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SOUTH CAROLINA STATE REGISTER

PUBLISHED BY
THE LEGISLATIVE COUNCIL
of the
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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.

2026 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	1/9	2/13	3/13	4/10	5/8	6/12	7/10	8/14	9/11	10/9	11/13	12/11
Publishing Date	1/23	2/27	3/27	4/24	5/22	6/26	7/24	8/28	9/25	10/23	11/27	12/25

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-ten 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-ten-day review period, the regulation is approved on the one-hundred-tenth 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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5452			Driveways; Erosion Control; and Bus Shelters	05/02/2027	Dept of Transportation		
5457			Air Pollution Control Regulations and Standards	05/02/2027	Dept of Environmental Services		

Executive Order No. 2026-21

WHEREAS, the undersigned has been notified of the passing of Deputy Michael Wade Hendricks of the Charleston County Sheriff's Office, who dutifully served as a law enforcement officer in this State and died in the line of duty; and

WHEREAS, Deputy Hendricks dedicated his life to protecting and serving the people of the State of South Carolina, and his loss warrants the people of this State appropriately recognizing his distinguished service and honoring his supreme sacrifice; and

WHEREAS, Title 4, Section 7(m) of the United States Code, as amended, provides that "[i]n the event of . . . the death of a first responder working in any State, territory, or possession who dies while serving in the line of duty, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff"; and

WHEREAS, section 1-3-470 of the South Carolina Code of Laws, as amended, authorizes the undersigned, on the day of burial or other service for any law enforcement officer in this State who died in the line of duty, to order that all flags on state buildings be lowered to half-staff in tribute to the deceased law enforcement officer and to request that flags over the buildings of the political subdivisions of this State similarly be flown at half-staff for this purpose.

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 be lowered to half-staff from sunrise until sunset on Wednesday, September 16, 2026, in tribute to Deputy Michael Wade Hendricks and in honor of his distinguished service and supreme sacrifice. I request that the flags over state buildings and 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 14th DAY OF SEPTEMBER, 2026.

HENRY DARGAN MCMASTER
Governor

Executive Order No. 2026-22

WHEREAS, the National Hurricane Center is forecasting Hurricane Isaias, which is currently located in the Gulf of Mexico, to make landfall along the coast of the State of Florida as a hurricane on October 9, 2026, and is thereafter expected to impact the State of South Carolina and other areas in the southeastern region of the United States; and

WHEREAS, the corresponding hazardous weather conditions -- including heavy rain, localized flash flooding, gusty winds and possible tornadoes -- have the potential to disrupt transportation and utility services in the State of South Carolina; and

WHEREAS, in light of the foregoing circumstances, the undersigned has determined that it is necessary and appropriate for the State to take additional proactive action to facilitate the operation of utility and transportation services, and mitigate interruptions or delays associated with the same; and

WHEREAS, the Federal Motor Carrier Safety Regulations limit, *inter alia*, the hours of service for operators of commercial vehicles, 49 C.F.R. §§ 390 *et seq*.; and

WHEREAS, pursuant to 49 C.F.R. § 390.23, the governor of a State may suspend federal hours of service regulations for commercial vehicles responding to an emergency if the governor determines that an emergency condition exists; and

WHEREAS, section 56-5-70(B) of the South Carolina Code of Laws provides that "(w]hen an emergency is declared which triggers relief from regulations pursuant to 49 C.F.R. [§] 390.23 in North Carolina or Georgia, an emergency, as referenced in the regional emergency provision of 49 C.F.R. [§] 390.23(a)(l)(A), must be declared in this State by the Governor"; and

WHEREAS, on October 8, 2026, the Governor of Georgia issued an Executive Order declaring that an emergency exists in the State of Georgia in connection with the storm presently identified as Hurricane Isaias and temporarily suspending certain motor vehicle and transportation regulations; and

WHEREAS, in light of the foregoing circumstances, the undersigned has determined that additional regulatory flexibility is warranted to assist proactively in facilitating and supporting the operation of critical utility and transportation services and mitigating or preventing interruptions and delays in transporting essential supplies, equipment, and persons to or from any impacted areas in the State of South Carolina or in neighboring States.

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 and direct as follows:

Section 1. Transportation Waivers to Facilitate Emergency Management

A. I hereby determine and declare that the existing and anticipated threats, circumstances, or conditions associated with Hurricane Isaias, as further described herein, and the potential impacts related to the same constitute an emergency pursuant to 49 C.F.R. § 390.23 for purposes of suspending certain rules and regulations, as set forth below, for commercial vehicles and operators of commercial vehicles in accordance with 49 C.F.R. § 390.23 and section 56-5-70 of the South Carolina Code of Laws.

B. I hereby authorize and direct the South Carolina Department of Transportation ("DOT") and the South Carolina Department of Public Safety ("DPS"), including the State Transport Police, as needed, to waive or suspend application and enforcement of the requisite state and federal rules and regulations pertaining to hours of service for operators of commercial vehicles operating in accordance with the provisions of any emergency declaration issued by the Federal Motor Carrier Safety Administration ("FMCSA"); responding or providing direct assistance, as defined by 49 C.F.R. § 390.5, to any emergency conditions in this State or any declared emergencies in the State of North Carolina or the State of Georgia or in other States in connection with the forecasted severe weather event associated with Hurricane Isaias or the anticipated impacts thereof; providing direct assistance to supplement state and local efforts and capabilities related to the same; or otherwise assisting with the existing or anticipated threats and circumstances associated therewith, to include commercial vehicles and operators of commercial vehicles transporting equipment, materials, or persons necessary for the restoration of utility services or debris removal and those transporting essential goods and products, such as food, water, medicine, medical supplies and equipment, fuels and petroleum products (to include fuel oil, diesel oil, gasoline, kerosene, propane, liquid petroleum, and other refined petroleum products and related equipment or assets), livestock, poultry, feed for livestock and poultry, and crops and other agricultural products ready to be harvested (to include timber and wood chips).

C. I hereby authorize DOT and DPS, as applicable, to apply for or request any additional federal regulatory relief, waivers, permits, or other appropriate flexibility deemed necessary, whether pertaining to the transportation of overweight loads on interstate highways or otherwise, on behalf of the State of South Carolina and to promptly implement the same without the need for further Orders.

D. This Section shall not be construed to require or allow an ill or fatigued driver to operate a commercial motor vehicle. In accordance with 49 C.F.R. § 390.23, "a driver who informs the motor carrier that he or she needs immediate rest must be permitted at least ten (10) consecutive hours off duty before the driver is required to return to such terminal or location." Likewise, this Section shall not be construed as an exemption from the applicable controlled substances and alcohol use and testing requirements in 49 C.F.R. § 382, the commercial driver's license requirements in 49 C.F.R. § 383, or the financial responsibility requirements in 49 C.F.R. § 387, and it shall not be interpreted to relieve compliance with any other state or federal statute, rule, order, regulation, restriction, or other legal requirement not specifically waived, suspended, or addressed herein or addressed in any additional or supplemental guidance, rules, regulations, restrictions, or clarifications issued, provided, or promulgated by DOT or DPS.

E. Subject to any guidance, rules, regulations, restrictions, or clarification issued, provided, or promulgated, or which may be issued, provided, or promulgated, by DOT or DPS, as authorized herein or as otherwise provided by law, and notwithstanding the waiver or suspension of certain rules and regulations as set forth above, drivers in South Carolina are still subject to the following state requirements to ensure public safety:

1. Weight, height, length, and width for any such vehicle with a minimum of five (5) weight bearing axles on highways or roadways maintained by the State of South Carolina shall not exceed, for continuous travel on all non-interstates, United States, and South Carolina designated routes, maximum dimensions of twelve (12) feet in width (except as provided in Paragraph 5 below), thirteen (13) feet six (6) inches in height, and ninety thousand (90,000) pounds in gross weight.

2. Posted bridges may not be crossed.

3. All vehicles shall be operated in a safe manner, shall not damage the highways nor unduly interfere with highway traffic, shall maintain the required limits of insurance, and shall be clearly identified as a utility vehicle or shall provide appropriate documentation indicating they are responding to the emergency.

4. Except as provided below, any vehicles that exceed the above dimensions, weights, or both, must obtain a permit with defined routes from DOT's Oversize/Overweight Permit ("OSOW") Office. To order a permit, please call (803) 737-6769 during normal business hours, 8:30 a.m. – 5:00 p.m., or (803) 206-9566 after normal business hours.

5. In accordance with federal law, vehicles traveling on non-interstate routes within the National Network may not exceed a width of 102 inches or 8.6 feet without a special permit. A special permit for width on the National Network is available on DOT's OSOW website, and a list of routes on the National Network is set forth in Appendix A to 23 C.F.R. Part 658.

6. Transporters are responsible for ensuring they have oversize signs, markings, flags, and escorts as required by the South Carolina Code of Laws and OSOW guidelines relating to oversize/overweight loads operating on South Carolina roadways.

F.I hereby authorize DOT and DPS to issue, provide, or promulgate any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application, implementation, or enforcement of this Section, or to otherwise provide clarification regarding the same, without the need for further Orders.

Section 2. General Provisions

A. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of South Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

B. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Order is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this Order, as the undersigned would have issued this Order, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective

of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

C. This Order shall be implemented consistent with and to the maximum extent provided by applicable law and shall be subject to the availability of appropriations. This Order shall not be interpreted, applied, implemented, or construed in a manner so as to impair, impede, or otherwise affect the authority granted by law to an executive agency or department, or the officials or head thereof, including the undersigned.

D. I hereby expressly authorize the Office of the Governor to provide or issue any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application of this Order or to otherwise provide clarification regarding the same, through appropriate means, without the need for further Orders.

E. This Order is effective immediately and shall remain in effect for fourteen (14) days or until the declared emergency in the State of Georgia is terminated, whichever is less, in accordance with 49 C.F.R. § 390.23 and section 56-5-70 of the South Carolina Code of Laws, unless otherwise modified, amended, or rescinded by subsequent Order.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 9th DAY OF OCTOBER, 2026.

HENRY DARGAN MCMASTER
Governor

DEPARTMENT OF ENVIRONMENTAL SERVICES

NOTICE OF GENERAL PUBLIC INTEREST

SCDES-Bureau of Land and Waste Management, File # 400801
CSXT Bramlett Road Site – Remedial Design

NOTICES OF CONSENT AGREEMENT, CONTRIBUTION PROTECTION, AND COMMENT PERIOD

PLEASE TAKE NOTICE that the South Carolina Department of Environmental Services (SCDES) intends to enter into a Consent Agreement (CA) with Duke Energy Carolinas, LLC (Duke). The CA provides that Duke, with SCDES's oversight, will fund and develop the remedial design for the remedial action of the CSXT Bramlett Road Site located in Greenville County at 408 East Bramlett Road, Greenville, South Carolina.

Response actions addressed in the CA include, but may not be limited to, Duke funding and developing a remedial design for the remedial action at 408 East Bramlett Road, Greenville, South Carolina, consistent with SCDES's May 1, 2025, Record of Decision. Further, Duke shall reimburse SCDES's costs of overseeing the work performed by Duke and other SCDES response costs pursuant to the CA.

