**South Carolina General Assembly**

125th Session, 2023-2024

**A44, R52, H3905**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hixon and Clyburn

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Introduced in the House on February 8, 2023

Introduced in the Senate on March 8, 2023

Currently residing in the House

Governor's Action: May 16, 2023, Signed

Summary: Edgefield County Water and Sewer Authority

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/8/2023 House Introduced and read first time (House Journal‑page 7)

 2/8/2023 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** (House Journal‑page 7)

 3/1/2023 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** (House Journal‑page 3)

 3/7/2023 House Read second time (House Journal‑page 26)

 3/7/2023 House Roll call Yeas-111 Nays-1 (House Journal‑page 26)

 3/8/2023 House Read third time and sent to Senate (House Journal‑page 17)

 3/8/2023 Senate Introduced and read first time (Senate Journal‑page 12)

 3/8/2023 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 12)

 5/2/2023 Senate Recalled from Committee on **Judiciary** (Senate Journal‑page 5)

 5/9/2023 Senate Read second time (Senate Journal‑page 74)

 5/10/2023 Senate Read third time and enrolled (Senate Journal‑page 15)

 5/10/2023 Senate Roll call Ayes-42 Nays-0 (Senate Journal‑page 15)

 5/11/2023 Ratified R 52

 5/16/2023 Signed By Governor

 5/26/2023 Effective date 05/16/23

 5/26/2023 Act No. 44

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3905&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3905_20230208.docx)

[03/01/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3905_20230301.docx)

[05/02/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3905_20230502.docx)

(A44, R52, H3905)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6‑13‑920, RELATING TO THE EDGEFIELD COUNTY WATER AND SEWER AUTHORITY, SO AS TO PROVIDE FOR FILLING A BOARD VACANCY FOR PHYSICAL OR MENTAL INCAPACITATION OR NONATTENDANCE; AND BY AMENDING SECTION 6‑13‑1010, RELATING TO PENALTIES FOR INJURING OR DESTROYING FACILITIES OF THE EDGEFIELD COUNTY WATER AND SEWER AUTHORITY, SO AS TO INCREASE PENALTIES.

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

Authority composition, terms, appointment

SECTION 1. Section 6‑13‑920 of the S.C. Code is amended to read:

 Section 6‑13‑920. The authority shall be composed of seven members, who shall be resident electors of either Edgefield or Aiken Counties; provided, however, that no more than two members may be resident electors of Aiken County. Those members of the authority who are resident electors of Edgefield County must be appointed by the Governor, upon the recommendation of a majority of the members of the Edgefield County Council with the approval of the Edgefield County Legislative Delegation. The Governor, upon the recommendation of the members of the Edgefield County Legislative Delegation, may appoint no more than two members of the authority who must be resident electors of Aiken County and who must reside within the service area of the authority in Aiken County. Of those originally appointed, two shall be appointed for terms of two years, two for terms of four years, and one for a term of six years. Upon the termination of the terms of the original members, their successor shall be appointed by the Governor, in the same manner as is provided for the original appointment, for terms of six years. Any vacancy occurring by reason of death, resignation, physical or mental incapacitation, nonattendance, or otherwise shall be filled for the remainder of the unexpired term by appointment of the Governor in the same manner as is provided for the original appointment. Physical or mental incapacitation and nonattendance must be determined by majority vote of board members and with the consent of the legislative delegation. All members of the authority shall hold office until their successors shall have been appointed and shall have qualified.

Penalties

SECTION 2. Section 6‑13‑1010 of the S.C. Code is amended to read:

 Section 6‑13‑1010. It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the facilities of the authority, or any part of such facilities, or any machinery, apparatus, or equipment of the authority, or to pollute the water in any part of its service area, or to obtain water therefrom except in accordance with the regulations promulgated by the authority. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars nor more than one thousand dollars, or shall be imprisoned for not more than thirty days at the discretion of the court, and shall be further liable to pay all damages suffered by the authority.

Time effective

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

Ratified the 11th day of May, 2023.

Approved the 16th day of May, 2023.

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