**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3272**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hill and McGarry

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Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: Fair Access to Residential Water Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs**

1/12/2021 House Introduced and read first time ([House Journal‑page 141](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 141](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3272&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3272_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “FAIR ACCESS TO RESIDENTIAL WATER ACT” 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”.

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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