The CA is subject to a thirty-day public comment period consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Section 9613, and the South Carolina Hazardous Waste Management Act (HWMA), S.C. Code Ann. Section 44-56-200 (as amended). Notices of contribution protection and comment period will be provided to other known potentially responsible parties. The CA is available:

(1) On-line at https://apps.des.sc.gov/PublicNotices/; or
(2) By contacting Greg Cassidy at 803-898-0910 or greg.cassidy@des.sc.gov.

Any comments to the proposed CA must be submitted in writing, postmarked no later than November 23, 2026, and addressed to: Greg Cassidy, SCDES-BLWM-SARR, 2600 Bull Street, Columbia, SC 29201.

Upon the successful completion of the CA, Duke will receive a covenant not to sue for the work done in completing the work specifically covered in the CA and completed in accordance with the approved work plans and reports. Upon execution of the CA, Duke shall be deemed to have resolved their liability to the State in an administrative settlement for purposes of, and to the extent authorized under CERCLA, 42 U.S.C. Sections 9613(f)(2) and 9613(f)(3)(B), and under HWMA, S.C. Code Ann. Section 44-56-200, for the matters addressed in the CA. Further, to the extent authorized under 42 U.S.C. Section 9613(f)(3)(B), S.C. Code Ann. Section 44-56-200, CA may seek contribution from any person who is not a party to this administrative settlement.

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 **October 23, 2026**, 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.

The Department did not receive any new applications for filing.

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 **October 23, 2026**. "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 Anderson, Cherokee, Oconee, and Pickens Counties

FutureSmith Inc. d/b/a BrightStar Care of Spartanburg, Greenville and Easley-Piedmont

The establishment of a Home Health Agency in Anderson, Cherokee, Oconee and Pickens Counties at a total project cost of $1,000.00.

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES

ERRATA

114-594. Additional Requirements for Specified Group Home Population.

The Proposed Regulation Document Number 5477, regarding the amendment of R.114-594 Additional Requirements for Specified Group Home Population, published in the State Register, Volume 50, Issue No. 9, on September 25, 2026, is revised to reflect the correct date of the public hearing as December 2, 2026, beginning at 10:00 a.m. before the Honorable Crystal M. Rookard at the Administrative Law Court, 1205 Pendleton Street, Suite 224, Columbia, South Carolina 29201.

DEPARTMENT OF AGRICULTURE

CHAPTER 5

Statutory Authority: 1976 Code Sections 46-57-10 et seq.

Notice of Drafting:

The Department of Agriculture ("Department or "SCDA") proposes amending R.61-25, Retail Food Establishments.

Interested persons may submit written comments to Sandra D. Craig, Director, Retail Food Safety Department, Consumer Protection Division, S.C. Department of Agriculture, 350 Ballard Court, West Columbia, S.C. 29172 or by email to scraig@scda.sc.gov. To be considered, written comments must be received no later than 5:00 p.m. on November 23, 2026, the close of the Notice of Drafting comment period.

Synopsis:

The Department proposes amending R.61-25 which is based on federal guidance found in the most current version of the Food and Drug Administration (FDA) 2026 Food Code. The Department proposes amending R.61-25 to incorporate the updated requirements of the 2026 Food Code that meet the needs of the retail food service industry and consumers for improving food safety in South Carolina. The current R.61-25 is based on the 2017 Food Code. The Department also proposes amendments not required or addressed by federal guidance, including additions, updates, and clarifications to administrative requirements, enforcement requirements, and definitions. The Department proposes that the provisions regarding Retail Food Establishments, as currently found at S.C. Code Ann. Regs. 61-25, upon amendment, will be codified in Chapter 5 of the South Carolina Code of Regulations.

The Department may also propose stylistic changes such as corrections for clarity and readability, grammar, punctuation, references, codification, and overall improvement of the text of the regulation.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments, as portions of the above-referenced proposed amendments include updates and other changes to R.61-25 that are not addressed by the federal regulations.

DEPARTMENT OF EMPLOYMENT AND WORKFORCE

CHAPTER 47

Statutory Authority: 1976 Code Sections 41-29-110, 41-29-230, and 41-31-45

Notice of Drafting:

The South Carolina Department of Employment and Workforce proposes to repeal R.47-500, Definitions, and R.47-501, Unemployment Trust Fund Solvency. These regulations are no longer needed. Interested persons may submit comments to Ellen Andrews-Morgan, Director of Governmental Affairs, South Carolina Department of Employment and Workforce, P.O. Box 8597, Columbia, SC 29202 or by emailing RegulationComments@dew.sc.gov.

Synopsis:

The South Carolina Department of Employment and Workforce proposes to repeal R.47-500, Definitions, which lists the definitions applicable to the Unemployment Trust Fund, and R.47-501, Unemployment Trust Fund Solvency, concerning the income needed to pay benefits in each year and return the trust fund to an adequate level. The provisions of these regulations were codified, with minor changes, by Act No. 243 of 2026 (S. 688). As these regulations are no longer needed, the Department proposes to repeal these regulations in their

entirety.

Legislative review is required.

DEPARTMENT OF EMPLOYMENT AND WORKFORCE
CHAPTER 47
Statutory Authority: 1976 Code Sections 41-29-110 and 41-29-230

Notice of Drafting:

The South Carolina Department of Employment and Workforce proposes amending R.47-5, Delinquent Report, to conform with Act No. 243 of 2026 (S. 688). Interested persons may submit comments to Ellen Andrews-Morgan, Director of Governmental Affairs, South Carolina Department of Employment and Workforce, P.O. Box 8597, Columbia, SC 29202 or by emailing RegulationComments@dew.sc.gov.

Synopsis:

The South Carolina Department of Employment and Workforce proposes amending R.47-5, Delinquent Report, to conform with Act No. 243 of 2026 (S. 688). Act No. 243 amended S.C. Code Ann. Section 41-31-5 to extend the twelve-quarter unemployment insurance tax rate computation period, commonly referred to as the "lookback period," to sixteen quarters for Tax Year 2027 and twenty quarters for Tax Year 2028 and beyond. The proposed amendment may also include corrections for clarity and readability, grammar, punctuation, codification, and overall improvement of the text of the regulation.

Legislative review of this amendment is required.

DEPARTMENT OF LABOR, LICENSING AND REGULATION
SOUTH CAROLINA PERPETUAL CARE CEMETERY BOARD
CHAPTER 21
Statutory Authority: 1976 Code Section 40-8-20

Notice of Drafting:

The South Carolina Perpetual Care Cemetery Board proposes to amend R.21-2(4) to reflect that a licensed public accountant will examine a cemetery company's care and maintenance trust fund and merchandise fund every two years. Interested persons may submit written comments to Matalie Mickens, Board Executive, Perpetual Care Cemetery Board, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, SC 29211.

Synopsis:

The South Carolina Perpetual Care Cemetery Board proposes to amend R.21-2(4) to reflect that a licensed public accountant will examine a cemetery company's care and maintenance trust fund and merchandise fund every two years. Currently, the regulation requires annual review.

Legislative review of this amendment is required.

DEPARTMENT OF LABOR, LICENSING AND REGULATION
STATE BOARD OF PHARMACY
CHAPTER 99
Statutory Authority: 1976 Code Sections 40-1-70, 40-1-77(I), 40-43-30, 40-43-60, 40-43-83(C), and 40-43-86(CC)(2)(a)

Notice of Drafting:

The South Carolina Board of Pharmacy proposes: adding regulations to codify guidance, interpretations and/or policies and to address radiopharmaceutical compounding; and adding, amending and/or repealing existing regulations. Interested parties may submit comments to Kayce Shealy, Board Executive, South Carolina Board of Pharmacy, Post Office Box 11329, Columbia, SC 29211.

Synopsis:

The South Carolina Board of Pharmacy proposes: adding regulations to codify guidance, interpretations and/or policies and to address radiopharmaceutical compounding; and adding, amending and/or repealing existing regulations.

Legislative review is required.

DEPARTMENT OF LABOR, LICENSING AND REGULATION
SOUTH CAROLINA REAL ESTATE COMMISSION
CHAPTER 105
Statutory Authority: 1976 Code Sections 40-1-70, 40–57–60, 40-57-135, 40-57-360, 40-57-910, and 40-57-920

Notice of Drafting:

The South Carolina Real Estate Commission proposes to consider amendments to the regulations relating to instructor qualifications. Interested persons may submit comments to Erica Wade, Board Executive, Real Estate Commission, Post Office Box 11329, Columbia, S.C. 29211-1139.

Synopsis:

The South Carolina Real Estate Commission proposes to consider amendments to the regulations relating to instructor qualifications to ensure that instructors in this state receive adequate training that is in line with training received in other states.

Legislative review of this amendment is required.

DEPARTMENT OF LABOR, LICENSING AND REGULATION
SOUTH CAROLINA REAL ESTATE COMMISSION
CHAPTER 105
Statutory Authority: 1976 Code Sections 40-1-70, 40-57-10, 40–57–60, 40-57-135, and 40-57-360

Notice of Drafting:

The South Carolina Real Estate Commission proposes to consider adding a new regulation to require the use of a Commission approved disclosure form with residential property sellers when a residential listing will receive limited market exposure. Interested persons may submit comments to Erica Wade, Board Executive, Real Estate

Commission, Post Office Box 11329, Columbia, S.C. 29211-1139.

Synopsis:

The South Carolina Real Estate Commission proposes to consider adding a new regulation to require the use of a Commission approved disclosure form with residential property sellers when a residential listing will receive limited market exposure to educate the seller on the potential issues surrounding limited marketing.

Legislative review of this amendment is required.

DEPARTMENT OF NATURAL RESOURCES

CHAPTER 123

Statutory Authority: 1976 Code Section 50-11-2200

Notice of Drafting:

The Department of Natural Resources proposes to amend Regulations 123-209 "Term and Conditions for the Public's Use of State Lakes and Ponds Owned by the Department of Natural Resources" and 123-210 "Term and Conditions for the Public's Use of State Lakes and Ponds Leased by the Department of Natural Resources". The subject of the proposed action is to establish and revise, under code section 50-11-2200, the terms and conditions for the public use of lakes owned or leased by the SC Department of Natural Resources that previously were established under repealed code section 50-13-2011. Any person interested may submit written comments to Will Dillman, Deputy Director, Wildlife & Freshwater Fisheries Division, S.C. Department of Natural Resources, Post Office Box 167, Columbia, SC 29202.

Synopsis:

These amended regulations will allow for a closure period for Lake Paul Wallace to allow for construction activities necessary to repair Lake Wallace Dam and will repeal regulations for Lake Ashwood which is not currently under lease to SCDNR for public fishing.

Legislative review of these amendments is required.

Document No. 5483
CLEMSON UNIVERSITY
STATE LIVESTOCK-POULTRY HEALTH COMMISSION
CHAPTER 27
Statutory Authority: 1976 Code Sections 47-4-30 and 47-17-130

27-1023. State Meat Inspection Regulation.

