AMENDED--NOT PRINTED IN THE HOUSE

Amt. No. 1 (Doc. Path council/ms/7782ahb12)

May 2, 2012

**H. 4726**

Introduced by Reps. Pitts, Parks and Pinson

S. Printed 4/24/12--S.

Read the first time March 27, 2012.

**A** **BILL**

TO AMEND SECTION 6‑11‑1230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF PUBLIC SERVICE DISTRICT AND SPECIAL PURPOSE DISTRICT COMMISSIONS, INCLUDING, AMONG OTHER THINGS, THE POWER TO ASSESS THE COST OF THE ESTABLISHMENT AND CONSTRUCTION OF A SEWER LATERAL COLLECTION LINE, SO AS TO PROVIDE THAT IF A RESIDENTIAL SUBDIVISION RECEIVED CONCEPTUAL APPROVAL FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR SEPTIC TANK USE AND SUBSEQUENTLY FIVE OR MORE LOTS IN THE SUBDIVISION WERE DENIED PERMITS BY THE DEPARTMENT, AN ASSESSMENT MAY BE LEVIED ON THE ABUTTING PARCELS IN THE SUBDIVISION FOR THE ACTUAL COSTS OF THE SEWER LATERAL COLLECTION LINES, TRANSMISSION LINES, AND ASSOCIATED INFRASTRUCTURE AND TO PROVIDE THAT A LETTER OR CERTIFICATE OF THE DEPARTMENT ESTABLISHES THESE CONDITIONS AUTHORIZING THE ASSESSMENT.

Amend Title To Conform

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

SECTION 1. To amend Section 6‑11‑1230 of the 1976 Code, by adding a second undesignated paragraph following item (4) to read:

“If, on the effective date of this paragraph, the area to be served is a residential subdivision that received conceptual approval under Regulation 61‑57 for septic tank use and has five or more lots later denied permits for a septic tank system for which the Department of Health and Environmental Control has developed standards, an assessment may be levied on the abutting parcels in the subdivision for the actual costs of sewer lateral collection lines in the subdivision and for transmission lines and associated infrastructure, including, but not limited to, trunk lines, force mains, pump stations, and lift stations, to be constructed to connect the sewer lateral collection lines to other infrastructure of the district. The satisfaction of the preconditions to this subsection may be conclusively established by a letter or certificate of the department.”

SECTION 2. Section 6‑11‑100 of the 1976 Code is amended to read:

“Section 6‑11‑100. The boards of commissioners of ~~such~~these districts ~~shall~~must be bodies politic and shall exercise and enjoy all the rights and privileges of such. They may purchase and build or contract for building ~~such~~ electric light, water supply, fire protection, and sewerage systems, and may lease, own, hold, and acquire all necessary equipment and property for ~~such~~that purpose. ~~and~~They may operate it and may contract with existing light and water companies and municipalities for light, water, and fire protection, or contract and connect with existing sewerage systems of municipalities or other districts. They may supply and furnish lights and water and provide for fire protection and sewerage disposal to citizens of ~~such~~these districts and may require an exact payment of ~~such~~ rates, tolls, rentals, and charges ~~as~~ they may establish for the use of lights, water, fire protection, and the sewerage plant. Property purchased by the boards of commissioners may be held in either the name of the commission or the name of the district.”

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

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