

2017 Legislative Update Palmetto SWANA May 12, 2017

Art Braswell, Manager



RICHLAND COUNTY
SOLID WASTE & RECYCLING DIVISION

Administration Section
Collections Section
Recycling Section
Landfill Section
Refuse Control Section

House Bill 3595

COLLECTION VEHICLES

- PROVIDES THAT A DRIVER OF A VEHICLE APPROACHING A STOPPED VEHICLE COLLECTING SOLID WASTE OR RECOVERED MATERIALS MUST PROCEED WITH CAUTION AND, IF POSSIBLE, YIELD THE RIGHT OF WAY BY MAKING A LANE CHANGE INTO A LANE THAT IS NOT ADJACENT TO THE COLLECTION VEHICLE.
- A PERSON IN VIOLATION OF THIS PROVISION MUST BE FINED NOT MORE THAN \$25.

House Bill 3595

**! SLOW
DOWN
TO GET AROUND**



House Bill 3924

- REVISES PENALTIES WHERE LITTER INVOLVED IS A CIGARETTE OR CIGARETTE COMPONENT
- FINE NOT TO EXCEED \$50
- COURT MAY ORDER COMMUNITY SERVICE IN LIEU OF IMPOSING A MONETARY FINE



Senate Bill 105

- Relates to proceedings in contested cases
- Provides that a stay of an agency order remains in effect for 30 days or until an order has been issued regarding a preliminary injunction
- Deletes the provision that a court shall lift the stay for good cause shown or if no irreparable harm will occur
- Provides that any preliminary injunction ordered by the ALC may require the posting of a bond or other security
- Exempts State Agencies from the requirement to post a bond.

Senate Bill 298

- Clarifies who may file a petition with the Department
- Does not include a department, agency, commission, or political subdivision of the State
- Department decisions are not subject to judicial review in a civil proceeding
- The savings clause only applies to cases filed before June 6, 2012 and any federal project for which a final environmental impact statement was issued prior to June 6, 2012 but no record of decision was issued prior to June 6, 2012.

House Bill 3529



House Bill 3529

- Provides that any regulation regarding the use, disposition, sale, or any imposition of any prohibition, restriction, fee imposition, or taxation of auxiliary containers must be done only by the General Assembly.
- Auxiliary container means a bag, cup, package, container, bottle, or other packaging that is:
 - Designed to be either reusable or single-use
 - Made of cloth, paper, plastic, cardboard, expanded polystyrene, corrugated material, aluminum, glass, post-consumer recycled, or similar material.
 - Designed for consuming, transporting, or protecting merchandise, food, or beverages from or at a food service or retail facility.

House Bill 3529

- Nothing in this chapter may be construed to prohibit or limit any county or municipal ordinance regulating solid waste, any agreement pertaining to the disposal of solid waste, curbside recycling program, designated residential or commercial recycling locations, or commercial recycling program.
- The provisions of this chapter do not apply to the use of auxiliary containers within the boundaries of a State park, on a property owned by a county or municipality including, but not limited to, coastal tidelands and wetlands, or on a public beach maintained by a coastal county or municipality.
- The provisions of this chapter apply to auxiliary container regulations enacted after 1/1/2017.

House Bill 3218

- Revised certain definitions to expand the applicability to certain dams
- Dam or reservoir owner is responsible for the safe maintenance of their dams or reservoirs
- Notify DHEC of ownership changes
- Requires annual reporting to DHEC
- Requires owners of dams or reservoirs classified as high or significant hazard to annually provide a current emergency action plan including contact information of specified officials, downstream residents and business owners.



Senate Bill 44

- Exempts 80% of the fair market value of certain distributed energy resources and exempts the value of renewable energy resource property for residential use.
- A taxpayer who constructs, purchases, or leases solar energy property and places it in service during the taxable year (after 2016), is allowed an income tax credit equal to 25% of the cost, including the cost of installation of the property.



House Bill 3416

- A joint resolution to enact the Environmental Bill of Rights
- To grant standing to the people of this State to enforce their right to conserve and protect the environment
- To grant local governments the power to enact laws, regulations, ordinances, and charter provisions that are more restrictive and protective of the environment than the laws adopted by State Government.

House Bill 3516



Governor's veto overridden on May 10, 2017

Bill 4121

- A concurrent resolution to congratulate the Coastal Carolina Baseball Team, the Clemson University Football Team, and the Lady Gamecock Basketball Team for winning National Championship Titles.
- To invite Coach Gary Gilmore, Coach Dabo Swinney, and Coach Dawn Staley to address the joint session of the General Assembly
- To urge the Governor to fly the flags of the championship teams over the dome of the Statehouse.



This is the first year of a two year session, so you will hear about many of these bills next year.

Questions?