COMMITTEE REPORT

March 24, 2021

**S. 304**

Introduced by Senators Climer and Fanning

S. Printed 3/24/21--S.

Read the first time January 12, 2021.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 304) to amend the 1976 South Carolina Code of Laws by adding Section 58‑27‑1060, so as to provide when a person or corporation using an electric vehicle charging station, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

This bill states that a person or corporation using an electric vehicle charging station to resell electricity to the public is not an electric utility if:

1. the person or corporation has procured the electricity from an electrical utility, municipality, consolidated political subdivision, or an electric cooperative that is authorized to sell the electricity within the territory the charging service is provided;

2. the person or corporation provides electricity solely for the charging of plug-in electric vehicles; and

3. the charging station is immobile.

This bill specifically states that it does not limit the ability of an electrical utility, municipality, consolidated political subdivision, or an electric cooperative to use electric vehicle charging stations to provide electricity for charging electric vehicles. Further, future increases in consumer demand or energy consumption associated with electric vehicles does not constitute found revenues for an electrical utility. This bill will not operationally or fiscally impact ORS. As such, this bill will not have an expenditure impact on the office’s other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58‑27‑1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

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

SECTION 1. Article 7, Chapter 27, Title 58 of the South Carolina Code of Laws is amended by adding:

“Section 58‑27‑1060. (A) A person or corporation who uses an electric vehicle charging station to resell electricity to the public for compensation is not an electric utility if:

(1) the person or corporation has procured the electricity from an electrical utility, municipality, consolidated political subdivision, or an electric cooperative that is authorized to engage in the retail sale of electricity within the territory in which the electric vehicle charging service is provided;

(2) the person or corporation furnishes electricity exclusively for the charging of plug‑in electric vehicles; and

(3) the charging station is immobile.

(B) Nothing in this section shall be construed to limit the ability of an electrical utility, municipality, consolidated political subdivision, or an electric cooperative to use electric vehicle charging stations to furnish electricity for charging electric vehicles. Any increases in customer demand or energy consumption associated with transportation electrification shall not constitute found revenues for an electrical utility.”

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

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