Preamble:

These regulations are being promulgated to modernize, clarify and update existing regulations which govern, to the extent authorized by S. C. Code, Title 47, Chapter 4, the inspection of meat and meat food products produced for intrastate commerce. These updated regulations are necessary to comply with the Federal Meat Inspection Act (21 USCA 661, Section 301) which established Federal-State Cooperative Meat Inspection Programs. This is a grant program where federal funds for any year shall not exceed 50 per centum of the estimated total cost of the cooperative program. A cooperating state is required to adopt regulations at least as stringent as those adopted by the United States Government. This regulation will, in effect, adopt the current Federal Meat Inspection Regulations with some minor exceptions for some state specific requirements.

The Notice of Drafting was published in the *State Register* on August 28, 2026.

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 held at the South Carolina Meat-Poultry Inspection Department, 500 Clemson Road, Columbia, S.C. on December 3, 2026, at 9:00 a.m. If no request is received by November 23, 2026, the hearing will be canceled. Written comments may be directed to Kathryn Gibson, Director, South Carolina Meat-Poultry Inspection Department, 500 Clemson Rd., Columbia, SC 29229 not later than November 23, 2026.

Preliminary Fiscal Impact Statement:

No additional state funding is requested.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION:

R.27-1023. State Meat Inspection Regulation.

Purpose: To modernize, clarify and update the existing regulations which govern the inspection of meat products produced for intrastate commerce. These updated regulations are necessary to comply with the Federal Meat Inspection Act, which establishes the Federal-State Cooperative Inspection Program. This cooperative agreement requires that state regulations be “at least equal to” applicable federal regulations, in return for which the federal government furnishes not greater than 50% of the funds required to maintain the state program. These regulations will allow the state program to maintain compliance with the terms of the federal cooperative agreement.

Legal Authority: 1976 Code Sections 47-4-30 and 47-17-130.

Plan for Implementation: The state meat inspection program has been in existence for many years, implementation of these proposed regulations will clarify and update the existing regulations.

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

None.

DETERMINATION OF COSTS AND BENEFITS:

None.

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:

None.

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. 5482
CLEMSON UNIVERSITY
STATE LIVESTOCK-POULTRY HEALTH COMMISSION
CHAPTER 27
Statutory Authority: 1976 Code Sections 47-4-30, 47-19-30, and 47-19-170

27-1022. State Poultry Products Inspection Regulation.

Preamble:

These regulations are being promulgated to modernize, clarify and update existing regulations which govern, to the extent authorized by S.C. Code, Title 47, Chapter 4, the inspection of poultry products produced for intrastate commerce. These updated regulations are necessary to comply with the federal Poultry Products Inspection Act (21 USCA 454, Section 5) which establishes Federal-State Cooperative Poultry Inspection Programs. This is a grant program where federal funds for any year shall not exceed 50 per centum of the estimated total cost of the cooperative program. A cooperating state is required to adopt regulations “at least equal to” those adopted by the federal government. This regulation will, in effect, adopt the current Federal Poultry Products Inspection Regulations with some minor exceptions for some state specific requirements.

The Notice of Drafting was published in the *State Register* on August 28, 2026.

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 held at the South Carolina Meat-Poultry Inspection Department, 500 Clemson Road, Columbia, S.C. on December 3, 2026, at 9:00 a.m. If no request is received by November 23, 2026, the hearing will be canceled. Written comments may be directed to Dr. Kathryn Gibson, Director, South Carolina Meat-Poultry Inspection Department, 500 Clemson Rd., Columbia, SC 29229 not later than November 23, 2026.

Preliminary Fiscal Impact Statement:

No additional state funding is requested.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION:

R.27-1022. State Poultry Products Inspection Regulation.

Purpose: To modernize, clarify and update the existing regulations which govern the inspection of poultry products produced for intrastate commerce. These updated regulations are necessary to comply with the federal Poultry Products Inspection Act, which establishes the Federal-State Cooperative Inspection Program. This cooperative agreement requires that state regulations be “at least equal to” applicable federal regulations, in return for which the federal government furnishes not greater than 50% of the funds required to maintain the state program. These regulations will allow the state program to maintain compliance with the terms of the federal cooperative agreement.

Legal Authority: 1976 Code Sections 47-4-30, 47-19-30, and 47-19-170.

Plan for Implementation: The state poultry inspection program has been in existence for many years, implementation of these proposed regulations will clarify and update the existing regulations.

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

None.

DETERMINATION OF COSTS AND BENEFITS:

None.

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:

None.

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. 5484
DEPARTMENT OF ENVIRONMENTAL SERVICES
CHAPTER 61
Statutory Authority: 1976 Code Sections 44-96-10 et seq., 48-6-10 et seq., and 2026 Act No. 146, effective May 15, 2026

61-107.3. Solid Waste Management: Waste Tires.

Preamble:

In May 2025, the Governor signed Act 33. The Department of Environmental Services (Department) is proposing to amend R.61-107.3, Solid Waste Management: Waste Tires, to incorporate Act 33's revisions and additions to the Department's requirements for waste tires. Act 33 expanded the manifesting and auditing system for waste tire haulers, added and clarified some definitions, implemented a new decal system for waste tire haulers, established a Statewide Waste Tire Facility List, and strengthened recordkeeping and reporting requirements for waste tire haulers and facilities.

The proposed amendments may also include corrections for clarity and readability, grammar, punctuation, codification, and other such regulatory text improvements.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

The Department had a Notice of Drafting published in the June 26, 2026, South Carolina State Register.

Section-by-Section Discussion:

Section	Type of Change	Purpose
R.61-107.3, Part I, B. Definitions	Addition	The following definitions from Act 33 are being added: 3. "Manifest" 8. "Regroovable tire" 9. "Regrooved tire" 15.(a) and (b) "Unsafe used tire" 16. "Used tire" 18. "Waste tire facility" 19. "Waste Tire Facility List"
	Revision	Renumbering definitions throughout section to accommodate the additions listed above.

	Revision	Revising definition 16, to become 23(a) and (b), "Waste tire hauler"
R.61-107.3, Part I, C. Manifesting	Addition Revision Addition Addition	Adding waste tire hauler information to the manifest requirements as stated in Act 33 Renumbering manifest requirements to accommodate addition Adding manifest submission requirements Adding audit program requirements
R.61-107.3, Part I, G. Statewide Waste Tire Facility List	Addition	Add the Statewide Waste Tire Facility List and its requirements to be included and removed
R.61-107.3, Part II, B. Registration, decals, and delinquency penalties	Revision Addition Addition	Renumber section to accommodate additions Adding decal requirements as required by Act 33 Adding delinquency penalties as required by the Act
R.61-107.3, Part II, E. Electronic Manifest Submission	Addition	Adding specification to submit manifests electronically to the Department
R.61-107.3, Part III, D. Operating Criteria	Addition	Adding statement about the Statewide Waste Tire Facility List as mentioned in the Act
R.61-107.3, Part III, F. Recordkeeping and Annual Reports	Addition	Adding requirements to maintain manifest records and cooperate with Department audits
R.61-107.3, Part IV, F. Recordkeeping and Annual Reports	Addition	Adding requirements to maintain manifest records and cooperate with Department audits
R.61-107.3, Part VI. Severability.	Addition	Adding severability clause

Notice of Public Hearing and Opportunity for Public Comment:

Interested persons may submit written comments on the proposed amendments to Sallie Williams of the Bureau of Land and Waste Management, South Carolina Department of Environmental Services, 2600 Bull Street, Columbia, S.C. 29201; swregdev@des.sc.gov. To be considered, the Department must receive comments no later than 5:00 p.m. on Monday, November 23, 2026, the close of the comment period.

Should a public hearing on the proposed regulations be requested by qualifying entities or the requisite number of persons pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, the South Carolina Administrative Law Court will conduct a public hearing on Thursday, December 17, 2026, beginning at 10:00 a.m. at the South Carolina Administrative Law Court, Edgar Brown Building, Second Floor, 1205 Pendleton Street, Columbia, S.C. 29201. If a qualifying request pursuant to Section 1-23-110(A)(3) is not received by 5:00 p.m. on Monday, November 23, 2026, the hearing will be cancelled.

Preliminary Fiscal Impact Statement:

The costs associated with the new decal program and its delinquency penalties will cover the costs of implementing and administering the manifest, decal, and auditing systems.

Statement of Need and Reasonableness:

The following presents an analysis of the factors listed in 1976 Code Sections 1-23-115(C)(1)-(3) and (9)-(11):

DESCRIPTION OF REGULATION: R.61-107.3. Solid Waste Management: Waste Tires.

Purpose: In May 2025, Act 33 was signed by the Governor. The Department of Environmental Services (Department) is proposing to amend R.61-107.3, Solid Waste Management: Waste Tires, to incorporate Act 33's revisions and additions to the Department's requirements for waste tires. The proposed amendment will allow the Department's regulations to maintain consistency with the Act and its new additions.

Legal Authority: 1976 Code Sections 44-96-10 et seq., 48-6-10 et seq., and 2026 Act No. 146, effective May 15, 2026.

Plan for Implementation: The amendments will take legal effect upon General Assembly approval and publication in the State Register. Department personnel will then take appropriate steps to inform the regulated community of the amendments.

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

The South Carolina Solid Waste Policy and Management Act of 1991 directed the Department to develop regulations to promote the recycling and proper management of waste tires. The Department promulgated the resulting regulation in 1993, with an amendment in 2015. The proposed amendments to R.61-107.3 include only the changes required by 2025 Act 33. As the Act is now promulgated, these changes are necessary and reasonable to maintain consistency between 2025 Act 33 and Department regulations.

A stakeholder workgroup met several times to discuss the proposed amendments. The workgroup included private sector representatives, including tire manufacturers, tire retailers, waste tire haulers, waste tire processors, and representatives of the waste management industry. The group solicited input from representatives of environmental organizations and the South Carolina Asphalt Pavers Association. Public sector representation was provided by state, county and municipal government representatives; state and local solid waste management representatives; the South Carolina Association of Counties; the South Carolina Department of Commerce; and Department staff.

DETERMINATION OF COSTS AND BENEFITS:

The costs associated with the new decal program and its delinquency penalties will be sufficient to cover the costs of implementing and administering the manifest, decal, and auditing systems.

UNCERTAINTIES OF ESTIMATES:

No foreseeable uncertainties of estimates relate to the cost to the State or its political subdivisions.

EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH:

While these revisions are expected to have many positive impacts, the primary intention is to reduce the likelihood of illegal dumping, collection, and storage of waste tires. Illegally stored tires attract vermin and increase mosquito populations, creating public health nuisances, and promoting disease in humans and animals.

Illegally dumped tires pose a fire hazard, and tire fires produce toxic fumes and harmful runoff. These revisions are expected to ensure that tires are managed properly, protecting both public health and the environment.

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

As waste tires remain an important topic in South Carolina, the proposed amendments strengthen waste tire management in the state, which protects the environment and public health from improperly collected, transported, and stored waste tires and illegally dumped tires that may cause mosquitoes or other vectors to proliferate.

Statement of Rationale:

Here below is the Statement of Rationale pursuant to S.C. Code Section 1-23-110(A)(3)(h):

The South Carolina Solid Waste Policy and Management Act of 1991 directed the Department to develop regulations to promote the recycling and proper management of waste tires. The Department promulgated the resulting regulation in 1993, with an amendment in 2015. The changes introduced by 2025 Act 33 are necessary to maintain consistency between the Act and Department regulations.

