**South Carolina General Assembly**

125th Session, 2023-2024

**A94, R12, S657**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Fanning

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Introduced in the Senate on March 22, 2023

Introduced in the House on March 29, 2023

Currently residing in the Senate

Governor's Action: April 25, 2023, Signed

Summary: Chester County Natural Gas Authority

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/22/2023 Senate Introduced, read first time, placed on local & uncontested calendar (Senate Journal‑page 5)

 3/23/2023 Senate Read second time (Senate Journal‑page 13)

 3/24/2023 Scrivener's error corrected

 3/28/2023 Senate Read third time and sent to House (Senate Journal‑page 11)

 3/29/2023 House Introduced and read first time (House Journal‑page 75)

 3/29/2023 House Referred to **Chester Delegation** (House Journal‑page 75)

 4/4/2023 House Delegation report: Favorable **Chester Delegation** (House Journal‑page 1)

 4/5/2023 House Read second time (House Journal‑page 56)

 4/5/2023 House Roll call Yeas-111 Nays-0 (House Journal‑page 56)

 4/6/2023 House Read third time and enrolled (House Journal‑page 19)

 4/19/2023 Ratified R 12

 4/25/2023 Signed By Governor

 4/27/2023 Effective date 04/25/23

 7/6/2023 Act No. 94

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**VERSIONS OF THIS BILL**

[03/22/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/657_20230322.docx)

[03/22/2023-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/657_20230322a.docx)

[03/24/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/657_20230324.docx)

[04/04/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/657_20230404.docx)

(A94, R12, S657)

AN ACT to amend section 3 of act 802 of 1954, as amended, relating to the composition of the board of the chester county natural gas authority, so as to change the method of appointment; and to amend section 5 of act 802 of 1954, relating to revenues, so as to allow the board to utilize net revenues.

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

Findings

SECTION 1. The General Assembly finds that:

 (A) The Chester County Natural Gas Authority “authority” was created pursuant to Act 802 of 1954, as amended by Act 527 of 1957, as amended by Act 528 of 1957, and as last amended by Act 1237 of 1966.

 (B) As a result of the changes in the service area’s boundaries and population distribution, the General Assembly believes it is in the authority’s and its customers’ best interests that it alter the method whereby the members of the authority’s governing board are appointed; and that the revenues be used to expand the system as needed and to subsidize the rates charged to its customers.

 (C) In order to better serve the populations residing within the authority’s service area, the General Assembly has determined that Act 802 of 1954, as amended, should be amended as provided in SECTIONS 2 and 3 of this act.

Board members

SECTION 2. SECTION 3 of Act 802 of 1954, as last amended by Act 527 of 1957 is amended to read:

 SECTION 3. The authority shall consist of a board of five members from the service territory of the authority. The board members must be appointed by the Governor upon the recommendation of a majority of the existing board, and such recommendation is approved by the Chester County Delegation, including the Senator. The initial terms of office begin as of the effective date of this act and continue for a term of six years and until the appointment and qualification of their successors. A vacancy in office must be filled for the unexpired term in the manner of the original appointment. The members of the authority serve without salary, and must be compensated only for actual expenses incurred on official business of the authority and as provided by state law. A full record of all expenses that may be incurred by the members of the authority must be kept and must at all reasonable times be open to public inspection. As soon as convenient, the members of the authority shall convene and shall elect one of their number as chairperson and another as secretary, each of whom shall hold office for terms to be fixed by the authority.

Revenues

SECTION 3.  SECTION 5 of Act 802 of 1954 is amended to read:

 SECTION 5. All net revenues derived from the system, whose disposition the authority shall not have covenanted or contracted to otherwise dispose of, shall be placed, as directed by the authority’s governing board, in reserve in order that the authority:

 (A) may act to supplement the fees charged to its customers so that the customers shall not have to bear inordinate increases in their rates when the price of gas to the authority rises precipitously; and

 (B) shall have access to ready funding when the system requires expansion or extraordinary maintenance or updating.

Purpose

SECTION 4. The intended purpose of this act is to amend and replace SECTION 3 and SECTION 5 of Act 802 of 1954, as amended. Upon the effective date of this act, SECTION 3 and SECTION 5 of Act 802 of 1954 exist exclusively as set forth in this act, and all other provisions in Act 802 of 1954, as previously amended, shall remain unaltered and unaffected by this act, except in the event of a conflict between this act and other provisions of Act 802 of 1954, as amended, the provisions of this act shall govern and control.

Time effective

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 19th day of April, 2023.

Approved the 25th day of April, 2023.

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