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COMMITTEE REPORT

February 1, 2012

**H. 4108**

Introduced by Rep. Allen

S. Printed 2/1/12--S.

Read the first time May 3, 2011.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4108) to amend Sections 5‑31‑2510, 6‑11‑2510, 33‑49‑1410, 58‑5‑1110, 58‑27‑2510, and 58-31-510, Code of Laws of South Carolina, 1976, relating to definitions, 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**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

There is no fiscal impact on the General Fund of the State or on federal and/or other funds.

**LOCAL GOVERNMENT IMPACT:**

The State Budget Division surveyed municipalities in the FIST network of local governments. Municipalities indicated that it is difficult to quantify the real costs of this bill.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTIONS 5‑31‑2510, 6‑11‑2510, 33‑49‑1410, 58‑5‑1110, 58‑27‑2510, AND 58‑31‑510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN PROCEDURES GOVERNING THE TERMINATION OF ELECTRIC AND NATURAL GAS SERVICE UNDER CERTAIN CIRCUMSTANCES FURNISHED BY A MUNICIPALITY, SPECIAL PURPOSE DISTRICT OR PUBLIC SERVICE DISTRICT, ELECTRIC COOPERATIVE, PUBLIC UTILITY, PUBLIC SERVICE AUTHORITY, OR ELECTRIC UTILITY, SO AS TO CHANGE THE DEFINITION OF “SPECIAL NEEDS ACCOUNT CUSTOMER” TO INCLUDE CUSTOMERS WHO SUFFER FROM ALZHEIMER’S DISEASE OR DEMENTIA.

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

SECTION 1. Section 5‑31‑2510(2) of the 1976 Code, as added by Act 313 of 2006, is amended to read:

“(2) ‘Special needs account customer’ means the account of a residential customer:

(a) ~~where~~ when the customer can furnish to the municipality furnishing electricity or natural gas to its citizens a certificate on a form provided by the municipality and signed by a licensed health care provider that states that termination of electric or gas service would be dangerous to the health of the customer or a member of his household at the premises to which electric or natural gas service is rendered; or

(b) who suffers from Alzheimer’s disease or dementia as certified by a licensed health care provider.”

SECTION 2. Section 6‑11‑2510(2) of the 1976 Code, as added by Act 313 of 2006, is amended to read:

“(2) ‘Special needs account customer’ means the account of a residential customer:

(a) ~~where~~ when the customer can furnish to the special purpose or public service district furnishing electricity or natural gas to residents of this State a certificate on a form provided by the special purpose or public service district and signed by a licensed health care provider that states that termination of electric or gas service would be dangerous to the health of the customer or a member of his household at the premises to which electric or natural gas service is rendered; or

(b) who suffers from Alzheimer’s disease or dementia as certified by a licensed health care provider.”

SECTION 3. Section 33‑49‑1410(2) of the 1976 Code, as added by Act 313 of 2006, is amended to read:

“(2) ‘Special needs account member’ means the account of a residential member:

(a) ~~where~~ when the member can furnish to the electric cooperative a certificate on a form provided by the electric cooperative and signed by a licensed health care provider that states that termination of electric service would be dangerous to the health of the member or a person residing in the member’s household at the premises to which electric service is rendered; or

(b) who suffers from Alzheimer’s disease or dementia as certified by a licensed health care provider.”

SECTION 4. Section 58‑5‑1110(2) of the 1976 Code, as added by Act 313 of 2006, is amended to read:

“(2) ‘Special needs account customer’ means the account of a residential customer:

(a) ~~where~~ when the customer can furnish to the utility a certificate on a form provided by the utility and signed by a licensed health care provider that states that termination of natural gas service would be dangerous to the health of the customer or a member of his household at the premises to which natural gas service is rendered; or

(b) who suffers from Alzheimer’s disease or dementia as certified by a licensed health care provider.”

SECTION 5. Section 58‑27‑2510(2) of the 1976 Code, as added by Act 313 of 2006, is amended to read:

“(2) ‘Special needs account customer’ means the account of a residential customer:

(a) ~~where~~ when the customer can furnish to the utility a certificate on a form provided by the utility and signed by a licensed health care provider that states that termination of electric service would be dangerous to the health of the customer or a member of his household at the premises to which electric service is rendered; or

(b) who suffers from Alzheimer’s disease or dementia as certified by a licensed health care provider.”

SECTION 6. Section 58‑31‑510(2) of the 1976 Code, as added by Act 313 of 2006, is amended to read:

“(2) ‘Special needs account customer’ means the account of a residential customer:

(a) ~~where~~ when the customer can furnish to the Public Service Authority a certificate on a form provided by the Public Service Authority and signed by a licensed health care provider that states that termination of electric service would be dangerous to the health of the customer or a member of his household at the premises to which electric service is rendered; or

(b) who suffers from Alzheimer’s disease or dementia as certified by a licensed health care provider.”

SECTION 7. This act takes effect upon approval by the Governor.

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