**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑1‑70 SO AS TO PROHIBIT A PUBLIC UTILITY THAT HOLDS AN EASEMENT OR RIGHT OF WAY FROM DENYING, REFUSING, OR REJECTING ANOTHER PUBLIC UTILITY’S REASONABLE REQUEST TO USE THE PREEXISTING EASEMENT OR RIGHT OF WAY IN ORDER TO COLLOCATE, CONSTRUCT, INSTALL, MAINTAIN, OR OPERATE INFRASTRUCTURE OR FACILITIES FOR A NECESSARY PUBLIC PURPOSE.

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

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

“Section 58‑1‑70. To the extent practicable and notwithstanding another provision of law, a public utility created or governed pursuant to the provisions of this title that holds an easement or right of way, regardless of the manner of acquisition, may not deny, refuse, or reject another public utility’s reasonable request to use the preexisting easement or right of way in order to collocate, construct, install, maintain, or operate infrastructure or facilities for a necessary public purpose.”

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

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