and Fold Over Ballot Cards	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5197			R.45-6, Defective Ballot Cards	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary
5198			R.45-7, Ballot Cards, Sealed After Tabulation	Tolled	State Election Commission	Regs, Admin. Proc., AI & CS	Judiciary

*Revised 120-Day Review Expiration Date for Automatic Approval to 110-Day Review Expiration Date per S.164

2 REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

Committee Request Withdrawal				
5314	Regulations for the Licensing of Child Care Centers	Tolled	Department of Social Services	Regs, Admin. Proc., AI & CS Family and Veterans' Services

*Revised 120-Day Review Expiration Date for Automatic Approval to 110-Day Review Expiration Date per S.164

Executive Order No. 2025-37

WHEREAS, on October 16, 2025, the State Grand Jury returned an indictment charging Margaret Kimba “Kimber” W. Cooper, Treasurer of Williamsburg County, with one count of Official Misconduct in Office, in violation of the Common Law; one count of Use of Official Position or Office for Financial Gain, in violation of the Ethics Act; and Criminal Conspiracy, in violation of section 16-17-410 of the South Carolina Code of Laws, as amended; and

WHEREAS, Kimber W. Cooper, as Treasurer of Williamsburg County, is an officer of the State or its political subdivisions; and

WHEREAS, article VI, section 8 of the South Carolina Constitution provides that upon indictment by a grand jury of any officer of the State or its political subdivisions who has the custody of public or trust funds for embezzlement or the appropriation of public or trust funds to private use, “the Governor shall suspend such officer and appoint one in his stead, until he shall have been acquitted,” and “[i]n case of conviction, the position shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, article VI, section 8 of the South Carolina Constitution further provides that “[a]ny officer of the State or its political subdivisions . . . who has been indicted by a grand jury for a crime involving moral turpitude . . . may be suspended by the Governor until he shall have been acquitted” and “[i]n case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, under South Carolina law, moral turpitude “implies something immoral in itself, regardless of whether it is punishable by law as a crime,” involves “an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow man, or to society in general, contrary to the accepted and customary rule of right and duty between man and man,” or otherwise includes conduct “contrary to justice, honesty[,] and good morals,” *State v. Horton*, 271 S.C. 413, 414–15, 248 S.E.2d 263, 263–64 (1978); *see also Baddourah v. McMaster*, 433 S.C. 89, 112, 856 S.E.2d 561, 573 (2021) (“Under South Carolina’s moral turpitude framework, we focus ‘primarily on the duty to society and fellow man [that] is breached by the commission of the crime.’”); and

WHEREAS, in addition to the foregoing authorities, section 8-1-110 of the South Carolina Code of Laws, as amended, requires that upon the indictment of any officer who has the custody of public or trust funds on charges of embezzlement or the appropriation of public or trust funds to private use, “the Governor shall suspend such officer and appoint one in his stead until he shall have been acquitted by the verdict of a jury” and “[i]n case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, section 8-1-100 of the South Carolina Code of Laws, as amended, further provides that “any state or county officer who is indicted in any court for any crime may, in the discretion of the Governor, be suspended by the Governor, who in event of suspension shall appoint another in his stead until he shall be acquitted” and “[i]n case of conviction, the office shall be declared vacant by the Governor and the vacancy filled as provided by law”; and

WHEREAS, section 12-45-30 of the South Carolina Code of Laws, as amended, gives the Governor the power to “suspens[ed] and remov[e]” a county treasurer “upon the same grounds and in the same manner” as county auditors under section 12-39-30 of the South Carolina Code of Laws, as amended; and

WHEREAS, section 12-39-30 of the South Carolina Code of Laws, as amended, allows the Governor to suspend a county auditor, during a recess of the Senate, “shown, by evidence satisfactory to the Governor, to be guilty of misconduct in office or crime or for any reason shall become incapable or legally disqualified to perform his duties”; and

4 EXECUTIVE ORDERS

WHEREAS, upon consideration of the circumstances presented, to include the particularized facts alleged in the indictment and the statutory definition and classification of the offenses, the undersigned has determined that the indictment includes one or more counts charging Kimber W. Cooper with “embezzlement or the appropriation of public or trust funds to private use,” “a crime involving moral turpitude,” or both, for purposes of article VI, section 8 of the South Carolina Constitution; and

WHEREAS, for the foregoing reasons, and in accordance with article VI, section 8 of the South Carolina Constitution and sections 8-1-100 and 8-1-110 of the South Carolina Code of Laws, the undersigned is authorized to suspend Kimber W. Cooper from the office of Treasurer of Williamsburg County until such time as she shall be acquitted or convicted; and

WHEREAS, Pearl R. Brown, of Williamsburg County, South Carolina, is a fit and proper person to serve as Treasurer of Williamsburg County.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby suspend Kimber W. Cooper from the office of Treasurer of Williamsburg County until such time as she shall be formally acquitted or convicted. Accordingly, pursuant to article VI, section 8 of the South Carolina Constitution and sections 8-1-100 and 8-1-110, of the South Carolina Code of Laws, as well as other applicable law, I hereby appoint Pearl R. Brown to serve as Treasurer of Williamsburg County until such time as Kimber W. Cooper is acquitted of all charges in the indictment or convicted of one or more charges in the indictment, the indictment is otherwise disposed of, or a treasurer is elected and qualifies in the next general election for county treasurers, whichever event occurs first. This action in no manner addresses the guilt or innocence of Kimber W. Cooper and shall not be construed as an expression of any opinion on such question. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 17th DAY OF OCTOBER 2025.**

HENRY DARGAN MCMASTER
Governor

Executive Order No. 2025-38

WHEREAS, on September 25, 2025, after Lawson B. Watson waived his right to prosecution by indictment, the United States Attorney for the District of South Carolina filed an Information in the Spartanburg Division of the United States District Court for the District of South Carolina charging Lawson B. Watson with Wire Fraud Conspiracy in violation of 18 U.S.C. § 1343; and

WHEREAS, on October 30, 2025, Lawson B. Watson pled guilty to Count 2 of that Information, which charged him with Wire Fraud Conspiracy in violation of 18 U.S.C. § 1343; and

WHEREAS, article VI, section 8 of the South Carolina Constitution provides that upon indictment by a grand jury or waiver of such indictment of any officer of the State or its political subdivisions who has the custody of public or trust funds for embezzlement or the appropriation of public or trust funds to private use, “the Governor shall suspend such officer and appoint one in his stead, until he shall have been acquitted,” and “[i]n case of conviction, the position shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, article VI, section 8 of the South Carolina Constitution further provides that “[a]ny officer of the State or its political subdivisions . . . who has been indicted by a grand jury for a crime involving moral

turpitude or has waived such indictment . . . may be suspended by the Governor until he shall have been acquitted” and “[i]n case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, Lawson B. Watson, as a member of the Reidville Area Fire District, is an officer of the State or its political subdivisions; and

WHEREAS, under South Carolina law, moral turpitude “implies something immoral in itself, regardless of whether it is punishable by law as a crime,” involves “an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow man, or to society in general, contrary to the accepted and customary rule of right and duty between man and man,” or otherwise includes conduct “contrary to justice, honesty[,] and good morals,” *State v. Horton*, 271 S.C. 413, 414–15, 248 S.E.2d 263, 263–64 (1978); *see also Baddourah v. McMaster*, 433 S.C. 89, 112, 856 S.E.2d 561, 573 (2021) (“Under South Carolina’s moral turpitude framework, we focus ‘primarily on the duty to society and fellow man [that] is breached by the commission of the crime.’”); and

WHEREAS, in addition to the foregoing authorities, section 8-1-110 of the South Carolina Code of Laws, as amended, requires that upon the indictment of any officer who has the custody of public or trust funds on charges of embezzlement or the appropriation of public or trust funds to private use, “the Governor shall suspend such officer and appoint one in his stead until he shall have been acquitted by the verdict of a jury” and “[i]n case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, upon consideration of the circumstances presented, to include the particularized facts alleged in the Information and the statutory definition and classification of the offense, the undersigned has determined that Lawson B. Watson has been convicted of a crime involving “embezzlement or the appropriation of public or trust funds to private use,” “a crime involving moral turpitude,” or both, for purposes of article VI, section 8 of the South Carolina Constitution; and

WHEREAS, for the foregoing reasons, and in accordance with article VI, section 8 of the South Carolina Constitution and section 8-1-110 of the South Carolina Code of Laws, the undersigned is authorized to declare a vacancy on the Reidville Area Fire District; and

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby declare Lawson B. Watson’s seat on the Reidville Area Fire District vacant. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 30th DAY OF OCTOBER 2025.**

HENRY DARGAN MCMASTER
Governor

Executive Order No. 2025-39

WHEREAS, the undersigned has been notified of the passing of former Vice President Richard B. Cheney, who dutifully served as the forty-sixth Vice President of the United States of America; and

6 EXECUTIVE ORDERS

WHEREAS, in addition to his service as Vice President of the United States, Vice President Cheney previously served as a member of the United States House of Representatives, Secretary of Defense, and White House Chief of Staff, and in many other public roles; and

WHEREAS, throughout his lifetime of public service, Vice President Cheney, a good and honorable man, provided stability and sound counsel to Presidents and other leaders; and

WHEREAS, section 10-1-161 of the South Carolina Code of Laws, as amended, provides that “[t]he flags atop the State Capitol Building must be flown at half-staff . . . from the date of death through the date of interment of . . . a former Vice President”; and

WHEREAS, Title 4, Section 7(m) of the United States Code, as amended, provides that “[t]he flag shall be flown at half-staff . . . from the day of death until interment of . . . a former Vice President.”

