

South Carolina Legislature
ISSUANCE of EXPIRED BUILDING PERMITS
H*3774
Session 120 (2013-2014)

H*3774(Rat #0123, Act #0112 of 2013) Joint Resolution, By Loftis, Hardwick, Clemmons, Hamilton, Huggins, J.R. Smith, Goldfinch, Hixon, Ryhal, Sottile and Spires.

A JOINT RESOLUTION TO SUSPEND THE RUNNING OF CERTAIN GOVERNMENTAL APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE FOR THE PERIOD BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2016; AND TO PROVIDE GOVERNMENTAL ENTITIES ISSUING SUCH APPROVALS SHALL PUBLISH NOTICE IN THE STATE REGISTER LISTING THE TYPES OF THESE APPROVALS IT ISSUES AND NOTING THE SUSPENSION OF THE RUNNING OF THE PERIOD OF THE APPROVAL AND TO PROVIDE AN EXCEPTION FOR UNITS OF LOCAL GOVERNMENT. - ratified title

Issuance of expired building permits

SECTION 3. A governmental entity that issued a building permit that has expired and has not been renewed by the governmental entity for one year, shall issue the building permit at no additional cost; however, the building permit must comply with existing rules and regulations in effect at the time the building permit is reissued.

Retroactive suspension of the running of the period of development approvals and vested rights for valid development approvals

SECTION 4. This joint resolution is intended to apply retroactively. For development approval that is current and valid on December 31, 2012, the running of the period of the development approval and any associated vested right is suspended during the period beginning January 1, 2013, and ending December 31, 2016.

Restrictions on the application of provisions

SECTION 5. This joint resolution may not be construed or implemented to:

- (1) extend a permit or approval issued by the United States or its agencies or instrumentalities;

- (2) extend a permit or approval for which the term or duration of the permit or approval is specified or determined pursuant to federal law;
- (3) shorten the duration that a development approval would have had in the absence of this joint resolution;
- (4) prohibit the granting of additional extensions provided by law;
- (5) affect an administrative consent order issued by the department in effect or issued at any time from the effective date of this joint resolution to December 31, 2016;
- (6) affect the ability of a governmental entity to revoke or modify a development approval pursuant to law;
- (7) modify a requirement of law that is necessary to retain federal delegation by the State of the authority to implement a federal law or program; or
- (8) affect a Certificate of Need issued pursuant to Article 3, Chapter 7, Title 44 or a Demonstration of Need issued pursuant to Article 2, Chapter 96, Title 44.

Public notice of development approvals and applicable suspensions

SECTION 6. Within thirty days after the effective date of this joint resolution, each agency or subdivision of the State to which this joint resolution applies shall submit a notice for publication to the State Register listing the types of development approvals that the agency or subdivision issues and noting the suspension provided in this joint resolution. This section does not apply to units of local government.

Provisions to be liberally construed

SECTION 7. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

Time effective

SECTION 8. This joint resolution takes effect upon approval by the Governor.

Ratified the 19th day of June, 2013.

Approved the 20th day of June, 2013.