INTRODUCED

March 7, 2013

**H. 3791**

Introduced by Reps. Gagnon and Gambrell

S. Printed 3/7/13--H. [SEC 3/8/13 2:22 PM]

Read the first time March 7, 2013.

**A** **BILL**

TO AUTHORIZE THE STARR‑IVA WATER AND SEWER DISTRICT IN ANDERSON COUNTY TO PROVIDE WATER SERVICE TO A SPECIFIED AREA OF ABBEVILLE COUNTY, UPON THE CONSENT OF THE GOVERNING BODY OF ABBEVILLE COUNTY, TO SOLVE A CRITICAL WATER SERVICE PROBLEM.

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

SECTION 1. The General Assembly finds as follows:

(A) A certain area of Abbeville County is in critical need of a supplier of water service to customers in the area who cannot secure a constant and adequate water supply, including a school.

(B) The Starr‑Iva Water and Sewer District, which operates in the adjacent Anderson County, is a former nonprofit water company that converted to a public service district pursuant to the provisions of Article 8, Chapter 36, Title 33 of the 1976 Code. As a nonprofit corporation, the then Starr‑Iva Water Company would have been authorized to serve this area of Abbeville County in the manner specified in Section 33‑36‑270(B) of the 1976 Code, but the enumerated powers of such a converted district that was formerly a nonprofit corporation as provided in Section 33‑36‑1360 of the 1976 Code, are silent as to this authority. Under the provisions of Section 33‑36‑270(B) of the 1976 Code, the governing body of Abbeville County also would have been required to consent to the then Starr‑Iva Water Company providing service in this area of Abbeville County.

(C) The General Assembly therefore declares that to clarify the law in this regard and since two counties are involved, it has determined to enact this provision to provide that this public service district in Anderson County, upon the consent of the governing body of Abbeville County, is authorized to provide water service in the area of Abbeville County as specified in SECTION 3 to solve a critical water service problem.

SECTION 2. Pursuant to the provisions of SECTION 1, the Starr‑Iva Water and Sewer District in Anderson County is authorized to provide water service to a specified portion of an unincorporated area of Abbeville County as described in SECTION 3 upon consent of the governing body of Abbeville County in order to provide needed critical water services for this area.

SECTION 3. The boundary description of the area permitted to be served in Abbeville County is as follows:

‘Boundary description beginning at a point intersecting with the Anderson County / Abbeville County boundary line and the state boundary line between South Carolina and Georgia. Said point of beginning being the centerline of Savannah River (Lake Russell). Continuing in a southerly direction along the meanders of the South Carolina / Georgia State boundary (Savannah River) to a point where the Rocky River intersects the Savannah River. Thence continuing in a northeasterly direction following the meanders of the center line of the Rocky River to a point that intersects a line extending due west from the common boundary of two parcels with the TMS # 116‑00‑00‑013 (N/F Beulah Land Real Estate Holdings, Inc.) and TMS # 116‑00‑00‑001 (N/F Stevens Family Partnership). Thence continuing along the common boundary line of TMS # 116‑00‑00‑013 and TMS # 116‑00‑00‑011 in a northeasterly direction to the intersection of S.C. 81. Thence due east to a point 1000 feet from the intersection of S.C. 81. Thence due north to a point 1000 feet south of the centerline of Trask Road. Thence continuing in an easterly direction following the centerline of Trask Road and said boundary being offset 1000 feet south of Trask Road to a point in the centerline of Will C. Johnson Road. This point being approximately 1000 feet south of the intersection of Trask Road and Will C. Johnson Road. Thence continuing in a northeasterly direction to a point in the intersection of Murrow Creek and Basking Branch. Thence continuing in a northerly direction along the meanders of Basking Branch to a point 1000 feet south of S.C. 71. Thence continuing in an easterly direction following the centerline of S.C. 71 and said boundary being offset 1000 feet south of centerline of S.C. 71 to a point that intersects with the centerline of Little River. Thence continuing in a northeasterly direction along the meanders of Little River to a point at the intersection of Litter River and Johnson Creek. Thence continuing in a northerly direction along the centerline of Johnson Creek to a point that intersects a line 1000 feet west of the centerline of S.C. 201. Thence continuing in a northwesterly direction following the centerline of S.C. 201 and said boundary being offset 1000 feet west of the centerline of S.C. 201 to a point that intersects the Abbeville / Anderson County boundary line. Thence turning and continuing in a southwesterly direction along the common boundary of Anderson and Abbeville County for approximately 16 miles to the point of beginning.’

The above described boundary consists of approximately 127.5 square mile of area.

SECTION 4. This act takes effect upon approval by the Governor.

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