

DAIRY LEGISLATION

2017

Referred to Committee on Ways and Means

[H. 3929](#) ([Word](#) version) -- Reps. Hiott, Pitts, Kirby, Toole, Forrest, Yow, Sandifer, Atkinson, Hayes, Hixon and V. S. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-65 SO AS TO ESTABLISH SPECIFIC REQUIREMENTS FOR THE REVIEW AND APPEAL OF DECISIONS BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) REGARDING THE PERMITTING OF CERTAIN AGRICULTURAL ANIMAL FACILITIES; TO AMEND SECTION 44-1-60, AS AMENDED, RELATING TO APPEALS FROM DHEC DECISIONS GIVING RISE TO CONTESTED CASES, SO AS TO REVISE AND CLARIFY PROCEDURES FOR REVIEWING PERMITS FOR CERTAIN AGRICULTURAL ANIMAL FACILITIES; TO AMEND SECTION 46-45-60, RELATING TO APPLICABILITY OR LOCAL ORDINANCES TO AGRICULTURAL OPERATIONS, SO AS TO CHANGE CERTAIN EXCEPTIONS; AND TO AMEND SECTION 46-45-80, RELATING TO SETBACK DISTANCES FOR CERTAIN AGRICULTURAL ANIMAL FACILITIES, SO AS TO PROHIBIT DHEC FROM REQUIRING ADDITIONAL SETBACK DISTANCES IF ESTABLISHED DISTANCES ARE ACHIEVED, TO PROHIBIT THE WAIVER OR REDUCTION OF SETBACK DISTANCES IF THEY ARE ACHIEVED, WITH EXCEPTIONS, WITHOUT WRITTEN CONSENT OF ADJOINING PROPERTY OWNERS, AND TO ALLOW DHEC TO REQUIRE CERTAIN BUFFERS.

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H. 3234

STATUS INFORMATION

General Bill

Sponsors: Reps. McEachern and Sandifer

Document Path: I:\council\bill\13631sd17.docx

Introduced in the House on January 10, 2017

Introduced in the Senate on March 9, 2017

Last Amended on March 8, 2017

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

Summary: Residential Landlord and Tenant Act exemptions

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action	Description with journal page number
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12/15/2016 House Prefiled

12/15/2016 House Referred to Committee on **Labor, Commerce and Industry**

1/10/2017 House Introduced and read first time ([House Journal-page 122](#))

1/10/2017 House Referred to Committee on **Labor, Commerce and Industry**

[\(House Journal-page 122\)](#)

2/16/2017 House Member(s) request name added as sponsor: Sandifer

3/7/2017 House Committee report: Favorable with amendment **Labor,**

Commerce and Industry [\(House Journal-page 2\)](#)

3/8/2017 Scrivener's error corrected

3/8/2017 House Amended [\(House Journal-page 16\)](#)

3/8/2017 House Read second time [\(House Journal-page 16\)](#)

3/8/2017 House Roll call Yeas-108 Nays-0 [\(House Journal-page 17\)](#)

3/9/2017 House Read third time and sent to Senate

3/9/2017 Senate Introduced and read first time

3/9/2017 Senate Referred to Committee on **Judiciary**

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VERSIONS OF THIS BILL

[12/15/2016](#)

[3/7/2017](#)

[3/8/2017](#)

[3/8/2017-A](#)

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

Indicates Matter Stricken

Indicates New Matter

AMENDED

March 8, 2017

H. 3234

Introduced by Reps. McEachern and Sandifer

S. Printed 3/8/17--H.

Read the first time January 10, 2017.

A BILL

TO AMEND SECTION [27-40-120](#), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS TO THE PROVISIONS OF THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO DELETE OCCUPANCY UNDER A RENTAL AGREEMENT COVERING THE PREMISES USED BY THE OCCUPANT PRIMARILY FOR AGRICULTURAL PURPOSES AS AN EXEMPTION UNDER THE ACT.

Amend Title To Conform

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

SECTION 1. Section [27-40-120](#) of the 1976 Code is amended to read:

"Section [27-40-120](#). The following arrangements are not governed by this chapter:

- (1) residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling, religious, or similar service;
- (2) occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to his interest;
- (3) occupancy by a member or a fraternal or social organization in the portion of a structure operated for the benefit of the organization;
- (4) transient occupancy in a hotel, motel, or other accommodations subject to the sales tax on accommodations as provided by Section [12-36-920](#);
- (5) occupancy by an employee including independent contractors of a landlord whose right to occupancy is conditional upon employment in and about the premises;
- (6) occupancy by an owner of a condominium unit or a holder of a proprietary lease in a cooperative;
- (7) occupancy under a rental agreement covering the premises used by the occupant primarily for agricultural purposes;
- (8)(7) occupancy under a rental agreement in a premises regulated by the provisions of Chapter 32₂ of Title 27₂ of the 1976 Code (Vacation Time Sharing Plan Act);
- (9)(8) residence, whether temporary or not, at a charitable or emergency protective shelter, public or private."

