**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “FAIR ACCESS TO RESIDENTIAL WATER ACT OF 2019” BY ADDING SECTION 5‑31‑695 SO AS TO PROVIDE THAT A MUNICIPALITY MAY NOT CHARGE PEOPLE WHO RESIDE OUTSIDE THE CORPORATE BOUNDARIES HIGHER RATES FOR WATER SERVICES THAN IT CHARGES MUNICIPAL RESIDENTS, AND TO PROVIDE THAT A MUNICIPALITY MAY NOT REQUIRE OR DEMAND A NONMUNICIPAL RESIDENT’S PERMISSION OR CONSENT TO ANNEXATION BY THE MUNICIPALITY AS A CONDITION FOR ESTABLISHING OR MAINTAINING WATER SERVICE; AND TO PROVIDE THAT OUT OF STATE WATER UTILITIES MAY NOT CHARGE SOUTH CAROLINA RESIDENTS AN UNFAIR RATE FOR WATER SERVICES, AND TO DEFINE THE TERM “UNFAIR RATE”.

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

SECTION 1. This act must be known and may be cited as the “Fair Access to Residential Water Act of 2019”.

SECTION 2. Article 7, Chapter 31, Title 5 of the 1976 Code is amended by adding:

“Section 5‑31‑695. (A) Notwithstanding another provision of law, a municipality that provides water services to customers both within and without its corporate boundaries may not:

(1) charge people who reside outside the corporate boundaries higher rates for residential water services than it charges municipal resident customers; or

(2) require or demand a nonmunicipal resident’s permission or consent to annexation by the municipality as a condition for establishing or maintaining residential water service.

(B)(1) An out of state water utility may not charge South Carolina residents an unfair rate for water services.

(2) For purposes of this subsection ‘unfair rate’ means a rate that exceeds one hundred twenty percent of the average of all the residential water rates being charged for the same or substantially similar services in the county in which the customer resides.”

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

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