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and of these United States and the powers conferred upon me therein, I hereby order that the flags atop the State Capitol and on all state buildings be lowered to half-staff until the date of the interment of Vice President Cheney, in tribute to his lifetime of distinguished and patriotic service to the United States of America. I request that all flags over the buildings of the political subdivisions of this State similarly be flown at half-staff for this purpose. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 5th DAY OF NOVEMBER, 2025.**

HENRY DARGAN MCMASTER
Governor

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF GENERAL PUBLIC INTEREST

In accordance with Section 44-7-200(D), Code of Laws of South Carolina, and Regulation 60-15, the public is hereby notified that a Certificate of Need application has been accepted for filing and publication on **November 28, 2025**, for the following project(s). After the application is deemed complete, affected persons will be notified that the review cycle has begun. For further information, please contact Certificate of Need Program, at (803)545-4200, or by email at coninfo@dph.sc.gov.

Affecting Horry County**Embrace Home Health, LLC d/b/a Embrace Home Health – Horry County**

The establishment of a Home Health Agency in Horry County at a total project cost of \$64,000.00.

In accordance with Section 44-7-210(A), Code of Laws of South Carolina, and Regulation 60-15, the public and affected persons are hereby notified that for the following projects, applications have been deemed complete, and the review cycle has begun. A proposed decision will be made no earlier than 30 days, but no later than 90 days, from **November 28, 2025**. “Affected persons” have 30 days from the above date to submit requests for a public hearing to Certificate of Need Program, P.O. Box 2046 West Columbia, SC 29171. If a public hearing is timely requested, the Department’s decision will be made after the public hearing, but no later than 120 days from the above date. For further information call (803) 545-4200 or email coninfo@dph.sc.gov.

Affecting Charleston County**Peninsula Club of Charleston, LLC d/b/a The Peninsula of Charleston**

The construction and establishment of a new 42,236 sf nursing home with 40 skilled nursing beds to be located within a Continuing Care Retirement Community (CCRC) at total project cost \$28,563,420.00.

8 PROPOSED REGULATIONS

DEPARTMENT OF PUBLIC SAFETY

CHAPTER 38

Statutory Authority: 1976 Code Sections 23-6-20 and 23-6-30

Notice of Drafting:

The South Carolina Department of Public Safety proposes to amend existing Regulation 38-600, Article 7, Highway Patrol, Subarticle 1, Wrecker Regulations.

Interested persons may submit their comments in writing to Michael Thompson, Director of Executive Affairs, SC Department of Public Safety, 10311 Wilson Boulevard, Blythewood, SC 29016.

Synopsis:

The proposed amendments will update the current regulations as they relate to the wrecker services utilized by the SC Department of Public Safety.

These proposed regulations will require legislative action.

PUBLIC SERVICE COMMISSION

CHAPTER 103

Statutory Authority: 1976 Code Section 58-3-140

Notice of Drafting:

The Public Service Commission Staff is reviewing the regulations that may be impacted by Act 41 of 2025 or the “South Carolina Energy Security Act”, and the Commission Staff is specifically reviewing existing regulations that are contained within Chapter 103, Article 8, Practice and Procedure. Interested persons may submit comments to the Public Service Commission, Clerk’s Office, 101 Executive Center Drive, Suite 100, Columbia, South Carolina 29210. Please reference Docket No. 2025-191-A. To be considered, comments must be received no later than 4:45 p.m. on January 6, 2026.

Synopsis:

On June 19, 2025, the Public Service Commission issued Commission Order No. 2025-391, and the Commission “instruct[ed] the Chief Clerk to schedule workshops as necessary and initiate a rulemaking related to the new and/or amended procedural requirements in Act No. 41 of 2025.” The Public Service Commission Staff will file proposed regulations that relate to the procedural issues in Act 41 of 2025 – the “South Carolina Energy Security Act.” The proposed changes to the Commission’s regulations are contained in Chapter 103, Article 8 (Practice and Procedure). One example of a relevant review is Regulation 103-842 (Order of Procedure). Section 58-3-140 as contained in Act 41 of 2025, states, in part, “The party with the burden of proof must be permitted to open and close its case,....” Amendments to Regulation 103-842 are needed to comply this regulation to Act 41 of 2025. Another example of relevant proposed changes relate to procedural schedules for discovery. Act 41 of 2025 states, in part, “The procedural schedule for each contested case proceeding shall include dates for completion of each phase of discovery, including discovery related to the application or other initial pleading as filed, direct testimony of the applicant, direct testimony of the Office of Regulatory Staff and other parties and intervenors, rebuttal testimony of the applicant, and surrebuttal testimony.” Hence, it is appropriate for the Commission Staff to review Regulations 103-832 (Subpoenas and Subpoenas Duces Tecum), 103-833 (Written Interrogatories and Request for Production of Documents and Things), 103-834 (Depositions), and 103-835 (Other Discovery Procedures) to determine if amended regulations should be proposed.

The Commission Staff anticipates filing proposed amended changes to the following regulations: 103-831 (Computation of Time), 103-832 (Subpoenas and Subpoenas Duces Tecum), 103-833 (Written Interrogatories and Request for Production of Documents and Things), 103-834 (Depositions), 103-835 (Other Discovery Procedures), 103-842 (Order of Procedure), 103-845 (Witnesses), 103-846 (Evidence), 103-822 (Signature and Verification), and 103-851 (Briefs or Proposed Orders).

Legislative review of this proposal will be required.

PUBLIC SERVICE COMMISSION
CHAPTER 103
Statutory Authority: 1976 Code Section 58-3-140

Notice of Drafting:

The Public Service Commission Staff is proposing to add a new regulation related to Public Witness Testimony and Customer Public Hearings. Interested persons may submit comments to the Public Service Commission, Clerk's Office, 101 Executive Center Drive, Suite 100, Columbia, South Carolina 29210. Please reference Docket No. 2025-192-A. To be considered, comments must be received no later than 4:45 p.m. on January 6, 2026.

Synopsis:

On June 19, 2025, the Public Service Commission issued Order No. 2025-392, and the Commission "instruct[ed] the Chief Clerk to schedule workshops as necessary and initiate a rulemaking related to customer public hearings." S.C. Code Ann. Section 58-3-140(E) in Act 41 of 2025 – the "South Carolina Energy Security Act" reads as follows: "The commission may convene public hearings to allow public utility customers to address the commission as public witnesses without intervening in the proceedings and without subjecting themselves to discovery or prefilings testimony. Public witnesses may address the commission on issues related to customer service, utility operations, reliability, economic hardship, affordability, environmental concerns, or other matters that affect them. The public utility and the Office of Regulatory Staff shall work to investigate and resolve individual service issues raised by public witnesses."

The Commission Staff intends to file a new proposed regulation that addresses procedures at customer public hearings and the receipt of public witness testimony by the Public Service Commission. The Commission Staff expects to create a proposed regulation that, at a minimum, addresses the following customer public hearing matters in the proposed regulation: the option for public witnesses to provide testimony in-person or virtually; public witnesses who pre-register are called first to testify; public witnesses are not considered a party of record; and the Chairman's or presiding officer's discretion to limit the scope of the testimony to matters specified in the notice of public hearing.

Legislative review of this proposal will be required.

10 PROPOSED REGULATIONS

Document No. 5433
CLEMSON UNIVERSITY
CHAPTER 27

Statutory Authority: 1976 Code Sections 56-21-10, 59-119-150, and 59-119-320

27-30002.9. Nighttime Operation of Golf Carts. (New)

Preamble:

The proposed regulation changes will update procedures and traffic regulations related to the parking and operation, including nighttime operation, of golf carts used by students, visitors, employees, etc., on the University's main campus. New language added to this section is intended to increase overall public safety and provide greater clarification on standards and compliance required to maintain public safety on campus as it relates to golf cart operation.

Section-by-Section Discussion:

27-3000.9. Nighttime Operation of Golf Carts
Add new text as listed below.

The Notice of Drafting was published in the *State Register* on July 25, 2025.

Notice of Public Hearing and Opportunity for Public Comment:

The public comment period will be open through December 31, 2025. If 25 requests are received for a public hearing, one will be scheduled for January 5, 2026, at the Madren Center, Clemson University, Clemson, SC 29634. If there are no requests for a public hearing by the end of the public comment period, the hearing on January 5, 2026, will be canceled. All requests should be sent to Dan Hofmann, Director of Parking Services, Clemson University, 310 Klugh Ave, Suite B, Clemson, SC 29634.

Preliminary Fiscal Impact Statement:

None.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION:

Purpose: To set forth regulations related to the nighttime operation of golf carts on Clemson University campus properties.

Legal Authority: 1976 Code Sections 56-21-10, 59-119-150, and 59-119-320.

Plan for Implementation: Clemson University's Department of Public Safety, in collaboration with the University's MarCom unit and various Department heads, will enforce and communicate all existing laws and regulations to ensure only compliant vehicles and drivers operate at nighttime on public roadways and parking areas on University properties.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

To conduct business operations in an effective and efficient manner for athletic events and other University operations, golf cart operations at night on the Clemson campus are required. Requirements laid out herein are reasonable in ensuring campus and public safety.

DETERMINATION OF COSTS AND BENEFITS:

The inability of Clemson University to operate golf carts at nighttime will negatively impact stakeholders who benefit from services that are dependent on golf cart operation to be conducted efficiently and effectively. There is no additional cost to implement this regulation.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None.