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

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This web page was last updated on March 9, 2017 at 11:34 AM

H 3559 General Bill, By [Pitts](#), [Ott](#), [Putnam](#), [Gagnon](#), [Atkinson](#), [Dillard](#), [Martin](#), [West](#), [Hill](#), [Bedingfield](#) and [Gilliard](#)

Similar ([S 0468](#))

Summary: Industrial hemp cultivation

A BILL TO AMEND CHAPTER 55, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CULTIVATION OF INDUSTRIAL HEMP, SO AS TO REVISE THE DEFINITIONS OF TERMS CONTAINED IN THIS CHAPTER, TO PROVIDE A DEFINITION FOR THE TERM "HUMAN CONSUMPTION", TO CREATE THE SOUTH CAROLINA INDUSTRIAL HEMP PROGRAM, TO PROVIDE THAT INDUSTRIAL HEMP IS AN AGRICULTURAL CROP UPON WHICH AN INSTITUTION OF HIGHER EDUCATION MAY CONDUCT RESEARCH, TO PROVIDE THAT INDUSTRIAL HEMP OR HEMP PRODUCTS MAY NOT BE CONSIDERED AN ADULTERANT, TO PROVIDE PROVISIONS THAT REGULATE THE GROWING, SELLING, AND IMPORTATION OF INDUSTRIAL HEMP AND HEMP SEED, TO DELETE THE PROVISION THAT EXCLUDES INDUSTRIAL HEMP FROM THE DEFINITION OF MARIJUANA, TO REVISE THE PROVISION THAT SPECIFIES THAT CERTAIN CONDUCT REGARDING THE MANUFACTURING, DISTRIBUTION, PURCHASE, AND OTHER ACTIVITIES RELATING TO DISGUIISING MARIJUANA TO MAKE IT APPEAR TO BE INDUSTRIAL HEMP, AND TO PROVIDE FOR LABORATORY TESTING OF INDUSTRIAL HEMP.

01/24/17	House	Introduced and read first time (House Journal-page 26)
01/24/17	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs (

H 3804 General Bill, By [D.C. Moss](#)

Summary: Pick-up trucks with a fifth wheel assembly

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A PICK-UP TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY NOT TOW MORE THAN ONE SEPARATE TRAILING VEHICLE, AND TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES.

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02/21/17	House	Introduced and read first time (House Journal-page 14)
02/21/17	House	Referred to Committee on Judiciary (House Journal-page 14)

Read the first time and referred to the Committee on Judiciary.

[S. 453 \(Word version\)](#) -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WIC VENDORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4671, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and referred to the Committee on Judiciary.

[S. 450 \(Word version\)](#) -- Senators Gambrell and Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHARLES WADE WILLIAMS, THE DIRECTOR OF THE T. ED GARRISON ARENA, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-FIVE YEARS OF OUTSTANDING SERVICE TO CLEMSON UNIVERSITY, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

[H. 3673 \(Word version\)](#) -- Reps. Hiott, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS (FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA) AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN THE OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 18-25, 2017.

[H. 3696 \(Word version\)](#) -- Reps. V. S. Moss, Yow, Hiott, Kirby, Ott, Atkinson, Hewitt, Burns, Chumley, Long, Duckworth and Hixon: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO TAKE CERTAIN MEASURES TO ENSURE THAT SCIENCE-BASED DATA IS USED TO ASSESS IMPACTS ON AND THE REGULATION OF MODERN AGRICULTURAL TECHNOLOGIES TO INCLUDE, BUT TO NOT BE LIMITED TO, CROP PROTECTION CHEMISTRIES, GENETICALLY ENGINEERED OR ENHANCED TRAITS, AND NUTRIENTS, AND OPPOSE LEGISLATION OR REGULATORY ACTION THAT MAY RESULT IN UNNECESSARY RESTRICTIONS ON THE USE OF CERTAIN MODERN AGRICULTURAL TECHNOLOGIES.

The Concurrent Resolution was adopted and sent to the Senate.

H 3218 General Bill, By Lucas, Hiott, V.S. Moss, Pitts and West

A BILL TO AMEND SECTION 49-11-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE DAMS AND RESERVOIRS SAFETY ACT, SO AS TO REVISE CERTAIN DEFINITIONS IN ORDER TO MAKE THE PROVISIONS OF THIS ACT FURTHER APPLICABLE TO CERTAIN DAMS; AND TO AMEND SECTION 49-11-150, RELATING TO DAM OR RESERVOIR OWNERS BEING RESPONSIBLE FOR THE SAFE MAINTENANCE OF THEIR DAMS OR RESERVOIRS, NOTICE TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OF DAM OR RESERVOIR OWNERSHIP CHANGES, AND EMERGENCY ACTION PLAN REQUIREMENTS FOR SPECIFIED DAM OWNERS, SO AS TO REQUIRE ANNUAL REPORTING TO THE DEPARTMENT BY DAM OR RESERVOIR OWNERS OF CERTAIN OWNER CONTACT AND OTHER INFORMATION, TOGETHER WITH A COMPLETED OWNER CHECKLIST, AND TO REQUIRE THE OWNERS OF DAMS OR RESERVOIRS CLASSIFIED AS A HIGH OR SIGNIFICANT HAZARD ANNUALLY TO PROVIDE A CURRENT EMERGENCY ACTION PLAN INCLUDING CONTACT INFORMATION OF SPECIFIED OFFICIALS, DOWNSTREAM RESIDENTS, AND BUSINESS OWNERS.