A stakeholder workgroup met several times to discuss the proposed amendments. The work group included private sector representatives, including tire manufacturers, tire retailers, waste tire haulers, waste tire processors, and representatives of the waste management industry. The group solicited input from representatives of environmental organizations and the South Carolina Asphalt Pavers Association. Public sector representation was provided by state, county and municipal government representatives; state and local solid waste management representatives; the South Carolina Association of Counties; the South Carolina Department of Commerce; and Department staff.

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. 5493
DEPARTMENT OF LABOR, LICENSING AND REGULATION
CHAPTER 10
Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70

10-37. Real Estate Commission.

Preamble:

The South Carolina Department of Labor, Licensing and Regulation proposes to add to, amend or repeal fees within the fee schedules for certain boards and commissions whose fees appear in Chapter 10 of the South Carolina Code of Regulations.

Section-by-Section Discussion:

10-37(A)(1). Strike biennial and strike fee.
10-37(A)(1)(a). Add Application Fee of $25
10-37(A)(1)(b). Restore $250 initial license fee former (A)(1).
10-37(A)(2). Strike biennial and strike fee.

10-37(A)(2)(a). Add Application Fee of $25.
10-37(A)(2)(b). Restore $250 initial license fee from (A)(2).
10-37(A)(3). Strike.
10-37(A)(4). Strike.
10-37(A)(5). Strike.
10-37(3). Add Associate.
10-37(3)(a). Add Application Fee and Application Fee of $25.
10-37(3)(b). Add Initial License Fee.
10-37(4). Add Reciprocity.
10-37(4)(a). Add Application Fee of $25.
10-37(4)(b). Add Initial License Fee for Broker/Property Manager of $25.
10-37(4)(c). Add Initial License Fee for Associate of $25.
10-37(B)(1). Strike biennial and add per office.
10-37(B)(2). Strike biennial.
10-37(B)(3). Replace Salesperson with Associate and strike biennial.
10-37(B)(4). Strike all and add Reinstatement fee of $15.
10-37(B)(5). No change.
10-37(C)(1). Strike.
10-37(C)(2). Renumber as (1).
10-37(C)(3). Renumber as (2).
10-37(C)(4). Renumber as (3).
10-37(C)(5). Renumber as (4) and add and/or Address.
10-37(C)(5). Add Company Name and/or Address change with a fee of $10.
10-37(C)(6). No change.
10-37(C)(6)(a). Replace $10 fee with $0.
10-37(C)(6)(b). Replace Activate with Reactivation of.
10-37(C)(6)(c). Replace Company Name or Address Change with Inactivation of License and replace $10 with $0.
10-37(C)(7). Strike $10 per licensee or maximum of $250 an office and replace with BIC/PMIC Additional Office (per location) and add fee of $125.
10-37(D). Strike all.
10-37(E). Reletter as (D).

The Notice of Drafting was published in the *State Register* on June 26, 2026.

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 11:00 AM on December 14, 2026. Written comments may be directed to Holly Beeson, Counsel to the Office of Communications and Governmental Affairs, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1329, no later than 5:00 p.m., November 23, 2026. 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 the promulgation of these regulations.

Statement of Need and Reasonableness:

The proposed regulation is necessary and reasonable as it will eliminate fees that are no longer charged, correct errors in the fee schedules and add fees where necessary.

DESCRIPTION OF REGULATION:

Purpose: The proposed regulation is offered to make corrections in the boards' and commissions' fee schedules. The proposed regulation will eliminate fees that are no longer charged, correct errors in the fee schedules, and add fees where necessary.

Legal Authority: 1976 Code Sections 40-1-50 and 40-1-70.

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

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

The proposed regulation is necessary and reasonable as it will eliminate fees that are no longer charged, correct errors in the fee schedules and add fees where necessary.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the state concerning 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 detrimental effect on the environment. These regulations contribute to the Department's function of protecting public health in the state of South Carolina but funding the processes necessary for licensure.

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 regulation will make corrections to the boards' and commissions' fee schedules. Specifically, it will eliminate fees that are no longer charged, correct errors in the fee schedules, and add fees where 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. 5496
DEPARTMENT OF LABOR, LICENSING AND REGULATION
CHAPTER 10
Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70

10-2. Board of Accountancy.
10-21. Board of Long Term Health Care Administrators.

Preamble:

The South Carolina Department of Labor, Licensing and Regulation proposes to add to, amend or repeal fees within the fee schedules for certain boards and commissions whose fees appear in Chapter 10 of the South Carolina Code of Regulations.

Section-by-Section Discussion:

10-2(1)-(2). No change.
10-2(3). No change.
10-2(3)(a). Strike through $95 and replace with $120.
10-2(3)(b). Strike through $95 and replace with $120.
10-2(4)-(5). No change.
10-2(6). No change.
10-2(6)(a). Strike through $60 and replace with $75.
10-2(6)(b). Strike through $60 and replace with $75.
10-2(7)-(8). No change.
10-21(A)(1). Increase fee from $200 to $230.
10-21(A)(2-3). No change.
10-21(A)(4). Increase fee from $175 to $200.
10-21(A)(5)(a). Increase fee from $350 to $525.
10-21(A)(5)(b)-(c). No change.
10-21(A)(6). Adding $25 fee for AIR, formerly AIT, candidate – Nursing Home – that was inadvertently omitted during the Board's revision of Regulation 93-80 in 2023.
10-21(B)(1). Increase fee from $100 to $115.
10-21(B)(2). Increase fee from $65 to $135.
10-21(B)(3). No change.
10-21(B)(4). Increase fee from $150 to $175.
10-21(B)(5)(a). Increase fee from $300 to $450.
10-21(B)(5)(b)-(c). No change.
10-21(B)(6). Adding $25 fee for AIR, formerly AIT, candidate – Community Residential Care Facility – that was inadvertently omitted during the Board's revision of Regulation 93-80 in 2023.
10-21(C)(1). Increase fee from $200 to $230.
10-21(C)(2). Increase fee from $65 to $135.
10-21(C)(3). No change.
10-21(C)(4). Increase fee from $255 to $295.
10-21(C)(5)(a). Increase fee from $650 to $750.
10-21(C)(5)(b)-(c). No change.
10-21(D)(1)-(6). No change.
10-21(D)(7)(a). Increase fee from $100 to $300.
10-21(D)(7)(b). Increase fee from $25 to $75.
10-21(D)(7)(c). Increase fee from $15 to $45.

The Notice of Drafting was published in the *State Register* on June 26, 2026.

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 AM on December 14, 2026. Written comments may be directed to Holly Beeson, Counsel to the Office of Communications and Governmental Affairs, South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1329, no later than November 23, 2026. 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 the promulgation of these regulations.

Statement of Need and Reasonableness:

South Carolina Code Section 40-1-50(D) requires that the Agency assess, collect, and adjust fees on behalf of each board biennially to ensure that fees are sufficient but not excessive to cover the expenses, including the total of the direct and indirect costs to the State, for the operations of each respective board. Following a comprehensive review of the budgets of all boards and commissions at the end of the fiscal year 2025-26, the Director concluded that fees for certain boards included herein must be adjusted to comport with Section 40-1-50(D). The fee adjustments are necessary to comply with S.C. Code Section 40-1-50(D), and are reasonable because they are increased or decreased in the amounts projected to cover the boards' direct and indirect costs only.

DESCRIPTION OF REGULATION:

Purpose: The proposed regulation is offered to comply with the statutory requirement that the Agency director assess and adjust fees of the professional and occupational licensing boards to ensure that fees are sufficient but not excessive to cover the expenses, including the total of the direct and indirect costs to the State, for the operations of each respective board.

Legal Authority: 1976 Code Sections 40-1-50 and 40-1-70.

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

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

The proposed regulation is necessary to carry out the requirements of S.C. Code Section 40-1-50(D) which provides that the Agency director shall assess and adjust fees of the professional and occupational licensing boards to ensure that fees are sufficient but not excessive to cover the expenses, including the total of the direct and indirect costs to the State, for the operations of each respective board.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the state concerning 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 detrimental effect on the environment. These regulations contribute to the Department's function of protecting public health in the state of South Carolina.

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 regulation will comport with the statutory requirement that the Agency director assess and adjust fees of the professional and occupational licensing boards to ensure that fees are sufficient but not excessive to cover the expenses, including the total of the direct and indirect costs to the State, for the operations of each respective board. Agency fees are also consolidated and scrivener's errors are corrected.

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. 5495
DEPARTMENT OF LABOR, LICENSING AND REGULATION
STATE BOARD OF DENTISTRY
CHAPTER 39
Statutory Authority: 1976 Code Sections 40-15-40 and 40-15-177(E)

39-5. Registration of Licenses or Certificates.
39-17. Guidelines for Sedation and General Anesthesia.

Preamble:

The South Carolina Board of Dentistry proposes to add to, repeal and/or amend its regulations, appearing in Chapter 39 of the South Carolina Code of Regulations, to include but not be limited to changes to R.39-5 regarding continuing education.

Section-by-Section Discussion:

39-5(A)-(E). No change.
39-5(F). No change.
39-5(F)(1)(a)-(f). No change.
39-5(F)(2)(a)-(d). No change.
39-5(F)(2)(e). Delete CPR.
39-5(F)(2)(f). Add practice management.
39-5(F)(2)(f)(i). Add limit of 4 CE hours for practice management for dentists and 1 for dental hygienists.
39-5(F)(3). Strike section allowing CE credit for CPR.
39-5(F)(4). No change.
39-5(F)(4)(a). Add American Academy of Dental Hygiene.
39-5(F)(4)(b)-(d). No change.

39-5(F)(5). Revise section requiring proof of CE attendance in manner required by the Board.
39-5(F)(6). Establishing penalty of administrative suspension for failure to provide proof of CE compliance.
39-5(F)(7). No change.
39-5(F)(8). Add CE exemption for residents through their first renewal period following residency.
39-5(F)(9). Renumber.
39-17. Repeal.

The Notice of Drafting was published in the *State Register* on August 28, 2026.

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 December 15, 2026. Written comments may be directed to Amy Holleman, Board Executive, Board of Dentistry, Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1329, no later than 5:00 p.m., November 23, 2026. If a qualifying request pursuant to Section 1-23-110(A)(3) is not received timely, 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 the promulgation of these regulations.

Statement of Need and Reasonableness:

The proposed regulations are both necessary and reasonable in that they amend requirements for continuing education, which is the primary way licensees ensure continuing competency, and repeal regulations that have been codified. Specifically, the proposed regulations would revise the requirements for continuing education for dentists and dental hygienists to remove from the list of topics for which continuing education hours may be accomplished courses in CPR and would add courses in practice management – four hours for dentists and one hour for dental hygienists. The proposed regulations would also add as an organization that could develop programs for continuing education, the American Academy of Dental Hygiene. Additionally, the proposed regulations would require applicants to provide the Board with certificates of compliance or letters from course sponsors in the form and manner required by the Board to demonstrate completion of required coursework, and the failure to provide such proof may result in administrative suspension. Finally, as to continuing education, the proposed regulations would allow individuals in residencies and through their first renewal period after the residency is complete to be exempt from continuing education requirements. The proposed regulations are also necessary because they repeal regulations for sedation dentistry that have now been codified.