Statement of Rationale:

The General Assembly has provided that local municipalities may set forth ordinances on the operation of golf carts at nighttime in their jurisdiction, and a separate statute provides that state-owned properties can set forth regulations for parking and traffic on state owned campuses. This proposed regulation for Clemson University aligns with the City of Clemson ordinance related to the nighttime operation of golf carts to help ensure public safety and compliance in our respective jurisdictions.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5432

**OFFICE OF THE GOVERNOR - DIVISION FOR REVIEW OF THE FOSTER CARE OF
CHILDREN**

CHAPTER 24

Statutory Authority: 1976 Code Section 63-11-700(E)

- 24-1. Confidentiality of Records.
- 24-3. Case Reviews and Identification Of Appropriate Local Review Boards.
- 24-5. Conflicts of Interest Involving Review Board Members.
- 24-7. Agencies, Child-Caring Facilities, and Residential Group Care Homes Which Shall Be Invited and Encouraged to Attend Case Reviews.
- 24-9. Individuals Who Shall Be Invited and Encouraged to Attend Case Reviews.
- 24-11. Other Parties Who Shall Be Invited and Encouraged to Attend Case Reviews.
- 24-13. Requests to Attend Case Reviews.
- 24-15. Written Information Presented to the Review Board at the Time of the Review.

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- 24-17. Scheduling of Case Reviews.
- 24-19. Frequency of Case Reviews.
- 24-21. Cessation of Case Reviews.
- 24-23. Procedures for Case Review.
- 24-25. Procedure for Case Reviews When a Child is in Permanent Foster Care or Guardianship.
- 24-27. Lack of a Key Party at a Case Review.
- 24-29. Quorums for Local Review Boards.
- 24-31. “Affidavit of Summary Review” Form.
- 24-33. Processing of “Advisory Recommendations” Form.
- 24-37. Procedures, Quorum, and Attendance for the State Board of Directors.

Preamble:

The Division for Review of the Foster Care of Children is amending regulations to support more effective advocacy for children in foster care and ensure consistent, transparent, and timely review processes across the State.

Section-by-Section Discussion:

- 24-1. Revised for clarity and to reflect modern practices and standards. Added clarification of terms.
- 24-3. New text established the boards as quasi-judicial entities and restricts testimony regarding deliberations.
- 24-5. Revised for clarity. Added that related individuals may not serve on the same board.
- 24-7. Original text deleted in its entirety. New text combined prior Regulations 24-3 and 24-17 to clarify scheduling procedure and eliminate redundancies.
- 24-9. Original text deleted in its entirety. New text combines elements of prior Regulations 24-7,9,11,13,27 to eliminate redundancies, clarify invitation methods and requirements, and identify key parties.
- 24-11. Original text deleted in its entirety. New text revised prior Regulation 24-21.
- 24-13. Original text deleted in its entirety. New text affirmed that agencies and facilities providing foster care must make records available upon request.
- 24-15. Revised for clarity. Updated terminology and increased requirements of information to be presented to the board including documentation about the Department’s efforts to verify tribal connections, paternity and drug testing, ICPC and home study findings, and IEP and 504 plans.
- 24-17. New text. Established regulations for new virtual review format.
- 24-19. Original text deleted in its entirety. New text renumbered prior Regulation 24-23. Updated to reflect current practices including virtual format and inclusion of barriers to permanency in recommendation.
- 24-21. New text. Established procedure and criteria for document only case reviews.
- 24-23. Renumbered prior Regulation 24-33. Revised to remove and add language for clarification. Added section D to allow biological parents whose rights have not been terminated to request a copy of the “Advisory Recommendation.”
- 24-25. Original text deleted in its entirety to remove redundancies. New text added to create a procedure for review board members to attend court proceedings.
- 24-27. Renumbered prior Regulation 24-37. Added more information regarding makeup and terms of State Board of Directors. Added that the State Board should also provide guidance, training, and member misconduct policies to local review boards.
- 24-29. Revised for clarity.
- 24-31. Original text deleted in its entirety. New text added to address board member absences.

The Notice of Drafting was published in the *State Register* on June 27, 2025.

Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court on December 30, 2025, at 10:00 AM. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

Written comments may be directed to Shayla R. Hayes, S.C. Division for Review of the Foster Care of Children, 1205 Pendleton Street, Suite 433, Columbia, SC 29223 or Shayla.Hayes@childadvocate.sc.gov, no later than December 29, 2025, at 5:00 PM.

Preliminary Fiscal Impact Statement:

There will be no increased costs to the State or any of its political subdivisions.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION:

Purpose: To update and improve existing regulations related to the review and oversight of children placed in foster care.

Legal Authority: 1976 Code Section 63-11-700(E).

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. The Division will send an email to all board members informing them of the revisions upon approval and publication. Program coordinators will also inform review board members of the revisions during the private meeting before case reviews on the next scheduled review day after publication.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

It is necessary and reasonable to make updates to the regulations to reflect current practices and enhance procedural clarity for all parties involved in the review process. Additions address board vacancies, board participation in court proceedings, increased emphasis on identifying barriers to permanency, and new procedural regulations for virtual reviews

DETERMINATION OF COSTS AND BENEFITS:

There will be no additional costs incurred by the State or any political subdivision.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates concerning the regulations.

EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH:

The regulations will have no effect on the environment or on public health.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

There will be no detrimental effects on the environment or public health of this State if these regulations are not implemented.

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Statement of Rationale:

These regulations are updated to reflect current practices and enhance procedural clarity for all parties involved in the review process.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5434
DEPARTMENT OF INSURANCE
CHAPTER 69

Statutory Authority: 1976 Code Sections 1-23-110, 38-3-110, and 38-91-10

69-62. Closeout and Termination of the SCAAIP.

Preamble:

The Insurance Law gives the Director or his designee the authority to prescribe the standards for service to be observed by licensees transacting business in this state. That authority is also codified in the provisions referenced above.

Notice of Drafting for the proposed repeal of this regulation was published in the State Register on October 24, 2025.

Section-by-Section Discussion:

All sections of Regulation 69-62 are proposed to be repealed.

Notice of Public Hearing and Opportunity for Public Comment:

Interested persons may request a hearing on this regulation in accordance with Section 1-23-110(A)(3). Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the Code of Laws of South Carolina 1976, as amended, such hearing will be held on December 30, 2025, at 10:00 a.m. in Room 252 of the Edgar A. Brown Building, 1205 Pendleton Street, Columbia, South Carolina 29201. Persons desiring to make oral comments at the hearing are asked to provide written copies of their presentation for the record. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

Written comments, requests for the text of the proposed repeal language or any other information, and any requests for a public hearing, should be submitted to Office of General Counsel, 1201 Main Street, Suite 1000, Columbia, S.C. 29201 or to legmail@doi.sc.gov, before 5:00 PM on December 29, 2025.

Preliminary Fiscal Impact Statement:

No additional state funding is requested. The South Carolina Department of Insurance estimates that no additional costs will be incurred by the State and its political subdivisions in complying with the proposed repeal of Regulation 69-62.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION:

Purpose: The purpose of this regulation is to repeal this regulation in its entirety. The purpose of this regulation was to provide for the termination and orderly transition of business from the SCAAIP to the AAIP of SC. The SCAAIP was in effect from March 1, 1999, to February 28, 2003. It was terminated as a legal entity in 2007. The regulation is no longer necessary.

Legal Authority: 1976 Code Sections 1-23-110, 38-3-110, and 38-91-10.

Plan for Implementation: The proposed repeal of this regulation will be reflected in Chapter 69 upon publication in the State Register as a final regulation. The Department generally issues a bulletin to inform licensees of statutory and regulation changes.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

This regulation will be repealed in its entirety as it is obsolete.

DETERMINATION OF COSTS AND BENEFITS:

There will be no increased cost to the State or its political subdivisions, nor will the proposed repeal result in any increased cost to the business community.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None.

Statement of Rationale:

The regulation is being repealed because it is obsolete and no longer necessary.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

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Document No. 5435
DEPARTMENT OF INSURANCE
CHAPTER 69

Statutory Authority: 1976 Code Sections 1-23-110 and 38-3-110

69-64. Exempt Commercial Policies.

Preamble:

The Insurance Law gives the Director or his designee the authority to prescribe the standards for service to be observed by licensees transacting business in this state. That authority is also codified in the provisions referenced above. The Department of Insurance proposes to amend Regulation 69-64, Exempt Commercial Policies, to correct references to workers compensation insurance in the regulation and to clarify the Department's authority to request copies of desk files of form and rate filings used for exempt commercial policies.

Notice of Drafting for the proposed regulation was published in the State Register on October 24, 2025.

Section-by-Section Discussion:

69-64(A). Replace "38-1-20(40)" with "38-1-20(22)."

69-64(B). Strike "workers' compensation insurance."

69-64(C). Strike "Workers' compensation insurers, if utilizing special rates for "exempt commercial policies" in this State, are required to maintain a desk file of all rates so used and to exhibit the desk file to the Department upon request."

69-64(D). Add "and Rates." Strike "or by the insurer." Replace "mailing" with "submitting." Strike "as soon as practicable," and replace with "through the State Electronic Rate and Form Filing (SERFF) system within 60 calendar days." Add "or coverage." Add "Exempt commercial policies are exempt from prior approval but must comply with all other rating, rules and form laws."

Notice of Public Hearing and Opportunity for Public Comment:

Interested persons may request a hearing on this regulation in accordance with Section 1-23-110(A)(3). Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the Code of Laws of South Carolina 1976, as amended, such hearing will be held on December 30, 2025, at 2:00 PM. in Room 252 of the Edgar A. Brown Building, 1205 Pendleton Street, Columbia, South Carolina 29201. Persons desiring to make oral comments at the hearing are asked to provide written copies of their presentation for the record. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

Written comments, requests for the text of the proposed repeal language or any other information, and any requests for a public hearing, should be submitted to Office of General Counsel, 1201 Main Street, Suite 1000, Columbia, S.C. 29201 or to rmcneill@doi.sc.gov, on or before 5:00 PM on December 29, 2025.

Preliminary Fiscal Impact Statement:

No additional state funding is requested. The South Carolina Department of Insurance estimates that no additional costs will be incurred by the State and its political subdivisions in complying with the proposed repeal of Regulation 69-64.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION:

Purpose: The purpose of this regulation is to clarify appropriate rating for use by workers compensation insurers and to clarify the Department's authority over exempt commercial policies.