2-8-17 The Bill was read the third time and ordered sent to the Senate

H 3340 General Bill, By [Ott](#) and [Cobb-Hunter](#)

Summary: Dams

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-11-235 SO AS TO PROVIDE THAT THE OWNER OF A DAM WHICH FAILS OR FAILED ON OR AFTER OCTOBER 1, 2015, WHICH HAS A PUBLIC ROAD OR HIGHWAY IN THE STATE HIGHWAY SYSTEM RUNNING ACROSS THE TOP OF IT, MUST PROVIDE WRITTEN NOTIFICATION TO THE STATE DEPARTMENT OF TRANSPORTATION AND THE

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL INDICATING WHETHER OR NOT THE OWNER INTENDS TO REPAIR THE DAM AND THE DATE BY WHICH THE REPAIRS ARE ANTICIPATED TO BE COMPLETED, TO PROVIDE THE TIMELINES IN WHICH THIS NOTIFICATION MUST BE PROVIDED, AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PROCEED UNDER CERTAIN CONDITIONS AND IN A SPECIFIED MANNER WITH THE PROCESS OF REPAIRING THE PUBLIC ROAD OR HIGHWAY, IF THE DAM OWNER INDICATES THE OWNER DOES NOT INTEND TO REPAIR THE DAM.

2-8-17 The Bill was read the third time and ordered sent to the Senate.

[H. 3696 \(Word version\)](#) -- Reps. V. S. Moss, Yow, Hiott, Kirby, Ott, Atkinson, Hewitt, Burns, Chumley, Long, Duckworth and Hixon: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO TAKE CERTAIN MEASURES TO ENSURE THAT SCIENCE-BASED DATA IS USED TO ASSESS IMPACTS ON AND THE REGULATION OF MODERN AGRICULTURAL TECHNOLOGIES TO INCLUDE, BUT TO NOT BE LIMITED TO, CROP PROTECTION CHEMISTRIES, GENETICALLY ENGINEERED OR ENHANCED TRAITS, AND NUTRIENTS, AND OPPOSE LEGISLATION OR REGULATORY ACTION THAT MAY RESULT IN UNNECESSARY RESTRICTIONS ON THE USE OF CERTAIN MODERN AGRICULTURAL TECHNOLOGIES.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

[H. 3695 \(Word version\)](#) -- Reps. Ridgeway, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Cakey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE DESHAWN BLANDING OF MANNING ON BEING ELECTED 2016-17 NATIONAL FFA SOUTHERN REGION VICE PRESIDENT AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

[S. 24 \(Word version\)](#) -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SURFACE WATER STEWARDSHIP ACT"; TO AMEND SECTION 49-4-35, AS AMENDED, RELATING TO THE REGISTRATION OF SURFACE WATER USE WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SO AS TO PROVIDE THAT REGISTERED SURFACE WATER WITHDRAWERS UNDER CERTAIN CONDITIONS MUST OBTAIN A SURFACE WATER WITHDRAWAL PERMIT RATHER THAN REGISTERING WITHDRAWALS, TO PROVIDE THAT CERTAIN REGISTERED SURFACE WATER WITHDRAWERS ARE EXEMPT FROM THE PERMITTING REQUIREMENT, AND TO PROVIDE THAT INCREASES IN SURFACE WATER WITHDRAWALS BY REGISTERED SURFACE WATER WITHDRAWERS ARE SUBJECT TO PERMITTING REQUIREMENTS ON THE INCREASED AMOUNT UNDER CERTAIN CIRCUMSTANCES.

Referred to Senate Agriculture Committee

[S. 140 \(Word version\)](#) -- Senator Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMMISSIONER OF AGRICULTURE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMMISSIONER OF AGRICULTURE MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMMISSIONER OF AGRICULTURE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

Read the first time and referred to the Committee on Judiciary.

[S. 205 \(Word version\)](#) -- Senator Sheheen: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND MCLEOD FARMS FOR PROVIDING FRESH PRODUCE AND FARM TO TABLE PRODUCTS TO SOUTH CAROLINIANS FOR ONE HUNDRED YEARS AND TO CONGRATULATE THE MCLEOD FAMILY AND STAFF ON THIS MOMENTOUS

OCCASION.

The Senate Resolution was adopted.

SCDA 2017 LEGISLATION