DESCRIPTION OF REGULATION:

Purpose: The purpose of the proposed regulations is to update continuing education requirements and repeal regulations that have now been codified.

Legal Authority: S.C. Code Sections 40-15-40 and 40-15-177(E).

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.

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

The proposed regulations are both necessary and reasonable in that they amend requirements for continuing education, which is the primary way licensees ensure continuing competency, and repeal regulations that have been codified. Specifically, the proposed regulations would revise the requirements for continuing education for dentists and dental hygienists to remove from the list of topics for which continuing education hours may be accomplished courses in CPR and would add courses in practice management – four hours for dentists and one hour for dental hygienists. The proposed regulations would also add as an organization that could develop programs for continuing education, the American Academy of Dental Hygiene. Additionally, the proposed regulations would require applicants to provide the Board with certificates of compliance or letters from course sponsors in the form and manner required by the Board to demonstrate completion of required coursework, and the failure to provide such proof may result in administrative suspension. Finally, as to continuing education, the proposed regulations would allow individuals in residencies and through their first renewal period after the residency is complete to be exempt from continuing education requirements. The proposed regulations are also necessary because they repeal regulations for sedation dentistry that have now been codified.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the state concerning 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 detrimental effect on the environment. These regulations contribute to the board's function of protecting public health in the state of South Carolina.

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 amend requirements for continuing education, which is the primary way licensees ensure continuing competency, and repeal regulations that have been codified. Specifically, the proposed regulations would revise the requirements for continuing education for dentists and dental hygienists to remove from the list of topics for which continuing education hours may be accomplished courses in CPR and would add courses in practice management – four hours for dentists and one hour for dental hygienists. The proposed regulations would also add as an organization that could develop programs for continuing education, the American Academy of Dental Hygiene. Additionally, the proposed regulations would require applicants to provide the Board with certificates of compliance or letters from course sponsors in the form and manner required by the Board to demonstrate completion of required coursework, and the failure to provide such proof may result in administrative suspension. Finally, as to continuing education, the proposed regulations would allow individuals in residencies and through their first renewal period after the residency is complete to be exempt from continuing education requirements. The proposed regulations also repeal regulations for sedation dentistry that have now been codified.

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. 5489
DEPARTMENT OF LABOR, LICENSING AND REGULATION
SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
CHAPTER 49
Statutory Authority: 1976 Code Sections 40-1-70 and 40-22-60

49-202. Classifications and Scopes of Authority: Engineers and Surveyors.
49-460. Survey Types and Requirements.

Preamble:

The Board of Registration for Professional Engineers and Land Surveyors proposes to amend Chapter 49, to include but not be limited to correcting a scrivener's error in R.49-202.

Section-by-Section Discussion:

49-202(A). No change.
49-202(B)(1). No change.
49-202(B)(2)(a)(1)-(3) No change.
49-202(B)(2)(a)(4). Replace "C" with "B" in cross-reference.
49-202(B)(2)(a)(5). Replace "C" with "B" in cross-reference.
49-202(B)(2)(b)(1-2). No change.
49-202(B)(2)(b)(3). Replace "C" with "B" in cross-reference.
49-202(B)(2)(c)(1-2). No change.
49-202(B)(2)(c)(3). Replace "C" with "B" in cross-reference.
49-202(C). No change.
49-460(A). Corrected misspelling of "photogrammetric" by adding one missing "m". No other changes.
49-460(B). No change.
49-460(C)(1)-(6). No change.
49-460(C)(7). Change (3) to (2).
49-460(C)(8)-(9). No change.
49-460(D)-(F). No change.

A Notice of Drafting was published in the *State Register* on June 26, 2026.

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 December 16, 2026. Written comments may be directed to Lenora Addison-Miles, Board Executive, Board of Registration for Professional Engineers and Surveyors, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., on November 23, 2026. If qualifying requests pursuant to Section 1-23-110(A)(3) are 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 Board of Registration for Professional Engineers and Land Surveyors has determined it is reasonable and necessary to amend R.49-202 to correct a scrivener's error. In 2022, when the Engineers and Land Surveyors regulations were updated, the primary change to this section was to delete the distinction of Category A Professional Engineer and Category B Associate Professional Engineer. In doing so, subsection B (Category B Associate Professional Engineer) was deleted, and Tier A Land Surveyor was re-lettered from subsection C to subsection B but certain references were inadvertently not updated accordingly and are being corrected herein. The Board has also determined it is necessary to amend R. 49-460 to make a correction to renumber a section cross-reference after one subsection was deleted in 2022 but the renumbering to reflect that deleted section's removal did not take place. Finally, a misspelling was corrected in R.49-460.

DESCRIPTION OF REGULATION:

Purpose: The Board of Registration for Professional Engineers and Land Surveyors proposes to amend R.49-202 to correct a scrivener's error. In 2022, when the Engineers and Land Surveyors regulations were updated, the primary change to this section was to delete the distinction of Category A Professional Engineer and Category B Associate Professional Engineer. In doing so, subsection B (Category B Associate Professional Engineer) was deleted, and Tier A Land Surveyor was re-lettered from subsection C to subsection B but certain references were inadvertently not updated accordingly and are being corrected herein. The Board has also determined it is necessary to amend R. 49-460 to make a correction to renumber a section cross-reference after one subsection was deleted in 2022 but the renumbering to reflect that deleted section's removal did not take place. Finally, a misspelling was corrected in R.49-460.

Legal Authority: 1976 Code Sections 40-1-70 and 40-22-60.

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.

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

The Board of Registration for Professional Engineers and Land Surveyors has determined it is reasonable and necessary to amend R.49-202 to correct a scrivener's error. In 2022, when the Engineers and Land Surveyors regulations were updated, the primary change to this section was to delete the distinction of Category A Professional Engineer and Category B Associate Professional Engineer. In doing so, subsection B (Category B Associate Professional Engineer) was deleted, and Tier A Land Surveyor was re-lettered from subsection C to subsection B but certain references were inadvertently not updated accordingly and are being corrected herein. The Board has also determined it is necessary to amend R. 49-460 to make a correction to renumber a section cross-reference after one subsection was deleted in 2022 but the renumbering to reflect that deleted section's removal did not take place. Finally, a misspelling was corrected in R.49-460.

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 regulation will amend R.49-202 to correct a scrivener's error. In 2022, when the Engineers and Land Surveyors regulations were updated, the primary change to this section was to delete the distinction of Category A Professional Engineer and Category B Associate Professional Engineer. In doing so, subsection B (Category B Associate Professional Engineer) was deleted, and Tier A Land Surveyor was re-lettered from subsection C to subsection B but certain references were inadvertently not updated accordingly and are being corrected herein. The Board has also determined it is necessary to amend R. 49-460 to make a correction to renumber a section cross-reference after one subsection was deleted in 2022 but the renumbering to reflect that deleted section's removal did not take place. Finally, a misspelling was corrected in R.49-460.

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. 5491
DEPARTMENT OF LABOR, LICENSING AND REGULATION
SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE
CHAPTER 57
Statutory Authority: 1976 Code Sections 40-1-70, 40-19-60, 40-19-70, and 40-19-230(E)

57-09. Provisions for Biennial Renewal of Licenses and Reactivation of Expired Licenses.

Preamble:

The South Carolina Board of Funeral Service proposes to amend R.57-09 regarding renewal and reactivation of expired licenses.

Section-by-Section Discussion:

Title. Change Reactivation to Revival.
57-09(A). Strike all.
57-09(B). Reletter as A. Add "by July 1st shall have their licensed marked as expired." After "Licensees who have not properly renewed their licenses." Strike all remaining language.
57-09(C). Reletter as B. Strike existing language. Establish process for renewing license through July 30.
57-09 (C). Add new language establishing the process to revive licenses not renewed by July 31st with: Section (1) applying to licensees who fail to renew between July 31 and December 31 of the same year as renewal; Section (2) applying to licensees who fail to renew between January 1 of the year following renewal and June 30 of the fourth year after renewal was scheduled to take place; and Section (3) applying to licensees who fail to renew between July 1 of the fourth year after renewal was scheduled to take place and June 30 of the sixth year after renewal was scheduled to take place.

57-09(D). New section providing that an expired license not revived by June 30 of the sixth year after renewal was to take place is cancelled
57-09(E). Former section D. Strike expired for more than five years and replace with cancelled. Add that the state law exam, not national exam, is required. Add that exam must be passed, not just taken, and the apprenticeship must be re-completed.
57-09(F). Forner section E. Strike reactivation and replace with revival.

A Notice of Drafting was published in the *State Register* on September 25, 2026.

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 2:00 P.M. on January 5, 2027. Written comments may be directed to Matalie Mickens, Board Executive, Board of Funeral Service, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., November 23, 2026. If qualifying requests pursuant to Section 1-23-110(A)(3) of the 1976 Code are 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:

These regulations are reasonable and necessary to conform to the renewal requirements established in S.C. Code Section 40-19-230(E) and to further establish the procedure for revival of a license following the failure to timely renew.

DESCRIPTION OF REGULATION:

Purpose: The South Carolina Board of Funeral Service proposes to amend R.57-09 regarding renewal and revival of expired licenses.

Legal Authority: 1976 Code Sections 40-1-70, 40-19-60, 40-19-70 and 40-19-230(E).

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.

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

These regulations are reasonable and necessary to conform to the renewal requirements established in S.C. Code Section 40-19-230(E) and to further establish the procedure for revival of a license following the failure to timely renew.

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 proposed regulations will conform to the renewal requirements established in S.C. Code Section 40-19-230(E) and will further establish the procedure for revival of a license following the failure to timely renew.

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. 5490
DEPARTMENT OF LABOR, LICENSING AND REGULATION
SOUTH CAROLINA STATE BOARD OF FUNERAL SERVICE
CHAPTER 57
Statutory Authority: 1976 Code Sections 40-1-70, 40-19-60, and 40-19-70

57-01. Definitions.
57-03. Meetings.
57-04. General Licensing Provisions for Embalmers.
57-05. General Licensing Provisions for Funeral Directors.
57-06. General Licensing Provisions for Apprentice Funeral Directors or Apprentice Embalmers.
57-06.1. Apprenticeship Requirements.
57-10. Provisions for Permitting of Funeral Establishments.
57.11. Continuing Education Requirements for Embalmers and Funeral Directors.
57-13.1. Code of Ethics.
57-13.2. Websites.
57-14.1. Records.
57-14.2. Equipment and practices.

Preamble:

The South Carolina Board of Funeral Service proposes to consider amendments to the regulations to conform to S.583, remove duplicative parts, correct a statutory reference, and make other amendments to provide guidelines related to apprenticeships, advertising, and required equipment.

Section-by-Section Discussion:

57-01(A)-(G). No change.
57-01(H). Delete definition of Cremation Casket and replace with cross-reference to statute.

