**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑1‑70 SO AS TO PROVIDE THAT A TELECOMMUNICATIONS OR INTERNET SERVICE PROVIDER THAT HAS ENTERED INTO A FRANCHISE AGREEMENT, RIGHT OF WAY AGREEMENT, OR OTHER CONTRACT WITH THE STATE OF SOUTH CAROLINA OR ONE OF ITS POLITICAL SUBDIVISIONS, OR THAT USES FACILITIES THAT ARE SUBJECT TO THOSE AGREEMENTS, EVEN IF IT IS NOT A PARTY TO THE AGREEMENT, MAY NOT COLLECT PERSONAL INFORMATION FROM A CUSTOMER RESULTING FROM THE CUSTOMER’S USE OF THE TELECOMMUNICATIONS OR INTERNET SERVICE PROVIDER WITHOUT EXPRESS WRITTEN APPROVAL FROM THE CUSTOMER.

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

SECTION 1. Chapter 1, Title 58 of the 1976 Code is amended by adding:

“Section 58‑1‑70. Notwithstanding another provision of law, a telecommunications or Internet service provider that has entered into a franchise agreement, right of way agreement, or other contract with the State of South Carolina or one of its political subdivisions, or that uses facilities that are subject to those agreements, even if it is not a party to the agreement, may not collect personal information from a customer resulting from the customer’s use of the telecommunications or Internet service provider without express written approval from the customer. A telecommunication or Internet service provider may not refuse to provide its services to a customer on the grounds that the customer has not approved collection of the customer’s personal information.”

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

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