**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑27‑260 SO AS TO REQUIRE ELECTRIC UTILITIES AND COOPERATIVES TO OFFER CUSTOMERS A NO‑FEE SMART METER OPT‑OUT, TO REQUIRE THE PUBLIC SERVICE COMMISSION TO SUBMIT CERTAIN REPORTS TO THE SENATE AND HOUSE COMMITTEES ON LABOR, COMMERCE AND INDUSTRY, AND TO PROVIDE DEFINITIONS.

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

SECTION 1. Article 1, Chapter 27, Title 58 of the 1976 Code is amended by adding:

“Section 58‑27‑260. (A) For purposes of this section:

(1) ‘Smart meter’ means a wired smart meter or a wireless smart meter.

(2) ‘Wired smart meter’ means an advanced metering infrastructure device using a fixed wire for two‑way communication between the device and an electric company.

(3) ‘Wireless smart meter’ means an advanced metering infrastructure device using radio or other wireless means for two‑way communication between the device and an electric company.

(4) ‘Traditional meter’ means an analog or similar meter that is unable to transmit usage information and is intended only to be read by an individual through a visual display. A traditional meter is not designed to be and is not capable of transmitting usage data by using radio waves or broadband over power lines, allowing two‑way communication between the meter and the utility or its agents, or allowing a utility or its agents to control a customer’s thermostat, appliance, or service. A traditional meter does not include an advanced meter that has certain functionality turned off or deactivated.

(B) Notwithstanding another provision of law, an electric utility or cooperative may install a wireless smart meter on a customer’s premises only if the company:

(1) provides prior written notice to the customer indicating that the meter will use radio or other wireless means for two‑way communication between the meter and the electric utility or cooperative and informing the customer of his or her rights under items (2) and (3) of this subsection;

(2) allows a customer to choose not to have a wireless smart meter installed at no additional monthly or other charge; and

(3) allows a customer to require removal of a previously installed wireless smart meter and replaced with a traditional meter for any reason and at an agreed‑upon time without incurring a charge for the removal.

(C) On January 1, 2019, and again on January 1, 2021, the Public Service Commission shall publish a report on the savings realized through the use of smart meters, as well as on the occurrence of any breaches to an electric utility’s or cooperative’s cybersecurity infrastructure. The reports must be based on electric utility and cooperative data requested by and provided to the Public Service Commission and must be in a form and in a manner the commission deems necessary to accomplish the purposes of this subsection. The reports must be submitted to both the Senate and House Committees on Labor, Commerce and Industry.”

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

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