57-01 (I). Delete definition of Alternative container and replace with cross-reference to statute.
57-01 (J)-(L). No change.
57-03 (A)-(B). No change.
57-03 (C). Correct cross-reference to statute, Section 1-3-240 to 245.
57-04 (A). Strike all.
57-04 (B)-(C). Re-letter.
57-05(A)-(D). Strike all. Re-letter as (A) and replace language with cross-reference to statute.
57-05(E). Re-letter as (B).
57-06. Delete colon at the end of the sentence.
57-06(A)-(B). Strike all.
57-06(C). Delete lettering and add to first sentence. Add cross-reference to statute at the end of the sentence.
57-06.1 (1)-(3). No change.
57-06.1(4). Establishing authority for supervisor to transfer supervision in writing to designated licensed embalmer or funeral director temporarily.
57-06.1(5). Add thirty day deadline for supervisor to provide apprentice with affidavit showing length of time served.
57-06.1(6)-(10). No change.
57-10(A). Strike language.
57-10(B) and (C). Re-letter.
57-10(D). Add "licensed funeral director" before manager each time it appears.
57.11(A). Replace six hours of formal continuing education during every licensure period as a condition of renewal with cross-reference to the statute. Replace CE exemption requirements with cross-reference to statute.
57-11(B)-(C). No change.
57-11(D). New section on applying out-of-state licensure toward CE exemption.
57-13(A)-(F). No change.
57-13(G)(1)-(4). No change.
57-13(G)(5). Correct spelling of alternative and remove footnote regarding same.
57-13(G)(6)-(7). No change.
57-13.2 Rename section to Advertising.
57-13.2(A). Delete first sentence and replace with requirement to list staff members as licensed or unlicensed if staff members are listed on the website. Add expired to list of license types prohibited from appearing on website. Add requirements for listing apprentices on website.
57-13(B). New section on prohibition on funeral establishment's advertising prior to licensure.
57-14.1(A)(1)-(9). No change.
57.14.1(A)(10). New section requiring information on dentist removing dental gold or other dental work.
57-14.1(B). Strike language.
57-14.1 (C) - (E). Reletter.
57-14.1 (F). Reletter as E. Strike language and clarify that cremation of humans in crematory retort used for animals is prohibited.
57-14.2(A). No change.
57-14.2(B)(1)-(5). No change.
57-14.2(B)(6). New section requiring crematory to have hand magnets to separate metal from cremated remains.
57-14.2(C)-(K). No change.

A Notice of Drafting was published in the *State Register* on May 22, 2026.

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 2:00 P.M. on December 16, 2026. Written comments may be directed to Matalie Mickens, Board Executive, Board of Funeral Service, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289,

no later than 5:00 p.m., November 23, 2026. If qualifying requests pursuant to Section 1-23-110(A)(3) of the 1976 Code are 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:

These regulations are necessary to conform to laws passed during the 2026 legislative session, including Act No. 112 of the 2026 legislative session. The regulations are reasonable in that they track the language of the legislation and do not expand upon the authority granted therein.

DESCRIPTION OF REGULATION:

Purpose: The Board is amending its regulations to conform to S.583, remove duplicative parts, correct a statutory reference, and make other amendments to provide guidelines related to apprenticeships, advertising, and required equipment.

Legal Authority: 1976 Code Sections 40-1-70, 40-19-60, and 40-19-70.

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.

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

The Board is amending its regulations to conform to S.583, remove duplicative parts, correct a statutory reference, and make other amendments to provide guidelines related to apprenticeships, advertising, and required equipment.

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 Board is amending its regulations to conform to S.583, remove duplicative parts, correct a statutory reference, and make other amendments to provide guidelines related to apprenticeships, advertising, and required equipment.

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. 5492
DEPARTMENT OF LABOR, LICENSING AND REGULATION
STATE BOARD OF MEDICAL EXAMINERS
CHAPTER 81
Statutory Authority: 1976 Code 40-1-70, 40-47-5, 40-47-10, 40-47-20, 40-47-205, 40-47-590(C), 40-47-640, and 40-47-930(C)

81-92. Collaborative Practice Agreements Between Physicians and Pharmacists. (New)

Preamble:

The South Carolina Board of Medical Examiners proposes adding, amending and/or repealing regulations including, but not limited to regulations regarding reinstatement for PAs and RCPs, collaborative practice, and Ketamine.

Section-by-Section Discussion:

81-92. New Section on Collaborative Practice Agreements Between Physicians and Pharmacists.

A Notice of Drafting was published in the *State Register* on July 24, 2026.

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 2:00 P.M. on December 15, 2026. Written comments may be directed to Bob Horner, Counsel, Board of Medical Examiners, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11289, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., November 23, 2026. 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 are reasonable and necessary as they aim to balance increased access to evidence-based medication management services with physician led care coordination. The regulations do not authorize medical diagnosis by pharmacists, do not authorize controlled substance prescribing, and do not diminish the physician's responsibility for diagnosis, treatment goals, or overall care planning. The regulations permit pharmacist activity only through a written CPA, supported by evidence-based protocols, documented in a shared electronic medical

record or HIPAA compliant written record sharing process, and subject to physician review, override, and quality assurance.

DESCRIPTION OF REGULATION:

Purpose: The proposed regulations aim to balance increased access to evidence-based medication management services with physician led care coordination. The regulations do not authorize medical diagnosis by pharmacists, do not authorize controlled substance prescribing, and do not diminish the physician's responsibility for diagnosis, treatment goals, or overall care planning. The regulations permit pharmacist activity only through a written CPA, supported by evidence-based protocols, documented in a shared electronic medical record or HIPAA compliant written record sharing process, and subject to physician review, override, and quality assurance.

Legal Authority: 1976 Code Sections 40-1-70, 40-47-5, 40-47-10, 40-47-70, and 40-47-1230.

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.

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

These regulations are reasonable and necessary in that they aim to balance increased access to evidence-based medication management services with physician led care coordination. The regulations do not authorize medical diagnosis by pharmacists, do not authorize controlled substance prescribing, and do not diminish the physician's responsibility for diagnosis, treatment goals, or overall care planning. The regulations permit pharmacist activity only through a written CPA, supported by evidence-based protocols, documented in a shared electronic medical record or HIPAA compliant written record sharing process, and subject to physician review, override, and quality assurance.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the state for the promulgation of these regulations. This would result in a cost-savings to the State.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates concerning the regulations.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

There will be no detrimental effect on the environment and public health of this State if this regulation is implemented.

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

Failure to approve this regulation could be detrimental to the health of the citizens of this state as codes of ethics provide guidance to healthcare professional that protect patients' rights and support safety, health and well-being of patients.

Statement of Rationale:

These updated regulations are reasonable and necessary in that they aim to balance increased access to evidence-based medication management services with physician led care coordination. The regulations do not authorize medical diagnosis by pharmacists, do not authorize controlled substance prescribing, and do not diminish the physician's responsibility for diagnosis, treatment goals, or overall care planning. The regulations permit pharmacist activity only through a written CPA, supported by evidence-based protocols, documented in a shared electronic medical record or HIPAA compliant written record sharing process, and subject to physician review, override, and quality assurance.

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. 5487
DEPARTMENT OF LABOR, LICENSING AND REGULATION
SOUTH CAROLINA BOARD OF OCCUPATIONAL THERAPY
CHAPTER 94
Statutory Authority: 1976 Code Sections 40-1-70 and 40-36-10 et seq.

94-07. Reactivation of Inactive or Lapsed Licenses.

Preamble:

The South Carolina Board of Occupational Therapy proposes to amend Chapter 94 regarding continuing education.

Section-by-Section Discussion:

94-07. No change.
94-07(1). Delete requirement that continuing education for reactivating a license be in person.
94-07(2). Delete requirement that continuing education for reactivating a license be in person.
94-07(3). Delete requirement that continuing education for reactivating a license be in person.
94-07(4). No change.

The Notice of Drafting was published in the *State Register* on June 26, 2026.

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 2:00 PM on December 11, 2026. Written comments may be directed to Mack Williams, Board Executive for the Board of Occupational Therapy, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11289, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., November 23, 2026. 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 regulations are necessary and reasonable because they increase the opportunities for licensees to obtain continuing education in order to reactivate an inactive or lapsed license in order to return to practice in the profession. Licensees do not always have ready access to in-person continuing education opportunities, primarily because few in-person opportunities are available locally, so deleting the in-person requirement will open the field to available learning online while not excluding in-person learning opportunities if available.

DESCRIPTION OF REGULATION:

Purpose: The regulation will delete the requirement that continuing education for reactivating a license be in person.

Legal Authority: 1976 Code Sections 40-1-70 and 40-36-10 et seq.

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.

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

The regulations are necessary and reasonable because they increase the opportunities for licensees to obtain continuing education in order to reactivate an inactive or lapsed license in order to return to practice in the profession. Licensees do not always have ready access to in-person continuing education opportunities, primarily because few in-person opportunities are available locally, so deleting the in-person requirement will open the field to available learning online.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the state for the promulgation of these regulations. This would result in a cost-savings to the State.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates concerning the regulations.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

There will be no detrimental effect on the environment and public health of this State if this regulation is implemented.

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

Failure to approve this regulation could be detrimental to the health of the citizens of this state if the regulation, as written, deters licensees who are inactive from returning to practice.

Statement of Rationale:

The regulations are necessary and reasonable because they increase the opportunities for licensees to obtain continuing education in order to reactivate an inactive or lapsed license in order to return to practice in the profession. Licensees do not always have ready access to in-person continuing education opportunities, primarily because few in-person opportunities are available locally, so deleting the in-person requirement will open the field to available learning online.

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. 5488
DEPARTMENT OF LABOR, LICENSING AND REGULATION
STATE BOARD OF PHARMACY
CHAPTER 99
Statutory Authority: 1976 Code Sections 40-1-70, 40-1-77(I), 40-43-30(8), (19), and (54), 40-43-60(D)(5) and (8), 40-43-83(C), 40-43-86(CC)(2)(a), and 40-43-245

99-43. Facility Permit Classifications.
99-48. Compounding generally.
99-49. Sterile Preparation. (New)
99-50. Hazardous Drug Preparation. (New)
99-55. Collaborative Practice Agreements Between Physicians and Pharmacists. (New)

Preamble:

The South Carolina Board of Pharmacy proposes adding, amending and/ or repealing various sections of Chapter 99, to include but not be limited to compounding and collaborative practice agreements.

Section-by-Section Discussion:

99-43A. No change.
99-43B(1)(a)-(b)(1). No change.
99-43B(1)(b)(2) add “and Regulations” at the end of the sentence.
99-43B(2)(a)-(b). No change.
99-43B(2)(c). No change.
99-43B(2)(c)(1). Strike existing language and replace with alternate language concerning training.
99-43B(2)(c)(2)-(d). No changes.
99-43B(3)-(4). No change.
99-43C-H. No change.
99-43I(1)-(3)(a). No change.
99-43I(3)(b). add “and Regulations” at the end of the sentence.
99-48. Strike existing language and replace with new language regarding compounding generally.
99-49. New section on sterile preparation.
99-50. New section on hazardous drug preparation.
99-55. New section on collaborative practice.

The Notice of Drafting was published in the *State Register* on June 26, 2026.

