**South Carolina General Assembly**

119th Session, 2011-2012

**A192, R238, H4726**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pitts, Parks and Pinson

Document Path: l:\council\bills\nbd\12078ac12.docx

Companion/Similar bill(s): 1197

Introduced in the House on February 2, 2012

Introduced in the Senate on March 27, 2012

Last Amended on May 2, 2012

Passed by the General Assembly on May 30, 2012

Governor's Action: June 7, 2012, Signed

Summary: Powers of Special Purpose Districts Commissions

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/2/2012 House Introduced and read first time ([House Journal‑page 13](file:///h:\hj%20archive\2012\02-02-12.docx))

2/2/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 13](file:///h:\hj%20archive\2012\02-02-12.docx))

3/7/2012 House Committee report: Favorable **Judiciary** ([House Journal‑page 6](file:///h:\hj%20archive\2012\03-07-12.docx))

3/20/2012 House Debate adjourned until Wed., 03‑21‑12 ([House Journal‑page 66](file:///h:\hj%20archive\2012\03-20-12.docx))

3/21/2012 House Read second time ([House Journal‑page 10](file:///h:\hj%20archive\2012\03-21-12.docx))

3/21/2012 House Roll call Yeas‑81 Nays‑27 ([House Journal‑page 11](file:///h:\hj%20archive\2012\03-21-12.docx))

3/22/2012 House Read third time and sent to Senate ([House Journal‑page 24](file:///h:\hj%20archive\2012\03-22-12.docx))

3/27/2012 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h:\sj%20archive\2012\03-27-12.docx))

3/27/2012 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](file:///h:\sj%20archive\2012\03-27-12.docx))

3/28/2012 Senate Referred to Subcommittee: Campbell (ch), Cleary, Williams, Nicholson, Gregory

4/11/2012 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\04-11-12.docx))

4/24/2012 Senate Amended ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\04-24-12.docx))

4/24/2012 Senate Read second time ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\04-24-12.docx))

4/24/2012 Senate Roll call Ayes‑37 Nays‑3 ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\04-24-12.docx))

4/25/2012 Senate Read third time and returned to House with amendments ([Senate Journal‑page 22](file:///h:\sj%20archive\2012\04-25-12.docx))

5/1/2012 House Debate adjourned ([House Journal‑page 67](file:///h:\hj%20archive\2012\05-01-12.docx))

5/2/2012 House Amended ([House Journal‑page 51](file:///h:\hj%20archive\2012\05-02-12.docx))

5/2/2012 House Senate amendment amended ([House Journal‑page 51](file:///h:\hj%20archive\2012\05-02-12.docx))

5/2/2012 House Roll call Yeas‑109 Nays‑0 ([House Journal‑page 52](file:///h:\hj%20archive\2012\05-02-12.docx))

5/2/2012 House Returned to Senate with amendments ([House Journal‑page 53](file:///h:\hj%20archive\2012\05-02-12.docx))

5/30/2012 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 152](file:///h:\sj%20archive\2012\05-30-12.docx))

5/30/2012 Senate Roll call Ayes‑36 Nays‑1 ([Senate Journal‑page 152](file:///h:\sj%20archive\2012\05-30-12.docx))

6/5/2012 Ratified R 238

6/7/2012 Signed By Governor

6/18/2012 Effective date 06/07/12

6/18/2012 Act No. 192

**VERSIONS OF THIS BILL**

[2/2/2012](file:///p:\pprever\2011-12\4726_20120202.docx)

[3/7/2012](file:///p:\pprever\2011-12\4726_20120307.docx)

[4/11/2012](file:///p:\pprever\2011-12\4726_20120411.docx)

[4/24/2012](file:///p:\pprever\2011-12\4726_20120424.docx)

[5/2/2012](file:///p:\pprever\2011-12\4726_20120502.docx)

(A192, R238, H4726)

**AN ACT TO AMEND SECTION 6‑11‑1230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF PUBLIC SERVICE DISTRICT AND SPECIAL PURPOSE DISTRICT COMMISSIONS, INCLUDING, AMONG OTHER THINGS, THE POWER TO ASSESS THE COST OF THE ESTABLISHMENT AND CONSTRUCTION OF A SEWER LATERAL COLLECTION LINE, SO AS TO PROVIDE THAT IF ON THE EFFECTIVE DATE OF THIS ACT A RESIDENTIAL SUBDIVISION HAD RECEIVED CONCEPTUAL APPROVAL FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR SEPTIC TANK USE AND SUBSEQUENTLY FIVE OR MORE LOTS IN THE SUBDIVISION WERE DENIED PERMITS BY THE DEPARTMENT, AN ASSESSMENT MAY BE LEVIED ON THE ABUTTING PARCELS IN THE SUBDIVISION FOR THE ACTUAL COSTS OF THE SEWER LATERAL COLLECTION LINES, TRANSMISSION LINES, AND ASSOCIATED INFRASTRUCTURE AND TO PROVIDE THAT A LETTER OR CERTIFICATE OF THE DEPARTMENT ESTABLISHES THESE CONDITIONS AUTHORIZING THE ASSESSMENT; AND TO AMEND SECTION 6-11-100, RELATING TO POWERS AND DUTIES OF BOARDS OF COMMISSIONERS OF SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICTS, SO AS TO PROVIDE THAT PROPERTY PURCHASED BY THESE BOARDS MAY BE HELD IN THE NAME OF THE COMMISSION OR THE NAME OF THE DISTRICT.**

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

**Authority to assess cost of sewer lateral collection lines in residential subdivisions**

SECTION 1. Section 6‑11‑1230 of the 1976 Code, is amended by adding a second undesignated paragraph following item (4) to read:

“If, on the effective date of this paragraph, the area to be served is a residential subdivision that received conceptual approval under Regulation 61‑57 for septic tank use and has five or more lots later denied permits for a septic tank system for which the Department of Health and Environmental Control has developed standards, an assessment may be levied on the abutting parcels in the subdivision for the actual costs of sewer lateral collection lines in the subdivision and for transmission lines and associated infrastructure, including, but not limited to, trunk lines, force mains, pump stations, and lift stations, to be constructed to connect the sewer lateral collection lines to other infrastructure of the district. The satisfaction of the preconditions to this subsection may be conclusively established by a letter or certificate of the department.”

**Property purchased by boards of commissioners**

SECTION 2. Section 6‑11‑100 of the 1976 Code is amended to read:

“Section 6‑11‑100. The boards of commissioners of these districts must be bodies politic and shall exercise and enjoy all the rights and privileges of such. They may purchase and build or contract for building electric light, water supply, fire protection, and sewerage systems, and may lease, own, hold, and acquire all necessary equipment and property for that purpose. They may operate it and may contract with existing light and water companies and municipalities for light, water, and fire protection, or contract and connect with existing sewerage systems of municipalities or other districts. They may supply and furnish lights and water and provide for fire protection and sewerage disposal to citizens of these districts and may require an exact payment of rates, tolls, rentals, and charges they may establish for the use of lights, water, fire protection, and the sewerage plant. Property purchased by the boards of commissioners may be held in either the name of the commission or the name of the district.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 5th day of June, 2012.

Approved the 7th day of June, 2012.

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