**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3859**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Bowen

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Introduced in the House on March 21, 2013

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Water companies

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/21/2013 House Introduced and read first time ([House Journal‑page 14](file:///h:\HJ%20Archive\2013\03-21-13.docx))

3/21/2013 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 14](file:///h:\HJ%20Archive\2013\03-21-13.docx))

**VERSIONS OF THIS BILL**

[3/21/2013](file:///p:\pprever\2013-14\3859_20130321.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑1‑55 SO AS TO PROVIDE A PROCEDURE, SUBJECT TO THE RESULTS OF A REFERENDUM IN THE AREA CONCERNED, WHERE THE WATER SERVICE PROVIDED TO A SPECIFIED UNINCORPORATED AREA OF A COUNTY BY A PRIVATE WATER COMPANY MAY BE TRANSFERRED TO ANOTHER PROVIDER, WHICH MAY INCLUDE ANOTHER PRIVATE WATER COMPANY OR A POLITICAL SUBDIVISION OF THIS STATE, UNDER SPECIFIED CONDITIONS.

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

SECTION 1. Chapter 1, Title 6 of the 1976 Code is amended by adding:

“Section 6‑1‑55. (A) Notwithstanding any other provision of law, upon the petition of at least ten percent of the citizens in a county who are qualified electors of this State residing in an identifiable subdivision located outside the corporate limits of a municipality or residing in a particular contiguous area located outside the corporate limits of a municipality as identified on the petition on which their signature appears, a referendum in the area must be held at the same time as the next general election on the question of whether or not the qualified electors residing in the area desire that the water service in the area currently provided by a private water company instead be provided by another supplier which may include another private water company or a political subdivision of this State. The question on the referendum ballot must be framed by the election and registration commission for that county and shall identify who is the current water supplier and who the requested new supplier shall be, which also must be stated on the petition itself. The costs of the referendum must be paid by that particular county. If two‑thirds of the qualified electors voting in the referendum favor a change in suppliers, upon approval of the county governing body and with the consent of the proposed new water supplier, the water supplier may be changed as of a date certain in the future to be reflected in an agreement to this effect entered into between the county governing body and the new water supplier.”

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

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