**South Carolina General Assembly**

125th Session, 2023-2024

**R176, H5395**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. B. Newton, Mitchell, Yow and Neese

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Introduced in the House on April 10, 2024

Introduced in the Senate on April 17, 2024

Currently residing in the House

Summary: Lancaster County Natural Gas Authority

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/10/2024 House Introduced, read first time, placed on calendar without reference (House Journal‑page 22)

 4/16/2024 Scrivener's error corrected

 4/16/2024 House Read second time (House Journal‑page 17)

 4/16/2024 House Roll call Yeas-95 Nays-0 (House Journal‑page 18)

 4/17/2024 House Read third time and sent to Senate (House Journal‑page 9)

 4/17/2024 Senate Introduced, read first time, placed on local &
 uncontested calendar

 4/23/2024 Senate Read second time (Senate Journal‑page 37)

 4/25/2024 Senate Read third time and enrolled (Senate Journal‑page 14)

 5/8/2024 Ratified R 176

 5/13/2024 Signed By Governor

 5/20/2024 Effective date 05/13/24

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5395&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[04/10/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5395_20240410.docx)

[04/10/2024-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/5395_20240410a.docx)

[04/16/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5395_20240416.docx)

[04/17/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5395_20240417.docx)

**NOTE: THIS IS A TEMPORARY VERSION. THIS DOCUMENT WILL REMAIN IN THIS VERSION UNTIL FINAL APPROVAL BY THE LEGISLATIVE COUNCIL.**

(R176, H5395)

AN ACT TO AMEND ACT 879 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE LANCASTER COUNTY NATURAL GAS AUTHORITY, SO AS TO CLARIFY PER DIEM PROVISIONS APPLICABLE TO MEMBERS OF THE BOARD OF DIRECTORS AND TO DELETE THE REQUIREMENT THAT ALL UNENCUMBERED REVENUES FROM THE SYSTEM BE PAID OVER TO THE MUNICIPALITIES SERVED BY THE AUTHORITY AND TO PROVIDE THAT THESE FUNDS MUST BE USED INSTEAD TO EXPAND THE SYSTEM OR TO REDUCE CUSTOMER RATES.

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

Findings

SECTION 1. The General Assembly finds:

 (A) The Lancaster County Natural Gas Authority (authority) was created pursuant to Act 879 of 1954 and was last amended by Act 277 of 2018. Act 879 authorized the authority to serve persons residing in or nearby any of the incorporated municipalities of Lancaster, Kershaw, Heath Springs, and any other incorporated town or densely populated area near these cities and towns in Lancaster County.

 (B) In order to better serve the populations residing within the authority’s service area, the General Assembly has determined that Act 879 of 1954, as amended, should be further amended as provided for in SECTION 2 and SECTION 3 of this act.

Appointment and composition of Lancaster County Natural Gas Authority

SECTION 2. Section 3 of Act 879 of 1954, as last amended by Act 277 of 2018, is further amended to read:

 Section 3. The authority shall consist of a board of nine members. The board members must be appointed by the Governor upon the recommendation of a majority of the Lancaster County Delegation, including the Senator. The initial terms of office shall begin as of the effective date of this act and shall continue for a term of four years and until their successors have been appointed and qualify. A vacancy in office must be filled for the unexpired term in the manner of the original appointment. The members of the authority shall serve without salary, and must be compensated only for actual expenses incurred on official business of the authority and otherwise as provided by state law. A full record of all expenses that may be incurred by the members of the authority must be kept and must at all reasonable times be open to public inspection. Notwithstanding the above, a reasonable per diem allowance for board members is not considered compensation under this act. As soon as convenient, the members of the authority shall convene and shall elect one of their number as chairman and another as secretary, each of whom shall hold office for terms to be fixed by the authority.

Disposition of revenue

SECTION 3. Section 5 of Act 879 of 1954 is amended to read:

 Section 5. All net revenues derived from the system, whose disposition the authority has not covenanted or contracted to otherwise dispose of, must be used to expand the system or to reduce customer rates. It is the intent of this legislation to provide a means of ensuring that reasonably priced natural gas service is available to all citizens who desire the service within the service area of the authority.

Legislative intent

SECTION 4. The intended purpose of this act is to amend and replace SECTION 3 and SECTION 5 of Act 879 of 1954, as amended. Upon the effective date of this act, SECTION 3 and SECTION 5 of Act 879 of 1954 shall exist exclusively as set forth in this act and all other provisions in Act 879 of 1954, as previously amended, shall remain unaltered and unaffected by this act, except in the event of a conflict between this act and other provisions of Act 879 of 1954, as amended, the provisions of this act shall govern and control.

Time effective

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 8th day of May, 2024.

Approved the 13th day of May, 2024. -- L.

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