

## Session 124 - (2021-2022)

**H\*3194 (Rat #0110, Act #0090 of 2021) General Bill, By Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter**

**Similar (S 0444)**

**Summary:** Santee Cooper

AN ACT TO AMEND SECTION 58-31-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY, SO AS TO, AMONG OTHER THINGS, REVISE THE TERMS AND QUALIFICATIONS FOR MEMBERSHIP ON THE PUBLIC SERVICE AUTHORITY BOARD OF DIRECTORS AND TO PROVIDE FOR EX OFFICIO MEMBERS ON THE BOARD OF DIRECTORS; TO AMEND SECTION 58-31-30, RELATING TO THE POWERS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO ESTABLISH SUBCOMMITTEES AND TO SELECT A CHIEF EXECUTIVE OFFICER WHO SHALL CAUSE THE AUTHORITY TO EMPLOY ALL NECESSARY EMPLOYEES WITH THE BOARD APPROVING THE COMPENSATION OF ANY SENIOR MANAGEMENT OFFICIAL SELECTED BY THE CHIEF EXECUTIVE OFFICER, AND TO PROVIDE THAT CERTAIN PUBLIC SERVICE AUTHORITY COMPENSATION AND SEVERANCE PACKAGES MUST FIRST BE APPROVED BY THE AGENCY HEAD SALARY COMMISSION; TO AMEND SECTION 58-31-55, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE DIRECTORS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO REVISE THE DEFINITION OF "BEST INTERESTS"; TO AMEND SECTION 58-31-56, RELATING TO CONFLICT OF INTEREST TRANSACTIONS, SO AS TO PROVIDE A VIOLATION OF THIS SECTION BY A DIRECTOR CONSTITUTES GROUNDS FOR REMOVAL FROM OFFICE BY THE GOVERNOR; TO AMEND SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO CLARIFY THE GOVERNOR'S AUTHORITY TO REMOVE DIRECTORS OF THE PUBLIC SERVICE AUTHORITY; TO ESTABLISH EXPIRATION DATES FOR DIRECTORS SERVING AS OF THE EFFECTIVE DATE OF THIS ACT; BY ADDING SECTION 58-31-240 SO AS TO REQUIRE THE JOINT BOND REVIEW COMMITTEE TO APPROVE, REJECT, OR MODIFY CERTAIN BONDS, NOTES, OR OTHER INDEBTEDNESS PRIOR TO ISSUANCE, AND TO REQUIRE THE PUBLIC SERVICE AUTHORITY TO PROVIDE AN ANNUAL REPORT BY SEPTEMBER FIRST OF EACH YEAR REGARDING REAL ESTATE TRANSACTIONS EXECUTED DURING THE PRECEDING TWELVE MONTHS; BY ADDING SECTION 58-31-250 SO AS TO AUTHORIZE THE SENATE FINANCE COMMITTEE AND THE HOUSE OF REPRESENTATIVES WAYS AND MEANS COMMITTEE TO COMPEL CERTAIN WRITTEN OR ORAL TESTIMONY FROM THE PUBLIC SERVICE AUTHORITY; TO AMEND SECTION 58-33-110, AS AMENDED, RELATING TO THE CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE A QUALIFIED CERTIFICATION EXEMPTION FOR CERTAIN TRANSMISSION LINES OR FACILITIES; TO AMEND SECTION 58-31-430, RELATING TO THE SERVICE AREA TO BE EXCLUSIVELY SERVED BY THE AUTHORITY, SO AS TO, AMONG OTHER THINGS, CLARIFY THE PUBLIC SERVICE AUTHORITY'S RIGHT TO ENTER INTO CERTAIN AGREEMENTS WITH OTHER ELECTRIC SUPPLIERS CONCERNING SERVICE AREAS AND CORRIDOR RIGHTS; BY ADDING ARTICLE 7 TO CHAPTER 31, TITLE 58 SO AS TO ESTABLISH A RETAIL RATES PROCESS; BY ADDING SECTION 58-31-225 SO AS TO AUTHORIZE THE OFFICE OF REGULATORY STAFF TO MAKE INSPECTIONS, AUDITS, AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY; BY ADDING SECTION 58-4-51 SO AS TO ENUMERATE CERTAIN DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF REGARDING THE PUBLIC SERVICE AUTHORITY; TO AMEND SECTION 58-4-55, AS AMENDED, RELATING TO THE PRODUCTION OF RECORDS TO THE OFFICE OF REGULATORY STAFF WHEN CONDUCTING INSPECTIONS, AUDITS, AND EXAMINATIONS, SO AS TO, AMONG OTHER THINGS, AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO DESIGNATE CERTAIN DOCUMENTS OR INFORMATION PROVIDED TO THE OFFICE OF REGULATORY STAFF AS CONFIDENTIAL, OR PROPRIETARY, AND EXEMPT FROM DISCLOSURE; TO AMEND SECTIONS 58-27-190, 58-27-200, 58-27-210, AND 58-27-220, ALL RELATING TO THE INSPECTION, AUDIT, AND ENFORCEMENT AUTHORITY OF THE OFFICE OF REGULATORY STAFF, ALL SO AS TO EXPAND THE APPLICABILITY OF THESE SECTIONS' PROVISIONS TO THE PUBLIC SERVICE AUTHORITY; TO AMEND SECTION 58-33-20, RELATING TO DEFINITIONS APPLICABLE TO THE "UTILITY FACILITY SITING AND ENVIRONMENTAL PROTECTION ACT", SO AS TO REVISE THE DEFINITION OF "MAJOR UTILITY FACILITY"; BY ADDING SECTIONS 58-33-180, 58-33-185, AND 58-33-190 ALL SO AS TO, AMONG OTHER THINGS, IMPOSE ADDITIONAL REQUIREMENTS AND LIMITATIONS ON THE PUBLIC SERVICE AUTHORITY REGARDING THE CONSTRUCTION, ACQUISITION, AND PURCHASE OF MAJOR UTILITY FACILITIES; TO AMEND SECTION 58-37-40, AS AMENDED, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO, AMONG OTHER THINGS, EXPAND THE SECTION'S APPLICABILITY TO THE PUBLIC SERVICE AUTHORITY, AND TO IMPOSE ADDITIONAL REQUIREMENTS ON THE PUBLIC SERVICE AUTHORITY; BY ADDING SECTION 58-31-227 SO AS TO, AMONG OTHER THINGS, IMPOSE RENEWABLE ENERGY RESOURCE PROCUREMENT REQUIREMENTS ON THE PUBLIC SERVICE AUTHORITY; TO REQUIRE THE PUBLIC SERVICE AUTHORITY TO