Legal Authority: 1976 Code Sections 1-23-110 and 38-3-110.

Plan for Implementation: The proposed regulation will be reflected in Chapter 69 upon publication in the State Register as a final regulation. The Department generally issues a bulletin to inform licensees of statutory and regulation changes.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The Department of Insurance proposes to amend Regulation 69-64, Exempt Commercial Policies, to correct references to workers compensation insurance in the regulation and to clarify the Department's authority to request copies of desk files of form and rate filings used for exempt commercial policies.

DETERMINATION OF COSTS AND BENEFITS:

There will be no increased cost to the State or its political subdivisions, nor will the proposed repeal result in any increased cost to the business community.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None.

Statement of Rationale:

The regulation is being amended to correct references to workers compensation insurance in the regulation. The language in the regulation was superseded by state statute. It also clarifies the Department's authority to request copies of desk files of form and rate filings used for exempt commercial policies.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

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Document No. 5436
DEPARTMENT OF INSURANCE
CHAPTER 69

Statutory Authority: 1976 Code Sections 1-23-110 and 38-3-110

69-14. Insurance Holding Company Systems.

Preamble:

The Insurance Law gives the Director or his designee the authority to prescribe the standards for service to be observed by licensees transacting business in this state. That authority is also codified in the provisions referenced above. This regulation proposes to clarify the language in the regulation.

A Notice of Drafting for the modification of this regulation was published in the State Register on October 24, 2025.

Section-by-Section Discussion:

Section I.A-D. No change.

Section II.A-B. No change.

Section III.A-C. No change.

Section IV. No change.

Section V.A-D. No change.

Section VI. No change.

Section VII. No change.

Section VIII. No change.

Section IX.A-B. No change.

Section X. No change.

Section XI. No change.

Section XII. No change.

Section XIII.A-B. No change.

Section XIV.A-D. No change.

Section XV. A-B. No change.

Section XVI.A(1)-(15) No change.

Section XVII.A-E. No change.

Section XIX.A(1)-(6). No change.

Section XIX.B. Strike "Section 5B of the Act," and replace with "S.C. Code Ann. Section 38-21-270." Strike "Commissioner," and replace with "director or his designee." Strike "fifteen (15)" and replace with "five (5)". Add "and at least fifteen (15) days prior to the payment thereof." Add "South Carolina Code Section 38-21-260."

Section XX. Replace "Commissioner" with "director or his designee". Strike "38-21-90D" replace with "38-21-260".

Section XXI. No change.

Notice of Public Hearing and Opportunity for Public Comment:

Interested persons may request a hearing on this regulation in accordance with Section 1-23-110(A)(3). Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the Code of Laws of South Carolina 1976, as amended, such hearing will be held on December 30, 2025, at 11:30 a.m. in Room 252 of the Edgar A. Brown Building, 1205 Pendleton Street, Columbia, South Carolina 29201. Persons desiring to make oral comments at the hearing are asked to provide written copies of their presentation for the record. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

Written comments, requests for the text of the proposed repeal language or any other information, and any requests for a public hearing, should be submitted to Office of General Counsel, 1201 Main Street, Suite 1000, Columbia, S.C. 29201 or to legmail@doi.sc.gov, on or before 5:00 PM on December 29, 2025.

Preliminary Fiscal Impact Statement:

No additional state funding is requested. The South Carolina Department of Insurance estimates that no additional costs will be incurred by the State and its political subdivisions in complying with the proposed amendments to this regulation.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION:

Purpose: This regulation is to correct a scrivener's error and to make other technical corrections to the language in the regulation so that it reads consistent with the South Carolina Code.

Legal Authority: 1976 Code Sections 1-23-110 and 38-3-110.

Plan for Implementation: The proposed regulation will be reflected in Chapter 69 upon publication in the State Register as a final regulation. The Department generally issues a bulletin to inform licensees of statutory and regulation changes.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

This amended regulation will correct scrivener's errors and change other references from commissioner to director or his designee as set forth in other provisions of Title 38 of the South Carolina Code of Laws.

DETERMINATION OF COSTS AND BENEFITS:

There will be no increased cost to the State or its political subdivisions, nor will the proposed repeal result in any increased cost to the business community.

UNCERTAINTIES OF ESTIMATES:

None

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None.

Statement of Rationale:

The regulation is being amended to correct scrivener's errors and other statutory references.

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Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5438
SOUTH CAROLINA DEPARTMENT OF INSURANCE
CHAPTER 69
Statutory Authority: 1976 Code Sections 1-23-110 and 38-3-110

69-13.3. Uniform Class and Territory Plan-Motorcycles.

Preamble:

The Insurance Law gives the Director or his designee the authority to prescribe the standards for service to be observed by licensees transacting business in this state. That authority is also codified in the provisions referenced above. This regulation proposes the repeal of Regulation 69-13.3, Uniform Class and Territory Plan-Motorcycles because it is no longer needed. Moreover, the deductible options referenced in the regulation are obsolete and cannot be enforced.

Notice of Drafting for the proposed repeal of this regulation was published in the State Register on October 24, 2025.

Section-by-Section Discussion:

All Sections of Regulation 69-13.3 are proposed to be repealed.

Notice of Public Hearing and Opportunity for Public Comment:

Interested persons may request a hearing on this regulation in accordance with Section 1-23-110(A)(3). Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the Code of Laws of South Carolina 1976, as amended, such hearing will be held on December 30, 2025, at 3:30 PM. in Room 252 of the Edgar A. Brown Building, 1205 Pendleton Street, Columbia, South Carolina 29201. Persons desiring to make oral comments at the hearing are asked to provide written copies of their presentation for the record. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

Written comments, requests for the text of the proposed repeal language or any other information, and any requests for a public hearing, should be submitted to Office of General Counsel, 1201 Main Street, Suite 1000, Columbia, S.C. 29201 or legmail@doi.sc.gov, on or before 5:00 PM on December 29, 2025.

Preliminary Fiscal Impact Statement:

No additional state funding is requested. The South Carolina Department of Insurance estimates that no additional costs will be incurred by the State and its political subdivisions in complying with the proposed repeal of Regulation 69-13.3.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION:

Purpose: The purpose of this regulation is to repeal this regulation in its entirety.

Legal Authority: 1976 Code Sections 1-23-110 and 38-3-110.

Plan for Implementation: The proposed repeal of this regulation will be reflected in Chapter 69 upon publication in the State Register as a final regulation. The Department generally issues a bulletin to inform licensees of statutory and regulation changes.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

This regulation will be repealed in its entirety as the options and methodology included in the current regulation are obsolete. Uniform class and territorial plans are no longer required by South Carolina and have not been since 1999. Moreover, various rating algorithms are being used for motorcycle coverage that more accurately reflect and analyze the risks for pricing of this type of coverage.

DETERMINATION OF COSTS AND BENEFITS:

There will be no increased cost to the State or its political subdivisions, nor will the proposed repeal result in any increased cost to the business community.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None.

Statement of Rationale:

The regulation is being repealed because it is obsolete and no longer necessary.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5437
DEPARTMENT OF LABOR, LICENSING AND REGULATION
SOUTH CAROLINA REAL ESTATE COMMISSION
CHAPTER 105

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-57-60, 40-57-135, 40-57-320, 40-57-340, and 40-57-740

- 105-2. Vacation Time Sharing Ownership Plans Defined.
- 105-3. Sale of Vacation Time Sharing Plan Receivables.
- 105-4. Providers of Courses.

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- 105-5. Application for Approval.
- 105-6. Course Curriculum, Approval, Attendance and Verification.
- 105-7. Enrollment Agreement, Policies, and Procedures.
- 105-8. Other Operating Procedures.
- 105-9. Auditing and Record Keeping.
- 105-10. Instructors.
- 105-11. Renewals.
- 105-12. Provider, Course, and Instructor Fees.
- 105-13. Fees.
- 105-14. Residential Property Condition Disclosure Statement Form.

Preamble:

The South Carolina Real Estate Commission intends to promulgate regulations related to license classification changes, reactivation of inactive licenses, reinstatement of lapsed licenses, written office policies, licensee supervision, advertising, and teams. The proposed regulations will also correct citations and numbering and will remove duplicative regulations.

Section-by-Section Discussion:

- 105-1. New section on licensee supervision.
- 105-2. New section on license classification change.
- 105-3. New section on reactivation of an inactive license.
- 105-4. New section on reinstatement of a lapsed license.
- 105-5. New section on the requirement that real estate offices maintain a written office policy for supervised licensees on topics enumerated in the regulation.
- 105-6. New section on advertising real estate services or marketing real estate owned.
- 105-7. New section on teams.
- 105-8. Renumber the prior section 105-2, Vacation Time Sharing Ownership Plans Defined, with no other change.
- 105-9. Renumber the prior section 105-3, Sale of Vacation Time Sharing Plan Receivables. Rewrite section to strike existing language regarding seller's right to sell, discount or hypothecate for value receivables in favor of a bank, mortgage company or lender and reword as an owner's right to sell or mortgage time sharing plan receivables in favor of a bank, mortgage company or lender.
- 105-10. Renumber the prior section 105-4. No other change.
- 105-11. Renumber the prior section 105-5. No other change.
- 105-12. Renumber the prior section 105-6.
- 105-12A. No change.
- 105-12B(1). Strike salesperson and replace with associate.
- 105-12B(2). Strike 40-57-340(G) and (H) and replace with 40-57-910(C).
- 105-12C(1)-(2). No change.
- 105-12C(3). Strike 40-57-740(H) and replace with 40-57-910(C) and replace 105-10 with "on Instructors".
- 105-12C(4). Strike 40-57-340(F) and replace with 40-57-910(B).
- 105-12C(5)-(6). No change.
- 105-12D-E. No change.
- 105-13. Renumber prior section 105-7. No other change.
- 105-14. Renumber prior section 105-8. No other change.
- 105-14(A)-(A)(1)(a). No change.
- 105-14(A)(1)(b). Strike "40-57-340(F)" and replace with "40-57-910(B)".
- 105-14(A)(2). No change.
- 105-14(B). No change.
- 105-14(C)(1)-(2). No change.
- 105-14(C)(3). Strike "40-57-740(D)" and replace it with "40-57-920(B)".

