**South Carolina General Assembly**

118th Session, 2009-2010

**S. 748**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Scott, Malloy, Jackson, Anderson, Nicholson and Lourie

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Introduced in the Senate on April 23, 2009

Currently residing in the Senate Committee on **Judiciary**

Summary: Landfills

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/23/2009 Senate Introduced and read first time

4/23/2009 Senate Referred to Committee on **Judiciary**

5/5/2009 Senate Referred to Subcommittee: Rankin (ch), Hutto, Campbell

**VERSIONS OF THIS BILL**

[4/23/2009](file:///p:\pprever\2009-10\748_20090423.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑5‑395 SO AS TO DEFINE A LANDFILL, TO PROVIDE THAT A PUBLIC OR PRIVATELY OWNED WATER UTILITY OPERATING WITHIN FIVE MILES OF A LANDFILL SHALL PROVIDE A WATER LINE AND SUPPLY WATER TO THE LANDFILL, TO PROVIDE THE UTILITY INITIALLY MUST BEAR THE EXPENSE OF CONSTRUCTING THE WATER LINE BUT LATER MAY RECOVER ACTUAL COST OF THE WATER LINE FROM THE LANDFILL’S OWNER, TO PROVIDE A COUNTY OR MUNICIPALITY MAY ISSUE REVENUE BONDS FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF A WATER LINE REQUIRED PURSUANT TO THIS SECTION AND SITUATED WITHIN ITS JURISDICTION AND MAY PLEDGE REVENUE RECEIVED FROM THE LANDFILL SERVICED BY THE WATER LINE TO REPAY THESE REVENUE BONDS, AND TO PROVIDE THE UTILITY MAY CHARGE THE LANDFILL’S OWNER A FEE FOR WATER SUPPLIED TO THE LANDFILL AT THE SAME RATE CHARGED OTHER CUSTOMERS.

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

SECTION 1. Article 3, Chapter 5, Title 58 of the 1976 Code is amended by adding:

“Section 58‑5‑395. (A) As used in this section, ‘landfill’ means a landfill as defined in Section 44‑96‑40(22).

(B) A public or privately owned water utility operating within five miles of a landfill shall provide a water line and supply water to the landfill so the landfill may access the utility’s water supply.

(C) A county or municipality may issue revenue bonds for the purpose of financing the construction of a water line required pursuant to this section and situated in that county or municipality. The county of municipality may pledge revenue received from the landfill serviced by the waterline to repay these revenue bonds.

(D) The utility may charge the landfill for water supplied at the same rate charged the utility’s other customers and for actual construction costs incurred for the construction of the water line.”

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

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