DEVELOP AND IMPLEMENT A PLAN THAT PROVIDES FOR EMPLOYEE RETENTION, JOB TRAINING, AND ECONOMIC DEVELOPMENT OPPORTUNITIES FOR EMPLOYEES AND COMMUNITIES AFFECTED BY THE RETIREMENT OF CERTAIN COAL STATIONS; AND TO EXTEND THE PROVISIONS OF SECTION 11 OF ACT 135 OF 2020. - ratified title

12/09/20	House	Prefiled
12/09/20	House	Referred to Committee on Ways and Means
01/12/21	House	Introduced and read first time (House Journal-page 108)
01/12/21	House	Referred to Committee on Ways and Means (House Journal-page 108)
01/13/21	House	Committee report: Favorable with amendment Ways and Means (House Journal-page 3)
01/26/21	House	Member(s) request name added as sponsor: Yow, Carter
01/26/21	House	Requests for debate-Rep(s). Ott, Jefferson, S. Williams, Brawley, J.L. Johnson, Govan, Hosey, Garvin, Tedder Matthews, J.E. Johnson, Brittain, Fry, Cobb-Hunter, McDaniel, and Davis (House Journal-page 18)
01/26/21	House	Amended (House Journal-page 20)
01/26/21	House	Read second time (House Journal-page 20)
01/26/21	House	Roll call Yeas-89 Nays-26 (House Journal-page 20)
01/27/21		Scrivener's error corrected
01/27/21	House	Read third time and sent to Senate (House Journal-page 49)
01/28/21	Senate	Introduced and read first time (Senate Journal-page 6)
01/28/21	Senate	Referred to Committee on Judiciary (Senate Journal-page 6)
02/12/21	Senate	Referred to Subcommittee: Rankin (ch), Hutto, Campsen, Matthews, Talley, Harpootlian, Adams
04/20/21	Senate	Polled out of committee Judiciary (Senate Journal-page 8)
04/20/21	Senate	Committee report: Favorable with amendment Judiciary (Senate Journal-page 8)
04/22/21	Senate	Committee Amendment Withdrawn (Senate Journal-page 37)
04/22/21	Senate	Amended (Senate Journal-page 37)
04/22/21	Senate	Read second time (Senate Journal-page 37)
04/22/21	Senate	Roll call Ayes-44 Nays-1 (Senate Journal-page 37)
04/22/21	Senate	Unanimous consent for third reading on next legislative day (Senate Journal-page 37)
04/23/21	Senate	Read third time and returned to House with amendments (Senate Journal-page 3)
04/23/21		Scrivener's error corrected
04/29/21	House	Debate adjourned (House Journal-page 72)
05/04/21	House	Senate amendment amended (House Journal-page 22)
05/04/21	House	Returned to Senate with amendments (House Journal-page 22)
05/04/21	House	Roll call Yeas-85 Nays-34
05/05/21	Senate	Non-concurrence in House amendment (Senate Journal-page 32)
05/05/21	House	House insists upon amendment and conference committee appointed Reps. Lucas, GM Smith, Rutherford (House Journal-page 64)
05/06/21	Senate	Conference committee appointed Rankin, Massey, Hutto (Senate Journal-page 12)
05/13/21		Scrivener's error corrected
06/08/21	Senate	Conference report received and adopted (Senate Journal-page 8)
06/08/21	Senate	Roll call Ayes-43 Nays-0 (Senate Journal-page 8)
06/08/21	House	Conference report received and adopted (House Journal-page 31)
06/08/21	House	Roll call Yeas-111 Nays-0 (House Journal-page 67)
06/08/21	Senate	Ordered enrolled for ratification
06/09/21		Ratified R 110
06/15/21		Signed By Governor
06/22/21		Effective date See Act for Effective Date
06/22/21		Act No. 90