**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 27, TITLE 58 OF THE 1976 CODE, RELATING TO ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES, TO PROVIDE THAT A CERTIFIED ARBORIST MUST BE PRESENT TO SUPERVISE ALL MAINTENANCE PLANS, TO PROVIDE AN EXEMPTION FOR NATURAL DISASTERS, AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. Article 1, Chapter 27, Title 58 of the 1976 Code is amended by adding:

“Section 58‑27‑260. (A) For the purposes of this section:

(1) ‘Certified arborist’ means a person with an associate or bachelor’s degree in arboriculture, forestry, horticulture, or a related field who is certified by the International Society of Arboriculture.

(2) ‘Equipment’ shall include, but is not limited to, light poles, electrical wires, transformers, switch boxes, or any other items or fixtures put in place by a utility company for the purpose of providing a utility to a community.

(3) ‘Maintenance plan’ or ‘maintenance activities’ includes, but is not limited to, any tree modifications, installation of new equipment that effects the existing landscape, and replacement of existing equipment that effects the existing landscape.

(4) ‘Utility company’ means any electric and lighting company that has to acquire fee simple title or an easement in land by condemnation action pursuant to Section 58‑27‑130.

(B) A utility company must employ a certified arborist to supervise the implementation of any maintenance plan or execution of maintenance activities in order to inflict minimal damage or alterations to trees and the surrounding landscape when installing or maintaining equipment. The certified arborist must be present for all maintenance activities.

(C) The provisions of this section do not apply if a utility company is attempting to restore power to one or more residents of the community or neighborhood following a natural disaster or other emergency situation.”

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

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