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 AM on December 11, 2026. Written comments may be directed to Kayce Shealy, Chief Drug Inspector and Board Executive, Board of Pharmacy, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., November 23, 2026. 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 both necessary and reasonable in that they correct and clarify existing sections of the code, and establish regulations for compounding and collaborative practice, in accordance with S.C. Code Sections 40-43-86(CC)(2)(a) and 40-43-245.

DESCRIPTION OF REGULATION:

Purpose: The proposed regulations are both necessary and reasonable in that they correct and clarify existing sections of the code, and establish regulations for compounding and collaborative practice, in accordance with S.C. Code Sections 40-43-86(CC)(2)(a) and 40-43-245.

Legal Authority: 1976 Code Sections 40-1-70, 40-1-77(I), 40-43-30(8), 40-43-60(D)(5) and (8), 40-43-83(C) and 40-43-86(CC)(2)(a), 40-43-150.

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 permittees of the revised regulation and post the revised regulations on the agency's website.

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

The proposed regulations are both necessary and reasonable in that they correct and clarify existing sections of the code, and establish regulations for compounding and collaborative practice, in accordance with S.C. Code Sections 40-43-86(CC)(2)(a) and 40-43-245.

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:

If these regulations are not implemented, there is a potential danger to the public health as pharmacies could dispense contaminated drugs or drugs that have are more potent or less potent than necessary to treat the conditions for which they are prescribed. This could lead to adverse drug reactions, infections and death.

Statement of Rationale:

The updated regulations will correct and clarify existing sections of the code, and establish regulations for compounding and collaborative practice, in accordance with S.C. Code Sections 40-43-86(CC)(2)(a) and 40-43-245.

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. 5494
DEPARTMENT OF LABOR, LICENSING AND REGULATION
SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD
CHAPTER 137
Statutory Authority: 1976 Code Sections 40-1-70, 40-60-10(I), and 40-60-38

137-100.02. Qualifications.

Preamble:

The South Carolina Real Estate Appraisers Board proposes to amend Chapter 137 to conform to Federal law and regulations and to make various other changes.

Section-by-Section Discussion:

137-100.02(A)-(B). No change.
137-100.02(C)(1)-(3). No change.
137-100.02(C)(4). Add “approved” to AQB Practical Applications of Real Estate Appraisal and add “or Practicum” as an alternative. Strike “State” before practicum program and change the upper case “P” in “practicum” to lower case. Strike “as” before “approved”. Add that any practicum program approved by the Board that is not currently approved by the AQB or an accredited college or university shall meet standards approved and monitored by the Board.
137-100.02(C)(5). No change.
137-100.02(D)(1)-(6). No change.
137-100.02(D)(7). Replace lowercase “c” in “Complete” with uppercase “C”. Add “approved” to AQB Practical Applications of Real Estate Appraisal and add “or Practicum” as an alternative. Strike “State” before practicum program and change the upper case “P” in “practicum” to lower case. Strike “as” before “approved”. Add that any practicum program approved by the Board that is not currently approved by the AQB or an accredited college or university shall meet standards approved and monitored by the Board.
137-100.02(D)(8). No change.
137-100.02(E)(1)-(3). No change.
137-100.02(E)(4). Change “and” to “or”.
137-100.02(E)(5). Add new section allowing applicants for certified general real estate appraiser or certified general mass appraiser to complete an AQB-approved Practical Applications of Real Estate Appraisal or Practicum program or a practicum program approved by the Board, along with the Core Curriculum. Further add that any practicum program approved by the Board that is not currently approved by the AQB or an accredited college or university shall meet standards approved and monitored by the Board.

The Notice of Drafting was published in the *State Register* on June 26, 2026.

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 2:00 P.M. on December 17, 2026. Written comments may be directed to Laura Smith, Board Executive Real Estate Appraisers Board, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., November 23, 2026. If qualifying requests pursuant to Section 1-23-110(A)(3) are 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 expand the types of programs appraiser applicants may take to fulfill hands-on experience requirements needed for licensure. In the past, appraiser applicants were required to work under direct supervision of licensed appraisers to obtain experience requirements, and supervisors proved difficult to find, thereby serving as a barrier to licensure. Adding practicum programs provides online modules, interactive tools and virtual environments to guide applicants through realistic property assignments. They learn how to apply appraisal theory, research market data and complete reports that follow USPAP. Currently, the regulation allows applicants to complete an AQB Practical Applications of Real Estate Appraisal (PAREA) program or a practicum program approved by the Board, and the Board believes it is reasonable to clarify that the Board-approved practicum program, which is not one currently approved by the AQB, or an accredited college or university, shall meet standards approved and monitored by the Board.

DESCRIPTION OF REGULATION:

Purpose: The proposed regulations are necessary to expand the types of programs appraiser applicants may take to fulfill hands-on experience requirements needed for licensure.

Legal Authority: 1976 Code Sections Section 40-1-70, 40-60-10(I), and 40-60-38.

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.

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

The proposed regulations are necessary to expand the types of programs appraiser applicants may take to fulfill hands-on experience requirements needed for licensure. In the past, appraiser applicants were required to work under direct supervision of licensed appraisers to obtain experience requirements, and supervisors proved difficult to find, thereby serving as a barrier to licensure. Adding practicum programs provides online modules, interactive tools and virtual environments to guide applicants through realistic property assignments. They learn how to apply appraisal theory, research market data and complete reports that follow USPAP. Currently, the regulation allows applicants to complete an AQB Practical Applications of Real Estate Appraisal (PAREA) program or a practicum program approved by the Board, and the Board believes it is reasonable to clarify that the Board-approved practicum program, which is not one currently approved by the AQB, or an accredited college or university, shall meet standards approved and monitored by the Board.

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 are necessary to expand the types of programs appraiser applicants may take to fulfill hands-on experience requirements needed for licensure. In the past, appraiser applicants were required to work under direct supervision of licensed appraisers to obtain experience requirements, and supervisors proved difficult to find, thereby serving as a barrier to licensure. Adding practicum programs provides online modules, interactive tools and virtual environments to guide applicants through realistic property assignments. They learn how to apply appraisal theory, research market data and complete reports that follow USPAP. Currently, the regulation allows applicants to complete an AQB Practical Applications of Real Estate Appraisal (PAREA) program or a practicum program approved by the Board, and the Board believes it is reasonable to clarify that the Board-approved practicum program, which is not one currently approved by the AQB, or an accredited college or university, shall meet standards approved and monitored by the Board.

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. 5486
SOUTH CAROLINA LOTTERY COMMISSION
CHAPTER 44
Statutory Authority: 1976 Code Section 59-150-60

44-10 – 44.140. South Carolina Education Lottery.

Preamble:

The South Carolina Lottery Commission proposes amending Regulations 44-10 – 44-140 by deleting, adding to, updating and clarifying Sections 44-10 – 44-140.

Section-by-Section Discussion:

Section	Type of Change	Purpose
44-10.D.	Deletion, Addition	Deletes unnecessary language and adds SCEL as a payor. This is needed for SCEL promotional events.

44-10.E.	Deletion, Addition	Replaces Certified Public Accountant with Auditor and clarifies language.
44-10.G.	Deletion	Clarifies language.
44-10.H.	Deletion, Addition	Clarifies language.
44-10.K.	Deletion, Addition	Updates language to current practice and industry terms.
44-10.L.	Deletion, Addition	Updates language to current industry terms.
44-10.M.	Deletion, Addition	Updates language to current industry terms.
44-10.P.	Deletion, Addition	Clarifies language and updates to current industry terms.
44-10.R.	Deletion, Addition	Update to current industry terms.
44-10.S.	Deletion, Addition	Update to current industry term.
44-10.T.	Deletion, Addition	Update to current industry term.
44-10.V.	Deletion, Addition	Clarifies language.
44-10.W.	Addition	Clarifies language.
44-10.X.	Deletion, Addition	Clarifies language and updates to current industry terms.
44-10.Y.	Deletion, Addition	Clarifies language and updates to current industry terms.
44-10.Z.	Deletion, Addition	Updates language.
44-10.BB.	Deletion, Addition	Updates to current industry terms.
44-10.CC.	Addition	Updates language.
44-10.DD.	Deletion, Addition	Updates to current industry terms.
44-10.EE.	Deletion, Addition	Updates to current industry terms.
44-10.FF.	Deletion, Addition	Updates to current industry terms.
44-20.30A.	Deletion, Addition	Replaces Commission with Executive Director.
44-20.60.C.(2)(d)	Addition	Clarifies language.
44-20.60.C.(2)(f)	Deletion, Addition	Updates language so that other forms of payment may be made as allowed by law.
44-20.60.C.(2)(g)	Deletion, Addition	Updates to current industry terms.
44-20.60.C.(2)(h)	Deletion, Addition	Updates to current industry terms.
44-20.60.D.(6)	Addition	Adds requirement of video or surveillance recordings.
44-30.B.	Deletion, Addition	Updates to proper court name.
44-30.C.	Deletion, Addition	Updates to current practice.
44-30.D.	Addition	Updates to current industry terms.
44-40.10.	Deletion, Addition	Updates to current industry terms.
44-40.10.A.	Deletion, Addition	Updates to current industry terms.
44-40.10.A.(1)	Deletion, Addition	Updates to current industry terms.
44-40.10.A.(1)(a)	Deletion, Addition	Updates to current industry terms.
44-40.10.A.(1)(b)	Deletion, Addition	Updates to current industry terms, clarifies language.
44-40.10.A.(1)(c)	Deletion, Addition	Updates to current industry terms.
44-40.10.A.(1)(d)	Deletion, Addition	Updates to current industry terms.
44-40.10.A.(1)(e)	Deletion, Addition	Updates to current industry terms.
44-40.10.A.(1)(f)	Deletion, Addition	Updates to current industry terms and current practice.

44-40.10.B.	Deletion, Addition	Updates to current industry terms.
44-40.10.B.(3)	Addition	Updates language to allow for electronic clams and payments.
44-40.10.B.(4)	Deletion, Addition	Renumber.
44-40.10.B.(5)	Deletion, Addition	Renumber and updates language to allow for other forms of payment.
44-40.10.C(1)	Deletion, Addition	Updates to current industry terms and clarifies language to current practice.
44-40.10.C(2)	Deletion	Updates to current practice. Retailers can no longer sell tickets after game ends.
44-40.20.	Deletion, Addition	Updates to current industry terms.
44-40.20.A.	Deletion, Addition	Updates to current industry terms.
44-40.20.A.(1)	Deletion, Addition	Updates to current industry terms.
44-40.20.A.(1)(a)	Deletion, Addition	Updates to current industry terms.
44-40.20.A.(1)(b)	Deletion, Addition	Updates to current industry terms.
44-40.20.A.(1)(c)	Deletion, Addition	Updates to current industry terms.
44-40.20.A.(1)(d)	Deletion, Addition	Updates to current industry terms.
44-40.20.A.(1)(e)	Deletion, Addition	Updates to current industry terms.
44-40.20.A.(1)(f)	Deletion, Addition	Updates to current industry terms, clarifies language.
44-40.20.A.(1)(g)	Deletion, Addition	Updates to current industry terms.
44-40.20.A.(1)(h)	Deletion, Addition	Updates to current industry terms.
44-40.20.B.	Deletion, Addition	Updates to current industry terms.
44-40.20.C.	Deletion, Addition	Updates to current practice, defacing is no longer needed.
44-40.50.10.	Deletion, Addition	Updates to current industry terms.
44-40.50.10.A.	Deletion, Addition	Updates to current industry terms.
44-40.50.10.C.	Deletion, Addition	Updates to current industry terms, clarifies current practice.
44-40.50.10.D.	Deletion, Addition	Updates to current industry terms.
44-40.50.10.D.(2)	Deletion, Addition	Updates to current industry terms.
44-40.50.10.D.(F)	Deletion, Addition	Updates to current industry terms.
44-40.50.10.G.	Addition	Adds language to allow procedures for electronic claims and payments.
44-40.50.10.H.	Deletion, Addition	Re-Letter, updates language to allow for other forms of payment.
44-50.20.B.	Deletion, Addition	Updates to current industry terms, clarifies language.
44-50.20.C.	Deletion, Addition	Updates to current industry terms, changes accountant to auditor.
44-50.20.D.	Deletion, Addition	Updates to current practice.
44-50.20.E.	Deletion	Live TV may be impractical, prohibitively expensive or not available. Drawings are also posted on the internet.
44-50.20.F.	Deletion, Addition	Updates to current industry terms.
44-50.20.F.(1)	Deletion, Addition	Updates to current industry terms.
44-50.20.G.	Deletion	No longer needed. Drawings are posted on the internet.
44-50.20.H.	Deletion, Addition	Clarifies current practice.
44-50.30.	Deletion, Addition	Updates to current industry terms.