- 105-14(C)(3)(a)-(g). No change.
- 105-14(D)-(E). No change.
- 105-15. Renumber the prior section 105-9. No other change.
- 105-16. Renumber the prior section 105-10. No other change.
- 105-17. Renumber the prior section 105-11. No other change.
- 105-12. Existing section entitled Provider, Course and Instructor Fees should be repealed.
- 105-18. Renumber the prior section 105-13. No other change.
- 105-19. Renumber the prior section 105-14. No other change.

A Notice of Drafting was published in the State Register on September 26, 2025.

Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 10:00 a.m. on Friday, January 9, 2026. Written comments may be directed to Erica Wade, Board Executive, Real Estate Commission, South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., December 29, 2025. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

Preliminary Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

Statement of Need and Reasonableness:

The proposed regulations are necessary to conform to Act 204 of the 2024 legislative session. They are also reasonable in that they answer frequently asked questions from licensees in an effort to be transparent without exceeding the authority granted by statute. The proposed regulations are further necessary to include a new regulation on advertising and marketing to clarify for licensees how they should identify the brokerage with which they are affiliated and its point of contact information.

DESCRIPTION OF REGULATION:

Purpose: The South Carolina Real Estate Commission proposes to amend its regulations to add several new sections relating to administrative matters based on frequently asked questions from licensees. These new regulations clarify: which licenses can supervise other licenses; how to change license classifications and how to return to a prior license classification after a change; how to reactivate an inactive license; how to reinstate a lapsed license; what a Broker-in-Charge or Property Manager-in-Charge must include in its written office policy. These regulations will appear at the beginning of the chapter prior to existing regulations on time share and substantive real estate matters. The updated regulations also include a new regulation on advertising and marketing to clarify for licensees how they should identify the brokerage with which they are affiliated and its point of contact information. Otherwise, the updated regulations will renumber existing regulations, correct cross-references and update language to conform to Act 204 of the 2024 legislative session.

Legal Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-57-60, 40-57-135, 40-57-320, 40-57-340, and 40-57-740.

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will notify licensees of the revised regulation and post the revised regulations on the agency's website.

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DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The proposed regulations are necessary to conform to Act 204 of the 2024 legislative session. They are also reasonable in that they answer frequently asked questions from licensees in an effort to be transparent without exceeding the authority granted by statute. The proposed regulations are further necessary to include a new regulation on advertising and marketing to clarify for licensees how they should identify the brokerage with which they are affiliated and its point of contact information.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the state for the promulgation of these regulations.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates concerning the regulations.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

These regulations will have no effect on the environment.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

Statement of Rationale:

The updated regulations will add several new sections relating to administrative matters based on frequently asked questions from licensees. These new regulations clarify: which licenses can supervise other licenses; how to change license classifications and how to return to a prior license classification after a change; how to reactivate an inactive license; how to reinstate a lapsed license; what a Broker-in-Charge or Property Manager-in-Charge must include in its written office policy. These regulations will appear at the beginning of the chapter prior to existing regulations on time share and substantive real estate matters. The updated regulations also include a new regulation on advertising and marketing to clarify for licensees how they should identify the brokerage with which they are affiliated and its point of contact information. Otherwise, the updated regulations will renumber existing regulations, correct cross-references and update language to conform to Act 204 of the 2024 legislative session.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5439
DEPARTMENT OF NATURAL RESOURCES
CHAPTER 123

Statutory Authority: 1976 Code Sections 50-5-30 and 50-5-905

123-34. Shellfish Permits.

Preamble:

The South Carolina Department of Natural Resources proposes to amend Regulation 123-34(B) Shellfish Permits. The subject of the proposed action is to promulgate section 124-34(B)(2), to establish an expiration date for permit applications that do not receive an agency decision, request for additional information, or other official correspondence within twelve (12) months of the date of submission.

Section-by-Section Discussion:

Title. No change.

123-34(A). No change.

123-34(B)(1). No change.

123-34(B)(2). Promulgate section to set an expiration date for commercial shellfish culture and mariculture applications submitted under S.C. Code Section 50-5-905.

123-34(C). No change.

The Notice of Drafting was published in Volume 49, Issue No. 10 of the South Carolina *State Register* on October 24, 2025.

Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such hearing will be conducted on January 6, 2026, at 10:00 a.m. in Room 107 of the SCDNR Headquarters at 260 D Epting Lane, West Columbia, SC 29172. Written comments may be directed to Ben Dyar, Director, Office of Fisheries Management, S.C. Department of Natural Resources, Post Office Box 12559, Charleston, SC 29422, no later than 5:00 p.m. on December 29, 2025.

Preliminary Fiscal Impact Statement:

SCDNR does not anticipate additional costs to the state or its political subdivisions as a result of the amendment of Regulation 123-34(B).

Statement of Need and Reasonableness:

The statement of need and reasonableness was based on staff analysis pursuant to S.C. Code Sections 1-23-115(C)(1) through (3) and 1-23-115(C)(9) through (11).

DESCRIPTION OF THE REGULATION:

Purpose: Regulation 123-34(B)(2) will clarify the duration of commercial shellfish culture and mariculture permit applications submitted under S.C. Code Section 50-5-905. This regulation will specify that an application for a mariculture or culture permit will be withdrawn if the Department does not receive any correspondence from the applicant within twelve (12) months of receiving an agency decision, request for additional information, or other official correspondence.

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Legal Authority: 1976 Code Sections 50-5-30 and 50-5-905.

Plan for Implementation: Once the regulation has been approved by the General Assembly, the Department will begin referencing the regulation in its published materials. Additionally, the public will be notified through this publication.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The proposed regulation is reasonable and necessary to manage the marine resources of the state. The proposed regulation will set an expiration date for commercial shellfish culture and mariculture applications submitted under S.C. Code Section 50-5-905.

DETERMINATION OF COSTS AND BENEFITS:

Promulgation of this regulation will not require any additional costs to the state.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None.

Statement of Rationale:

Section 50-5-30 allows the Department to promulgate regulations necessary for the implementation of the South Carolina Marine Resources Act.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5440
DEPARTMENT OF NATURAL RESOURCES
CHAPTER 123
Statutory Authority: 1976 Code Section 50-5-30

123-37. Verifiable Documentation for Blue Crab License Eligibility. (New)

Preamble:

The South Carolina Department of Natural Resources (SCDNR) proposes to promulgate regulation relating to the determination of verifiable documentation for limited commercial blue crab license renewal eligibility as

required in Section 50-5-400(H), to create an effective and efficient process and to ensure proper, equitable and fair renewal of commercial licenses as it pertains to the privilege of harvest of the State's public trust resources.

Section-by-Section Discussion:

Regulation 123-37. Promulgate regulation to clarify verifiable documentation for limited commercial blue crab license renewal as outlined under S.C. Code Section 50-5-400(H).

The Notice of Drafting was published in Volume 49, Issue No. 10 of the South Carolina *State Register* on October 24, 2025.

Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such hearing will be conducted on January 6, 2026, at 10:00 a.m. in Room 107 of the SCDNR Headquarters at 260 D Epting Lane, West Columbia, SC 29172. Written comments may be directed to Ben Dyar, Director, Office of Fisheries Management, S.C. Department of Natural Resources, Post Office Box 12559, Charleston, SC 29422, no later than 5:00 p.m. on December 29, 2025.

Preliminary Fiscal Impact Statement:

There will be no negative fiscal impacts to the public or the Department. The addition of Regulations 123-37 will result in a more efficient and effective process to verify commercial blue crabbers harvest as required by Section 50-5-400(H) in the 1976 Code. Effective and efficient verification of harvest through wholesale dealer reports will eliminate any extended time in verification of documentation and allow for timely issuance of limited commercial blue crab license minimizing financial loss to commercial harvesters.

Statement of Need and Reasonableness:

Need and reasonableness was determined based on staff analysis pursuant to S.C. Code Sections 1-23-115(C) (1) through (3) and (9) through (11). The Department is required to determine verifiable documentation of commercial blue crab harvest for the renewal of a limited commercial blue crab license pursuant to S.C. Code Section 50-5-400(H).

DESCRIPTION OF REGULATION:

Purpose: This regulation clarifies the Departments determination of verifiable documentation for commercial blue crab harvest or landings, which is necessary for a licensee to be eligible to renew a limited blue crab license. Prior to every fourth license year, a licensee must have verifiable documentation of at least four thousand pounds of commercial blue crab landings in at least one of the three previous license years. If a licensee does not meet the documented landings threshold, then the licensee's limited commercial blue crab license must not be renewed by the department.

Legal Authority: 1976 Code Sections 50-5-30.

Under Section 50-5-30 of the S.C. Code of Laws, the Department of Natural Resources may promulgate regulations for the government of the force under its control and for the control of fisheries, not contrary to or inconsistent with the laws and policy of the State, having the force and effect of law.

Plan for Implementation: Once the regulation has been approved by the General Assembly, the Department will implement new regulations to verify commercial harvester blue crab landings for eligibility of license renewal, as required by Section 50-5-400(H), by utilizing the existing Wholesale Seafood Dealer Reports which provides

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mandatory (Section 50-5-380) documented commercial blue crab harvester landings provided by a licensed wholesale seafood dealer, or commercial blue crab harvester landings provided by Georgia or North Carolina's state regulatory agency responsible for commercial blue crab harvest reporting programs.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

This regulation is needed as this regulatory language serves as the definition by which the Department of Natural Resources will utilize and follow to determine verifiable documentation, as provided in Section 50-5-400(H), providing fair and equitable action.

