**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑27‑412 SO AS TO PROVIDE THAT NOTWITHSTANDING ANOTHER PROVISION OF LAW, FORMAL APPLICATION TO AND WRITTEN APPROVAL FROM THE PUBLIC SERVICE COMMISSION MUST BE OBTAINED BEFORE THE SALE, ASSIGNMENT, PLEDGE, OR TRANSFER OF AN EXISTING OR FUTURE FRANCHISE WITH A RETAIL ELECTRIC PROVIDER ISSUED PURSUANT TO THE PROVISIONS OF THIS CHAPTER, OR CONTROL OF AN EXISTING OR FUTURE FRANCHISE WITH A RETAIL ELECTRIC PROVIDER ISSUED PURSUANT TO THE PROVISIONS OF THIS CHAPTER IS CHANGED, ALTERED, OR AMENDED THROUGH STOCK TRANSFER, LEASE, OR OTHERWISE, OR A MERGER OR CONSOLIDATION AFFECTING A RETAIL ELECTRIC PROVIDER MADE THROUGH ACQUISITION OR CONTROL BY STOCK PURCHASE OR OTHERWISE; AND TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION’S APPROVAL MUST BE GIVEN IF JUSTIFIED BY PUBLIC CONVENIENCE OR NECESSITY, AND THAT THE PROVISIONS OF THIS SECTION DO NOT APPLY TO REGULAR TRADING IN LISTED SECURITIES ON RECOGNIZED MARKETS.

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

SECTION 1. Article 3, Chapter 27, Title 58 of the 1976 Code is amended by adding:

“Section 58‑27‑412. (A) Notwithstanding another provision of law, formal application to and written approval from the Public Service Commission must be obtained before:

(1) the sale, assignment, pledge, or transfer of an existing or future franchise with a retail electric provider issued pursuant to the provisions of this chapter;

(2) control of an existing or future franchise with a retail electric provider issued pursuant to the provisions of this chapter is changed, altered, or amended through stock transfer, lease, or otherwise; or

(3) the merger or consolidation affecting a retail electric provider made through acquisition or control by stock purchase or otherwise.

(B) The Public Service Commission’s approval required by this section must be based on the best interests of the ratepayers, workers, and citizens of the State of South Carolina.

(C) The provisions of this section do not apply to regular trading in listed securities on recognized markets.”

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

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