



## SC Green Legislative Update March 24, 2021

The South Carolina General Assembly has continued to work through a number of bills in the 2021 legislative session despite COVID-19 challenges. In recent weeks, the General Assembly has considered several items of interest to SC Green members.

### **COVID-19 Liability Legislation Arrives in House**

On February 25, the Senate passed a bill ([S. 147](#)) that would establish protections against COVID-19 related legal claims for health care providers and businesses that “[reasonably \(adhere\) to public health guidance applicable at the time the conduct giving rise to a coronavirus claim occurs.](#)”

The legislation has cleared its first hurdle in the House of Representatives, passing out of the House Judiciary Special Laws Subcommittee last week. The bill awaits consideration by the full House Judiciary Committee.

### **Industry Specific Items**

SC Green has been active on several bills and proposed regulations of note to members. We have worked with legislators, DHEC, representatives of Clemson PSA, and other industry stakeholders to understand the impact of several regulations (Regulation 5015 - Asian Longhorned Beetle, Regulation 5003 – Composting Yard Waste, and S. 654 – Rodenticide Restrictions) on our industry.

#### *Asian Longhorned Beetle Regulation:*

Clemson regulators are advocating for the passage of a regulation (Regulation 5015) that would help contain a harmful invasive insect, the Asian Longhorned beetle, and prevent the spread of this pest in our state. The regulation would call for the quarantine and removal of infected trees in the Hollywood area of Charleston County.

Please read the following information from Clemson for additional information:

<https://www.clemson.edu/public/regulatory/plant-industry/plant-pest-regulations/state-plant-pest-information/pest-alerts/alb.html>

#### *Regulation of Pesticides and Other Substances:*

SC Green is engaged in the conversation over proposed legislation that was filed in response to a difficult situation at Kiawah Island. It seems that some bobcats on Kiawah Island may have been killed in recent months by certain rodenticides used on the island to control rats. Clemson officials have denied a request by Kiawah Island to institute a temporary ban on certain rodenticides citing the

need to further study the issue in order to formulate an appropriate path forward. Read more in this article published by *The Post & Courier* - [https://www.postandcourier.com/news/hundreds-of-kiawah-households-vow-to-avoid-using-rat-poisons-blamed-for-bobcat-decline/article\\_152ccb24-7c60-11eb-8539-47e407e4557a.html](https://www.postandcourier.com/news/hundreds-of-kiawah-households-vow-to-avoid-using-rat-poisons-blamed-for-bobcat-decline/article_152ccb24-7c60-11eb-8539-47e407e4557a.html))

In response to this situation, legislation (S. 654) has been filed “that would allow municipalities to restrict within its jurisdiction the use of any pesticide product that contains” four specific rodenticide chemicals.

SC Green has engaged with other industry stakeholders, including advocates working on behalf of the pest control industry and agriculture sector, to push back against this proposal. While this particular bill deals with the use of certain rodenticides in one small coastal community, it is a valuable opportunity for members of a range of industries to speak with one voice against knee jerk legislative measures that circumvent the existing regulatory structure for pesticides, fertilizers, rodenticides, etc.

The bill has not been scheduled for a hearing as of yet, but we have worked to help legislators understand that moving in this direction could result in ad hoc prohibitions on well-researched and vital pesticides, fertilizers, and other substances that our industry depends on for healthy landscapes. We all want to protect our wildlife and natural spaces, but if changes need to be made, they should be made at the state level through a science-driven process led by experts.