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Indicates New Matter

COMMITTEE REPORT

February 28, 2013

**H. 3484**

Introduced by Reps. Sandifer, Clemmons, Erickson and Ballentine

S. Printed 2/28/13--H.

Read the first time February 5, 2013.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (H. 3484) to amend Section 58‑3‑140, Code of Laws of South Carolina, 1976, relating to the power of the Public Service Commission to regulate public utilities, so as to provide, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Section 1‑23‑110(A)(3)(e) of the 1976 Code is amended to read:

“(e) a preliminary fiscal impact statement prepared ~~by~~ at the request of the agency by the State Budget Office reflecting estimates of costs to be incurred by the State and its political subdivisions in complying with and implementing the proposed regulation. A preliminary fiscal impact statement is not required for those regulations ~~which~~ that are not subject to General Assembly review under Section 1‑23‑120;”

SECTION 2. Section 1‑23‑120(B)(6) of the 1976 Code, as last amended by Act 104 of 2007, is further amended to read:

“(6) ~~a copy of~~ the final fiscal impact statement prepared ~~by~~ at the request of the agency by the State Budget Office based upon the preliminary fiscal impact statement prepared pursuant to Section 1‑23‑110(A)(3)(e) that has been finalized by the State Budget Office following any substantive changes that may have been made to the regulation as a result of receiving public comments or of a public hearing held pursuant to Section 1‑23‑111. A fiscal impact statement is not required for those regulations that are not subject to General Assembly review under Section 1‑23‑120 or by the agency as required by Section 1‑23‑110;”

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

Renumber sections to conform.

Amend title to conform.

WILLIAM E. SANDIFER III for Committee.

**A** **BILL**

TO AMEND SECTION 58‑3‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWER OF THE PUBLIC SERVICE COMMISSION TO REGULATE PUBLIC UTILITIES, SO AS TO PROVIDE THAT PRIOR TO THE SUBMISSION OF A REGULATION BY THE COMMISSION FOR GENERAL ASSEMBLY REVIEW, THE COMMISSION SHALL OBTAIN A FISCAL IMPACT STATEMENT FROM THE STATE BUDGET OFFICE AND FILE THE STATEMENT WITH THE PROPOSED REGULATION.

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

SECTION 1. Section 58‑3‑140(A) of the 1976 Code is amended to read:

“(A)(1) Except as otherwise provided in Chapter 9 of this title, the commission is vested with power and jurisdiction to supervise and regulate the rates and service of every public utility in this State and to fix just and reasonable standards, classifications, regulations, practices, and measurements of service to be furnished, imposed, or observed, and followed by every public utility in this State.

(2) Before the commission may submit a regulation for General Assembly approval pursuant to the Administrative Procedures Act, the commission shall obtain a fiscal impact statement estimating the cost of complying with and implementing the proposed regulation from the State Budget Office and file a copy of this economic impact statement with the regulation.”

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

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