DETERMINATION OF COSTS AND BENEFITS:

Implementation of the proposed regulation will not require any additional costs to the state or to the commercial blue crab industry. Clarification of statutory authority under appropriate regulatory authority will improve enforcement ability and therefore reduce staff time in issuing license renewals.

UNCERTAINTIES OF ESTIMATES:

Staff do not anticipate any increased costs with the promulgation of this regulation. Accordingly, no cost estimates and the uncertainties associated with them are provided.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

The promulgation of this regulation will not have any negative impacts on public health or the environment.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

No detrimental impact on public health or the environment will occur if this proposed regulation is not implemented. Failure to implement this regulation will hinder fair and equitable benefits to the blue crab commercial industry.

Statement of Rationale:

Rationale for the formulation of these regulations is based on experience by SCDNR in managing commercial saltwater fisheries and issuing licenses and permits for the compliance of commercial saltwater industry members to the States natural resource laws and regulations. The Departments clarification in adherence to state law to issue commercial licenses and permits ensures proper, equitable and fair issuance.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5441
DEPARTMENT OF NATURAL RESOURCES
CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-300, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-525, 50-11-530, 50-11-540, 50-11-544, 50-11-546, 50-11-580, 50-11-2200, and 50-11-2210

123-40. Wildlife Management Area Regulations.

123-51. Turkey Hunting Rules and Seasons.

Preamble:

The South Carolina Department of Natural Resources is proposing to amend the existing regulations that set seasons, bag limits and methods of hunting and taking of wildlife. These amendments set seasons for new Wildlife Management Areas. The following is a section-by-section summary of the proposed changes and additions.

Section-by-Section Discussion:

123-40. Wildlife Management Area Regulations.

A. Game Zone 1

1. (i) Specifies raccoon and opossum seasons on US Forest Service lands (Sumter National Forest)

B. Game Zone 2

1. (g) Specifies raccoon and opossum seasons on US Forest Service lands (Sumter National Forest)
10. (b) Requires sign in for visitors at Worth Mountain WMA

C. Game Zone 3

6. Francis Marion National Forest

- (f)(vi) Specifies raccoon and opossum season on Hellhole WMA-Francis Marion NF
- (g)(v) Specifies raccoon and opossum season on Waterhorn WMA-Francis Marion NF
- (h)(vii) Specifies raccoon and opossum season on Wambaw WMA-Francis Marion NF
- (i)(vi) Specifies raccoon and opossum season on Northampton WMA-Francis Marion NF
- (j)(vi) Specifies raccoon and opossum season on Santee WMA-Francis Marion NF

7. Moultrie

- (b)(3) Specifies raccoon and opossum season on Bluefield WMA
- (c)(ii) Specifies raccoon and opossum season on Greenfield WMA

9. Webb WMA

- (d)(i) Sets dates for hog hunting with dogs

10. Bear Island WMA

- (e) Removes regulation for alligator hunts on Bear Island WMA

11. Donnelley WMA

- (d) Sets dates for hog hunting with dogs
- (e) Sets dates for still hunting for hogs

14. Santee Coastal Reserve WMA

- (b) Sets dates for hog hunting with dogs
- (c) Sets dates for still hunting for hogs
- (c) Removes regulation for alligator hunts on Santee Coastal Reserve WMA

18. Palachucola WMA

- (e)(i) Sets dates for hog hunting with dogs

20. Tillman Sandridge – add Meyer Lake HP/WMA

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22. Hamilton Ridge WMA

- (e)(i) Sets dates for hog hunting with dogs
- (f) Sets dates for still hunting for hogs

30. Sandy Run WMA

- (a)(b)(c) Establishes seasons and bag limits for Sandy Run WMA

D. Game Zone 4

2. Marsh WMA

- (e) Sets dates for still hunting for hogs
- (f) Sets dates for hog hunting with dogs

6. Woodbury WMA

- (h) Sets dates for still hunting for hogs
- (i) Sets dates for hog hunting with dogs

7. Little Pee Dee Complex WMA

- (e) Sets dates for still hunting for hogs
- (f) Sets dates for hog hunting with dogs

8. Great Pee Dee Heritage Preserve WMA

- (e) Sets dates for still hunting for hogs
- (f) Sets dates for hog hunting with dogs

12. Hickory Top WMA

- (d) Sets dates for hog hunting with dogs
- (e) Sets dates for still hunting for hogs

14. Santee Dam WMA

- (c) Sets dates for hog hunting with dogs
- (d) Sets dates for still hunting for hogs

15. Wee Tee WMA

- (c) Sets dates for still hunting for hogs
- (d) Sets dates for hog hunting with dogs

20. Waccamaw River Heritage Preserve WMA

- (d) Sets dates for still hunting for hogs
- (e) Sets dates for hog hunting with dogs

22. Santee Island WMA

- (c) Sets dates for still hunting for hogs
- (d) Sets dates for hog hunting with dogs

5.3 Establishes dog training seasons for raccoon and opossum on WMA lands

123-51. Turkey Hunting Rules and Seasons.

D. Game Zone 4

- 21. Establishes turkey season and limit for Coosawhatchie WMA

The Notice of Drafting was published in Volume 49, Issue No. 9 of the South Carolina *State Register* on September 26, 2025.

Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such hearing will be conducted on January 6, 2026, at 10:00 am in Room 107 of the SCDNR Headquarters at 260D Epting Lane, West Columbia, SC. Written comments may be directed to Will Dillman, Wildlife & Freshwater Fisheries Division, Department of Natural Resources, Post Office Box 167, Columbia, SC 29202, no later than 5:00 pm on December 30, 2025.

Preliminary Fiscal Impact Statement:

The amendment of Regulations 123-40 and 123-51 will result in increased public hunting opportunities which should generate additional State revenue through license sales. In addition, local economies should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

Statement of Need and Reasonableness:

Need and reasonableness was determined based on staff analysis pursuant to S.C. Code Sections 1-23-115(C) (1) through (3) and (9) through (11). Periodically, additional lands are made available to the public through the Wildlife Management Area Program. Since existing regulations only apply to specific wildlife management areas, new regulations must be filed to establish seasons, bag limits and methods of hunting and taking of wildlife on these new WMAs as well as expanding use opportunities on existing WMAs. Amendments are needed to allow additional opportunity.

DESCRIPTION OF THE REGULATION:

The regulation and proposed amendments expand opportunity for raccoon dog training and hog hunting on Wildlife Management Area (WMA) lands, rename existing WMAs, and establish seasons and bag limits on new WMAs.

Purpose: These regulations amend Regulations 123-40 and 123-51 to set seasons, bag limits and methods of hunting and taking of wildlife on Wildlife Management Areas.

Legal Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-300, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-525, 50-11-530, 50-11-540, 50-11,544, 50-11-546, 50-11-580, 50-11-2200, and 50-11-2210.

Under Sections 50-11-2200 and 50-11-2210 of the S.C. Code of Laws, the Department of Natural Resources has jurisdiction over all Wildlife Management Areas to protect, preserve, operate, maintain and regulate use, as well as to establish open and closed seasons, bag limits, and methods of taking wildlife.

Plan for Implementation: Once the regulation has been approved by the General Assembly, the Department will incorporate all regulations in the annual Rules and Regulations Brochure. The public will be notified through this publication and through news releases and other Department media outlets and publications.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

Periodically, seasons and bag limits are changed to increase public opportunity while meeting management objectives for specific properties. Likewise, statutory changes occasionally require changes in regulations to ensure conformity and consistency between statutes and regulations. The minor changes proposed below increase public opportunity, reduce conflicts between user groups, and provide for increased user and public safety.

DETERMINATION OF COSTS AND BENEFITS:

Implementation of the proposed regulation will not require any additional costs to the state or to the sporting community. Clarification of existing regulations under appropriate authority will improve enforcement ability and therefore reduce staff time in handling prosecution of offenses. This amendment of these regulations will result in increased public hunting opportunities that should generate additional State revenue through license sales. In addition, the local economy should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

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UNCERTAINTIES OF ESTIMATES:

Staff does not anticipate any increased costs with the promulgation of this regulation. Accordingly, no costs estimates and the uncertainties associated with them are provided.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

The promulgation of this regulation will not have any negative impacts on public health or the environment.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

No detrimental impact on public health or the environment will occur if this proposed regulation is not implemented. Failure to implement this regulation will prevent positive benefits to the public and hinder management objectives for specific properties.

Statement of Rationale:

Rationale for the formulation of these regulations is based on over 80 years of experience by SCDNR in managing wildlife populations and establishing public hunting areas. Management objectives for specific properties and species are continually evaluated for needed changes. Contractual agreements with cooperating landowners in the Wildlife Management Area Program provide guidelines for the use and management of the properties. Wildlife Management Area agreements are on file with the Wildlife Management Section of the Department of Natural Resources, Room 400, SCDNR Headquarters, 260D Epting Lane, West Columbia, SC.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5430
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
CHAPTER 67
Statutory Authority: 1976 Code Section 42-3-30

67-206. Filing a Claim.

Preamble:

The purpose of this proposed regulation is to update and clarify procedures governing the filing of a claim with the South Carolina Workers' Compensation Commission. The amendments define acceptable forms for filing, set forth the requirements for letters of claim, and specify the responsibilities of employers and their representatives upon notice of filing.

Section-by-Section Discussion:

67-206.A. Strike "To file a claim" and replace with "Claimant."

The Notice of Drafting was published in the State Register on September 26, 2025.