44-50.30.A.	Deletion, Addition	Updates to current industry terms.
44-50.30.C.	Deletion, Addition	Updates to current industry terms.
44-50.30.D.	Deletion, Addition	Updates to current industry terms.
44-55.	Deletion, Addition	Updates to current industry terms.
44-55.A.	Deletion, Addition	Updates to current industry terms, corrects Statute Section, clarifies language.
44-60.	Deletion	No longer needed for current operations. The Executive Director has responsibility for game rules.
44-70.G.	Addition	Clarifies language.
44-80.A.	Addition	Clarifies language.
44-80.C.	Addition	Clarifies language.
44-80.E.	Deletion, Addition	Clarifies language.
44-90.20.B.(4)	Deletion, Addition	Adds 12 month time frame for clarity.
44-90.20.B.(5)	Addition	Adds language giving the Executive Director discretion to protect SCEL from monetary loss.
44-90.30.B.	Deletion, Addition	Clarifies language, updates language to allow payment electronically.
44-90.30.B.(4)	Addition	Updates language to allow for electronic payments.
44-90.30.B.(6)	Deletion, Addition	Updates language allowing Executive Director to designate payment approval, updates to current industry terms.
44-90.40.	Addition	Updates title.
44-90.40.A.	Addition	Adds "cash" as a form of security, adds additional factors to consider regarding retailer financial stability.
44-130.D.	Deletion	Updates language to current practice.

The Notice of Drafting was published in the *State Register* on August 28, 2026.

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 1333 Main Street, 1st Floor Conference Room, Columbia, S.C. 29201 on December 9, 2026, at 10:00 a.m. Written comments may be directed to David M. Ross, Deputy Chief Legal Counsel, South Carolina Education Lottery, P.O. Box 11949, Columbia, S.C. 29211-1949. To be considered, comments must be received no later than 5:00 p.m. on Tuesday, November 24, 2026, the close of the comment period. If a qualifying request pursuant to Section 1-23-110(A)(3) is not received by 5:00 p.m. on Tuesday, November 24, 2026, the hearing will be cancelled.

Preliminary Fiscal Impact Statement:

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

Statement of Need and Reasonableness:

The statement of need and reasonableness was determined by staff analysis pursuant to SC Code Section 1-23-115(C)(1) through (3) and (9) through (11).

DESCRIPTION OF REGULATION:

Purpose: The Agency seeks to amend the regulations to update and clarify language.

Legal Authority: 1976 Code Section 59-150-60.

Plan for Implementation:The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. The South Carolina Lottery Commission will notify retailers and post the regulations on the Agency's website.

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

The Agency seeks to amend the regulations to update and clarify language.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the State or its political subdivisions. Benefit will be to clarify and update language and provide greater flexibility for the Agency to carry out its mission.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates concerning the regulations.

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:

These regulations are being updated to clarify and update language and provide greater flexibility for the Agency to carry out its mission.

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. 5481
DEPARTMENT OF PUBLIC SAFETY
CHAPTER 38
Statutory Authority: 1976 Code Sections 23-6-20 and 23-6-30

38-600. Regulation of Wrecker Services.

Preamble:

The South Carolina Department of Public Safety proposes to establish regulations governing wrecker services utilized by the Department on rotation lists, including requirements for qualification, equipment, personnel, business locations, insurance, records, rotation lists, dispatch procedures, vehicle release, complaints, disciplinary procedures, classifications, and rates.

A Notice of Drafting for the proposed regulation was published in the *State Register* on September 25, 2026.

The proposed amendment will require legislative review.

Section-by-Section Discussion:

38-600. This section establishes requirements applicable to all wrecker services utilized by the South Carolina Department of Public Safety on rotation lists.

Notice of Public Hearing and Opportunity for Public Comment:

Should a public hearing be requested pursuant to Section 1-23-100(A)(3) of the 1976 Code of Laws, as amended, it will be conducted at the Administrative Law Court, 1205 Pendleton Street, Edgar Brown Building, Second Floor, Suite 224, Columbia, SC, on December 2, 2026, at 10 AM. Written comments about the proposed regulation or requests for a hearing should be directed to Michael Thompson, Director of Governmental Affairs, 10311 Wilson Boulevard, Blythewood, SC 29016, no later than 5:00 p.m. on November 23, 2026.

Preliminary Fiscal Impact Statement:

The proposed regulation is not expected to have a material fiscal impact on state or local governments. The Department may incur administrative costs associated with reviewing applications, conducting inspections, maintaining rotation lists, investigating complaints, and administering disciplinary procedures, but these costs can be absorbed by the Department.

Wrecker services may incur minimal cost increases associated with compliance to equipment, insurance, personnel, recordkeeping, business-location, and response-time requirements. The amount of any fiscal impact cannot be determined because costs will vary depending on the existing practices, equipment, facilities, staffing, and insurance coverage of each wrecker service.

Statement of Need and Reasonableness:

The regulation is needed to establish uniform standards for wrecker services utilized by the South Carolina Department of Public Safety on rotation lists. The regulation promotes public safety, assists in the clearance of wrecked vehicles which are stalling traffic, ensures the orderly and equitable operation of wrecker rotation lists, establishes minimum qualification requirements, protects personal property, provides procedures for complaints and discipline, and promotes reasonable and consistent fees.

The regulation is reasonable because its requirements are directly related to the safe, efficient, and accountable provision of wrecker services requested by the Department.

DESCRIPTION OF REGULATION:

Purpose: The purpose of Regulation 38-600 is to establish requirements governing wrecker services utilized by the South Carolina Department of Public Safety on rotation lists, including qualification, inspection, equipment, personnel, insurance, records, rotation lists, dispatch procedures, complaints, discipline, classifications, and fees.

Legal Authority: 1976 Code Sections 23-6-20 and 23-6-30.

Plan for Implementation: The Department will implement the regulation through a variety of actions including its existing wrecker-service application, inspection, qualification, rotation-list, dispatch, complaint, and disciplinary processes. The Department, among other things, will establish and maintain wrecker zones and rotation lists, issue applications and conduct inspections, review the qualifications of wrecker services and operators, maintain and distribute annual rotation lists, monitor the compliance with the regulation, investigate complaints and administer disciplinary actions, update approved fee schedules annually, and notify affected wrecker services of changes to rotation lists and applicable requirements. Once the amended regulation has been approved by the General Assembly, the Department will begin referencing the amended 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 amended regulation is necessary and reasonable to ensure that wrecker services responding to Department requests are properly qualified, adequately equipped, appropriately insured, and capable of providing timely and professional services.

DETERMINATION OF COSTS AND BENEFITS:

The proposed regulation may impose minimal costs on wrecker services associated with insurance, equipment, personnel qualifications, recordkeeping, inspections, business-location requirements, and compliance with response-time standards.

The regulation is expected to benefit the Department, wrecker services, vehicle owners, and the public by establishing clear and uniform standards for wrecker services utilized by the Department on rotation lists. The anticipated benefits will include public safety, accountability, and the efficient restoration of traffic flow justify the potential compliance costs.

UNCERTAINTIES OF ESTIMATES:

The Department cannot quantify the precise costs of compliance because costs will vary among wrecker services based on the size of the business, existing equipment and facilities, insurance coverage, number of employees, geographic location, and current business practices.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

The proposed regulation is expected to have a positive effect on public health and safety by promoting the prompt and orderly removal of wrecked and disabled vehicles from roadways, reducing roadway hazards, and establishing minimum standards for incident-scene conduct.

The regulation is not expected to have a significant adverse effect on the environment.

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

None.

Statement of Rationale:

Regulation 38-600 of the South Carolina Department of Public Safety proposes to revise comprehensive standards for wrecker services utilized by the Department on rotation lists. The regulation is intended to promote public safety, assist in the clearance of wrecked vehicles which are stalling traffic, ensure the efficient operation

of wrecker rotation lists, protect vehicle owners and their property, establish minimum qualifications for wrecker services and operators, and provide clear procedures for complaints, appeals, suspensions, discipline, classifications, and rates.

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. 5480
DEPARTMENT OF TRANSPORTATION
CHAPTER 63
Statutory Authority: 1976 Code Sections 57-1-370 and 57-3-110(8)

63-10. Transportation Project Prioritization.

Preamble:

S.C. Regulation 63-10 establishes the process for the development of the Statewide Multimodal Transportation Long Range Plan, Project Priority Lists, Statewide Transportation Improvement Program and Transportation Asset Management Plan. The Department proposes to amend the regulation to eliminate reference to the Commission of the Department of Transportation, which was abolished by Act 177 effective on January 1, 2027, and provides for public comment period and transparency by posting on the Department's website

The Notice of Drafting was published in the State Register on August 28, 2026.

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 held at the South Carolina Department of Transportation, 955 Park Street, Columbia, S.C. on December 2, 2026, at 10:00 a.m. If no request is received by 5:00 pm on November 30, 2026, the hearing will be canceled. Written comments may be directed to Barbara Wessinger, Chief Counsel, South Carolina Department of Transportation, 955 Park Street, Columbia, SC 29202 not later than 5:00 pm on November 30, 2026.

Preliminary Fiscal Impact Statement:

No additional state funding is requested.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION:

Purpose: To eliminate reference to the Commission of the Department of Transportation pursuant to Act 177, effective January 1, 2027.

Legal Authority: 1976 Code Sections 57-1-370 and 57-3-110(8).

Plan for Implementation: The implementation of these proposed regulations will delete the Commission from the existing regulations.

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

None.

DETERMINATION OF COSTS AND BENEFITS:

None.

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:

These regulations are being promulgated to eliminate reference to the Commission of the Department of Transportation, which was abolished by Act 177 effective on January 1, 2027, and provides for public comment period and transparency by posting on the Department's website

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.