

Session 126 - (2025-2026)

H 5484 General Bill, By J.L. Johnson

Summary: Energy Affordability Act

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "ENERGY AFFORDABILITY ACT" BY AMENDING SECTION 58-37-20, RELATING TO THE PUBLIC SERVICE COMMISSION, SO AS TO PROVIDE FOR DEMAND-SIDE PILOT PROGRAMS; BY AMENDING SECTION 58-37-120, RELATING TO APPLICATIONS FOR PERMIT, SO AS TO REQUIRE A PUBLIC COMMENT PERIOD FOR ANY APPLICATION FOR A PERMIT FOR AN ENERGY INFRASTRUCTURE PROJECT, AND TO REQUIRE NOTICE TO AFFECTED LANDOWNERS IF A PUBLIC UTILITY THAT PLANS TO CONSTRUCT, OR HAS ENTERED INTO AGREEMENTS TO CONSTRUCT, AN ENERGY INFRASTRUCTURE PROJECT THAT MAY RESULT IN THE USE OF EMINENT DOMAIN AND TO PRESCRIBE THE METHODS AND CONTENT OF THE NOTICE, AND TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PROVIDE THE PROPERTY OWNER A SUMMARY OF OWNER RIGHTS UNDER STATE EMINENT DOMAIN LAW IF THE PROPERTY OWNER CONTACTS THE OFFICE OF REGULATORY STAFF AFTER RECEIVING NOTICE; BY ADDING SECTION 58-27-835 SO AS TO PROVIDE FOR THE TERMS AND CONDITIONS OF ELECTRIC SERVICE TO COMMERCIAL DATA CENTERS; BY ADDING SECTION 58-27-836 SO AS TO PROVIDE FOR REPORTS TO THE DEPARTMENT OF ENVIRONMENTAL SERVICES CONCERNING SURFACE AND GROUND WATER USED BY COMMERCIAL DATA CENTERS; BY ADDING SECTION 58-27-837 SO AS TO REQUIRE COMMERCIAL DATA CENTERS TO FILE DECOMMISSIONING PLANS AND DECOMMISSIONING FINANCIAL ASSURANCE INSTRUMENTS WITH THE DEPARTMENT OF ENVIRONMENTAL SERVICES; BY AMENDING SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM SALES TAX, SO AS TO PROVIDE THAT THE COMPUTER EQUIPMENT EXEMPTION IS AVAILABLE TO A TAXPAYER THAT ENTERED INTO A FEE-IN-LIEU AGREEMENT ON OR BEFORE MAY 30, 2026; TO PROVIDE THAT THE EXEMPTION FOR ELECTRICITY USED BY A TECHNOLOGY INTENSIVE FACILITY IS NOT AVAILABLE TO A TAXPAYER THAT DID NOT CLAIM THE CREDIT PRIOR TO MAY 30, 2026; TO PROVIDE THAT TO CLAIM THE EXEMPTION FOR ORIGINAL OR REPLACEMENT COMPUTERS, COMPUTER EQUIPMENT, AND COMPUTER HARDWARE AND SOFTWARE PURCHASES USED IN A DATACENTER, THE TAXPAYER MUST HAVE NOTIFIED THE DEPARTMENTS OF REVENUE AND COMMERCE OF ITS INTENTION TO CLAIM THE CREDIT ON OR BEFORE MAY 30, 2026; AND TO PROVIDE THAT THE EXEMPTION FOR ORIGINAL OR REPLACEMENT COMPUTERS, COMPUTER EQUIPMENT, AND COMPUTER HARDWARE AND SOFTWARE PURCHASES USED IN A DATACENTER THE TAXPAYER MUST HAVE BEEN CERTIFIED BY THE DEPARTMENT OF COMMERCE PRIOR TO MAY 30, 2030; AND BY AMENDING SECTION 58-27-840, RELATING TO PROHIBITIONS ON PREFERENCES AND UNREASONABLE RATES, SO AS TO REQUIRE ELECTRICAL UTILITIES TO OFFER DISCOUNTED RATES TO LOW INCOME HOUSEHOLDS, SUBJECT TO THE COMMISSION'S APPROVAL.

04/01/26 House Introduced and read first time (House Journal-page 6)

04/01/26 House Referred to Committee on Labor, Commerce and Industry (House Journal-page 6)