Notice of Public Hearing and Opportunity for Public Comment:

Written comments may be sent to the South Carolina Workers' Compensation Commission, Attention: Legal Department, 1333 Main Street, Suite 500, Columbia, SC 29201, no later than 5:00 p.m. on December 29, 2025. A public hearing will be held on January 12, 2026, at 10:30 a.m., at least thirty (30) days following publication of this notice at the Commission's offices, 1333 Main Street, Suite 500, Columbia, SC 29201.

Preliminary Fiscal Impact Statement:

No significant fiscal impact is anticipated as a result of this amendment.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: Filing a Claim.

Purpose: To clarify and modernize procedures for filing claims with the Commission.

Legal Authority: 1976 Code Section 42-3-30.

Plan for Implementation: Upon final approval and publication in the State Register.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The regulation provides clear guidance for claimants, employers, and representatives regarding proper filing procedures, thereby improving administrative efficiency and ensuring consistent compliance.

DETERMINATION OF COSTS AND BENEFITS:

The benefits include improved clarity, uniformity, and timeliness in claim processing. No additional costs are expected.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None.

Statement of Rationale:

The HLOC Committee recommended that the language of this regulation be revised for clarity and administrative accuracy. These amendments ensure consistent standards for filing and notification under the Workers' Compensation Act.

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Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5431

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

CHAPTER 67

Statutory Authority: 1976 Code Sections 1-23-110(A)(1)(c), 42-3-30, and 42-5-20

67-1507. Proof of Compliance, Irrevocable Letter of Credit.

Preamble:

The purpose of this proposed regulation is to clarify procedures for the acceptance, administration, and revocation of irrevocable letters of credit as proof of compliance for self-insured employers. It provides updated guidance to ensure the Commission's ability to safeguard the payment of claims and maintain consistent standards of financial responsibility.

Section-by-Section Discussion:

67-1507.D.(4) – Delete.

67-1507.D.(5) – Delete.

67-1507.E. – Add all new text for E.

The Notice of Drafting was published in the State Register on March 28, 2025.

Notice of Public Hearing and Opportunity for Public Comment:

Written comments may be sent to the South Carolina Workers' Compensation Commission, Attention: Self-Insurance Division, 1333 Main Street, Suite 500, Columbia, SC 29201, no later than 5:00 p.m. on December 29, 2025. A public hearing will be held on January 12, 2026, at 10:30 a.m., at least thirty (30) days following publication at the Commission's offices, 1333 Main Street, Suite 500, Columbia, SC 29201.

Preliminary Fiscal Impact Statement:

No significant fiscal impact is anticipated. This amendment codifies existing practice.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: Proof of Compliance, Irrevocable Letter of Credit.

Purpose: To clarify procedures for self-insurance compliance using irrevocable letters of credit.

Legal Authority: 1976 Code Sections 1-23-110(A)(1)(c), 42-3-30, and 42-5-20.

Plan for Implementation: Upon final approval and publication in the State Register.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The amendments clarify the regulatory framework governing proof of compliance through letters of credit, providing additional protections for claimants and ensuring financial security of self-insurers.

DETERMINATION OF COSTS AND BENEFITS:

The regulation ensures administrative clarity and uniformity without creating new financial burdens.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None.

Statement of Rationale:

The HLOC Committee recommended revisions to ensure clarity, remove obsolete references, and align procedural requirements with current Commission practice for irrevocable letters of credit.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: **<http://www.scstatehouse.gov/regnsrch.php>**. Full text may also be obtained from the promulgating agency.

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Filed: October 30, 2025 10:29am

Document No. 5429
CLEMSON UNIVERSITY
CHAPTER 27

Statutory Authority: 1976 Code Sections 56-21-10, 59-119-50, and 59-119-320

27-3002.9. Nighttime Operation of Golf Carts on University Property. (New)

Emergency Situation:

Due to recent changes in the law related to Golf Cart operations, in particular as it relates to the hours, methods, and locations of golf cart operations. (*see* Act No. 64). Clemson University needs to implement regulations for the uniformity and safety of its campus as it relates to operation of golf carts on the University's campus. Normal University operations require a significant amount of golf cart operations, Golf cart usage is even more frequent during campus events, to include all athletic gamedays, which create high traffic and pedestrian interaction and take place in the Fall, prior to the next legislative session/ Therefore, the University is enacting emergency regulations due to the high use of golf carts on Clemson's campus, especially during athletic football game days.

Text:

27-3002.9. Nighttime Operation of Golf Carts on University Property.

1. For the purposes of this section the following definitions shall apply:

a. Golf Cart is a motor vehicle as referred to in SC Code of Laws section 56-2-10 et al, designed and manufactured for operation on a golf course for sporting or recreational purposes and that are not capable of exceeding speeds of 20 miles per hour.

b. Night is half an hour after sunset until a half hour before sunrise.

2. Golf Carts are permitted to drive at night on University roadways and property if the following conditions are met:

a. The Golf Cart is equipped with working headlights or head lamps that are in compliance with SC Code of Law section 56-5-4490 and are not so bright or positioned as to blind the driver of an oncoming vehicle in compliance with SC Code of Law section 56-5-4780.

b. The Golf Cart is equipped with working taillights or taillamps in compliance with SC Code of Law section 56-5-4510.

c. All requirements for golf cart operation in compliance with applicable provisions of SC Code of Laws sections 56-5-10 et al. and 56-2-90 are met, as well as all University policies related to golf cart operation.

Violations of the above section are misdemeanor offenses.

Statement of Need and Reasonableness:

The emergency regulation will enable the continuity of business operations on the Clemson campus regardless of time of day. Specific operations that are currently limited by the inability to operate golf carts at night include:

1. ADA shuttles before, during, and after the event;
2. Video broadcast transportation of equipment before, during, and after the event;
3. Ticket operations setup and transport of inventory before, during, and after the event;
4. Athletic grounds and field maintenance to ensure student-athlete and spectator safety before, during, and after the event;
5. Food service provider transport of inventory before, during, and after the event;
6. University housing maintenance and service operations; and
7. Janitorial services and waste management.

The emergency regulation will more broadly enable golf carts that meet state standards of roadworthiness to be operated by licensed drivers regardless of time of day and eliminate any confusion related to ordinances proposed by adjacent municipalities (i.e. City of Clemson) by golf cart operators about when and where they can operate a golf cart.

DESCRIPTION OF REGULATION:

The emergency regulation sets forth the time, manner and operation of golf carts on Clemson campus during nighttime hours.

Legal Authority: 1976 Code Sections 56-21-10, 59-119-50, and 59-119-320.

Plan for Implementation: Clemson University's Department of Public Safety, in collaboration with the University's MarCom unit and various Department heads, will enforce and communicate all existing laws and regulations to ensure only compliant vehicles and drivers are operating at nighttime.

DETERMINATION OF NEED AND REASONABLENESS OF THE EMERGENCY REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

To conduct business operations in an effective and efficient manner for athletic events and other University operations, golf cart operations at night on the Clemson campus are required. Requirements laid out herein are reasonable in ensuring campus and public safety.

DETERMINATION OF COSTS AND BENEFITS:

The inability of Clemson University to operate golf carts at nighttime will negatively impact stakeholders who benefit from services that are dependent on golf cart operation to be conducted efficiently and effectively. There is no additional cost to implement this emergency regulation, but there could be additional costs incurred if this emergency regulation is not enacted.

UNCERTAINTIES OF ESTIMATES:

It is strongly believed that no additional costs will be incurred as a result of this emergency regulation, however additional driver certification or training, if determined to be required, may come at an additional cost.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

There is no impact on the environment or public health/safety expected as a result of this emergency regulation.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

The inability to provide services (e.g., ADA shuttles, janitorial services, food services, facility maintenance, etc.) could be detrimental to public health and safety.

Statement of Rationale:

The ability for golf cart operations to extend into nighttime hours is necessary for business continuity, public safety/welfare, and University operations.

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Document No. 5384
STATE BOARD OF FINANCIAL INSTITUTIONS
CHAPTER 15
Statutory Authority: 1976 Code Sections 1-23-120 and 34-1-60

15-39C. Adjustable Mortgage Loan Instruments.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-39C because the federal law incorporated therein has been repealed.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025, and there was no public hearing requested.

Instructions:

Repeal the regulation in its entirety.

Text:

15-39C. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-39C authorizes State-chartered savings and loan associations to offer adjustable mortgage loan instruments in accordance with the provisions of 12 CFR, Part 545, Federal Home Loan Bank Board Regulations, effective April 30, 1981. The Board of Financial Institutions proposes to repeal this regulation because the federal law incorporated therein has been repealed.

Document No. 5385
STATE BOARD OF FINANCIAL INSTITUTIONS
CHAPTER 15
Statutory Authority: 1976 Code Sections 1-23-120 and 34-1-60

15-39B. Adjustable-rate Mortgages.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-39B because the federal law incorporated therein has been repealed.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Repeal the regulation in its entirety.

Text:

15-39B. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-39B authorizes State-chartered banks to make adjustable-rate mortgages in accordance with the provisions of 12 CFR Chapter I, Part 29, Department of the Treasury, office of the Comptroller of the Currency Regulation dated March 24, 1981, effective March 27, 1981. The Board of Financial Institutions proposes to repeal this regulation because the federal law incorporated therein has been repealed.

Document No. 5386

STATE BOARD OF FINANCIAL INSTITUTIONS**CHAPTER 15**

Statutory Authority: 1976 Code Sections 1-23-120 and 34-1-60

15-38. Consumer Loans, Commercial Paper, and Corporate Debt Securities.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-38 because it is unnecessary in light of previous regulation amendments, and because the federal law incorporated therein has been repealed.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Repeal the regulation in its entirety.

