**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4256**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Bowen

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Introduced in the House on May 24, 2011

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Water service charges

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/24/2011 House Introduced and read first time ([House Journal‑page 45](file:///h:\hj%20archive\2011\05-24-11.docx))

5/24/2011 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 45](file:///h:\hj%20archive\2011\05-24-11.docx))

**VERSIONS OF THIS BILL**

[5/24/2011](file:///p:\pprever\2011-12\4256_20110524.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5‑31‑60 SO AS TO PROVIDE THAT IF A MUNICIPALITY PURCHASES A WATER COMPANY SUBJECT TO REGULATION BY THE PUBLIC SERVICE COMMISSION IN THE COUNTY WHERE IT IS LOCATED, IT MAY NOT CHARGE MORE FOR WATER SERVICES PROVIDED TO CUSTOMERS OF THE WATER COMPANY THAN WAS PERMITTED TO BE CHARGED TO THOSE CUSTOMERS AT THE TIME OF PURCHASE IF IT REPRESENTED IN A LETTER TO THE CUSTOMERS OF THE WATER COMPANY THAT THEIR WATER RATES WOULD NOT BE INCREASED AS A RESULT OF THE PURCHASE, AND TO PROVIDE THAT UPON PETITION TO THE PUBLIC SERVICE COMMISSION BY A MAJORITY OF THE MEMBERS OF THE GOVERNING BODY OF THE COUNTY WHEREIN THE MUNICIPALITY IS LOCATED THAT A VIOLATION OF THIS SECTION HAS OCCURRED, THE PUBLIC SERVICE COMMISSION IS VESTED WITH AND SHALL ASSUME JURISDICTION OVER THE PROVIDING OF WATER SERVICE TO THE FORMER CUSTOMERS OF THE PURCHASED WATER COMPANY IF IT FINDS AFTER HEARING BY A PREPONDERANCE OF THE EVIDENCE THAT SUCH A VIOLATION DID OCCUR.

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

SECTION 1. Article 1, Chapter 31, Title 5 of the 1976 Code is amended by adding:

“Section 5‑31‑60. (A) If a municipality provides water service to customers within and without its municipal boundaries and purchases a water company which was subject to regulation by the Public Service Commission in the county where it is located, it may not charge more for water services provided to customers of the water company than was permitted to be charged to those customers by the water company at the time of purchase if the municipality represented in a letter to the customers of the water company that their water rates would not be increased as a result of the purchase.

(B) Upon petition to the Public Service Commission by a majority of the members of the governing body of the county wherein the municipality is located that a violation of subsection (A) has occurred, the Public Service Commission is vested with and shall assume jurisdiction over the providing of water service to these former customers of the purchased water company by the municipality, including the water rates which may be charged to them, if it finds after hearing by a preponderance of the evidence that such a violation did occur.”

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

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