Text:

15-38. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-38 authorizes State-chartered savings and loan associations to invest in consumer loans, commercial paper and corporate debt securities under the same terms and conditions permitted federally chartered savings and loan associations by Sections 545.7-10 and 545.9-4 of the Federal Home Loan Bank Board Regulation 545 adopted November 10, 1980, effective November 17, 1980. The Board of Financial Institutions proposes to repeal this regulation because the federal law incorporated therein has been repealed.

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Document No. 5387

STATE BOARD OF FINANCIAL INSTITUTIONS

CHAPTER 15

Statutory Authority: 1976 Code Sections 1-23-120, 34-1-60, and 34-1-110

15-17. Federal 100 Percent Guaranteed Loans.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to amend R.15-17 to provide South Carolina state-chartered banks parity with national institutions.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Amend the regulation as follows.

Text:

15-17. Federal 100 Percent Guaranteed Loans.

Any bank may make and grant loans to any person, company, firm, or corporation in excess of 15%, but not to exceed 50%, of the combined common capital stock, capital notes, and surplus accounts of the bank if the amount of any such loan in excess of the 15% limitation imposed by Sections 34-13-50 is 100% guaranteed by an agency of the United States Government or secured by Certificates of Deposits.

Any such loan shall be approved by a two-thirds vote of the Board of Directors of the bank, as required by Sections 34-13-50 of the Code. A bank may extend such loans to its director(s), officer(s), members of their families, and/or entities with which they are associated, to the extent the same action would be allowed for a national bank.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-17 establishes rules for banks making loans in excess of 15% of its combined capital stock, capital notes, and surplus accounts. The Board of Financial Institutions proposes to amend the provisions of this regulation related to loans made to Directors and Officers to provide South Carolina state-chartered banks parity with national institutions.

Document No. 5388

STATE BOARD OF FINANCIAL INSTITUTIONS**CHAPTER 15**

Statutory Authority: 1976 Code Sections 1-23-120 and 34-1-60

15-31. Graduated-payment and Reverse-annuity Mortgages.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-31 as unnecessary, and because the federal law referenced therein has been repealed.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Repeal the regulation in its entirety.

Text:

15-31. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-31 authorizes State chartered savings and loan associations to offer graduated-payment mortgages and reverse-annuity mortgages in accordance with the provisions of Subparagraph (a)(8) of Section 545.6-1 of the Federal Home Loan Bank Board Regulation 545 adopted by the Board on December 14, 1978, effective January 1, 1979. The Board of Financial Institutions proposes to repeal R. 15-31 because the federal law incorporated therein has been repealed.

Document No. 5390

STATE BOARD OF FINANCIAL INSTITUTIONS**CHAPTER 15**

Statutory Authority: 1976 Code Sections 1-23-120 and 34-1-60

15-33. Loans Secured by Second Mortgages.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-33 because federal law incorporated therein has been repealed.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

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Instructions:

Repeal the regulation in its entirety.

Text:

15-33. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-33 authorizes State-chartered savings and loan associations to make loans which are secured by second mortgages on real estate under the same terms and conditions as permitted federally chartered savings and loan associations by Section 545.6-26 of the Home Loan Bank Board Regulations existing on September 5, 1979. The Board of Financial Institutions proposes to repeal this regulation because the federal law incorporated therein has been repealed.

Document No. 5391

STATE BOARD OF FINANCIAL INSTITUTIONS

CHAPTER 15

Statutory Authority: 1976 Code Sections 1-23-120 and 34-1-60

15-39A. Mutual Capital Certificates.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-39A because the federal law incorporated therein has been repealed.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Repeal the regulation in its entirety.

Text:

15-39A. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-39A authorizes State-chartered savings and loan associations to issue Mutual Capital Certificates under the same terms and conditions as permitted federally chartered savings and loan associations by Section 563.7-4 of the Federal Home Loan Bank Board Regulation 563 adopted by the Board on November 21, 1980, effective

December 29, 1980. The Board of Financial Institutions proposes to repeal this regulation because the federal law incorporated therein has been repealed.

Document No. 5392
STATE BOARD OF FINANCIAL INSTITUTIONS
 CHAPTER 15
 Statutory Authority: 1976 Code Section 34-1-60

15-37. Negotiable Order of Withdrawal (NOW) Accounts.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-37 because the federal law incorporated therein has been repealed.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* On August 22, 2025.

Instructions:

Repeal the regulation in its entirety.

Text:

15-37. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-37 authorizes State-chartered savings and loan associations to offer negotiable order of withdrawal (NOW) accounts under the same terms and conditions as permitted federally chartered savings and loan associations by Sections 526.1 and 563.1 of the Federal Home Loan Bank Board Regulation 526 adopted by the Board on September 30, 1980, effective December 30, 1980 and Regulation 563 adopted by the Board on October 23, 1980, effective December 31, 1980. The Board of Financial Institutions proposes to repeal this regulation because the federal law incorporated therein has been repealed.

Document No. 5389
STATE BOARD OF FINANCIAL INSTITUTIONS
 CHAPTER 15
 Statutory Authority: 1976 Code Sections 1-23-120 and 34-1-60

15-35. Renegotiable Rate Mortgages.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-35 because the federal law incorporated therein has been repealed.

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The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Repeal the regulation in its entirety.

Text:

15-35. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-35 authorizes State-chartered savings and loan associations to make renegotiable rate mortgages under the same terms and conditions as permitted federally chartered savings and loan associations by Section 545.6-4a of the Federal Home Loan Bank Board Regulation 545, as amended by the Federal Home Loan Bank Board on September 30, 1980, effective October 8, 1980. The Board of Financial Institutions proposes to repeal this regulation because the federal law incorporated therein has been repealed.

Document No. 5394

STATE BOARD OF FINANCIAL INSTITUTIONS

CHAPTER 15

Statutory Authority: 1976 Code Sections 1-23-120, 34-1-60, and 34-1-110

15-12. Reserve Accounts, Savings and Loan.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to amend R.15-12 to provide South Carolina state-chartered savings and loan associations and savings banks with parity with federal savings associations.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Amend the regulations as follows.

Text:

15-12. Reserve Accounts, Savings and Loan Associations and Savings Banks.

Every State chartered savings and loan association and savings bank shall establish and maintain adequate reserves for potential losses in the same manner as federal savings associations are required to do.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-12 establishes rules for reserve accounts to be maintained by savings and loan associations. The State Board of Financial Institutions proposes to amend this regulation to provide South Carolina state-chartered savings and loan associations and savings banks with parity with federal savings associations.

Document No. 5395

STATE BOARD OF FINANCIAL INSTITUTIONS**CHAPTER 15**

Statutory Authority: 1976 Code Section 1-23-120, 34-1-60, and 34-1-110

15-13. State Bank Forest Tract Loans.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-13 to allow South Carolina state-chartered banks parity with national banks which do not have such restrictions.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Repeal the regulation in its entirety.

Text:

15-13. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-13 establishes rules regarding forest tract loans made by banks. The State Board of Financial Institutions proposes to repeal this regulation to allow South Carolina state-chartered banks parity with national banks which do not have such restrictions.

Document No. 5396

STATE BOARD OF FINANCIAL INSTITUTIONS**CHAPTER 15**

Statutory Authority: 1976 Code Sections 1-23-120, 34-1-60, and 34-1-110

15-21. State Bank Investments, Fixed Assets.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to amend R.15-21 by removing certain approval requirements for South Carolina state-chartered banks to provide parity with national institutions.

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The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Amend the regulations as follows.

Text:

15-21. State Bank Investments, Fixed Assets.

Hereafter and without the approval of the Board of Financial Institutions, banks may make investments in bank premises, furniture and fixtures, equipment, loans on properties that are leased to the bank, and stocks of subsidiary corporations organized to hold title to banking house properties. The aggregate of such investments shall not exceed one hundred percent (100%) of the combined outstanding capital stock, surplus, and capital notes and/or debentures of the bank.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-21 establishes rules for banks investing in bank premises, furniture and fixtures, equipment, loans on properties that are leased to the bank, and stocks of subsidiary corporations organized to hold title to banking house properties. The Board of Financial Institutions proposes to amend R.15-21 by removing certain approval requirements for South Carolina state-chartered banks to provide parity with national institutions.

Document No. 5397
STATE BOARD OF FINANCIAL INSTITUTIONS
CHAPTER 15
Statutory Authority: 1976 Code Sections 1-23-120 and 34-1-60

15-39. Trust powers.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-39 because the federal law incorporated therein has been repealed.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Repeal the regulation in its entirety.

Text:

15-39. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-39 authorizes State-chartered savings and loan associations to exercise trust powers under the same terms and conditions as permitted federally chartered savings and loan associations by Sections 550.1 through 550.16 of the Federal Home Loan Bank Board Regulation 550 adopted by the Board on November 26, 1980, effective January 1, 1981. The Board of Financial Institutions proposes to repeal this regulation because the federal law incorporated therein has been repealed.

Document No. 5398

STATE BOARD OF FINANCIAL INSTITUTIONS**CHAPTER 15**

Statutory Authority: 1976 Code Sections 1-23-120 and 34-1-60

15-34. Variable Rate Mortgages.

Synopsis:

The South Carolina State Board of Financial Institutions proposes to repeal R.15-34 because the federal law incorporated therein has been repealed.

The Notice of Drafting was published in the *State Register* on June 27, 2025. The Proposed Regulation was published in the *State Register* on August 22, 2025.

Instructions:

Repeal the regulation in its entirety.

Text:

15-34. Repealed.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

R.15-34 authorizes State-chartered savings and loan associations to make variable rate mortgages under the same terms and conditions as permitted federally chartered savings and loan associations by Section 545.6-2 of the Home Loan Bank Board Regulation 545, adopted by the Board in December, 1978, effective July 1, 1979. The Board of Financial Institutions proposes to repeal this regulation because the federal law incorporated therein has been repealed.