

1 DRAFT PREPARED BY LEGISLATIVE COUNCIL
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9 **A BILL**

10
11 TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,
12 1976, BY ADDING ARTICLE 5 TO CHAPTER 30, TITLE 27 SO
13 AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY OR
14 OTHER UTILITY TO TRANSFER OWNERSHIP OF STREET
15 LIGHT SYSTEMS TO HOMEOWNERS ASSOCIATIONS AND
16 PROPERTY OWNERS ASSOCIATIONS, TO DETERMINE
17 SUFFICIENT CONSIDERATION FOR THE TRANSFER OF
18 OWNERSHIP, TO PROHIBIT THE PUBLIC SERVICE
19 AUTHORITY OR OTHER UTILITY FROM REQUIRING THE
20 INSTALLATION OF NEW ELECTRICITY METERS UPON
21 TRANSFER, AND TO REQUIRE AN INSPECTION OF THE
22 STREET LIGHTS SYSTEM PRIOR TO TRANSFER OF
23 OWNERSHIP TO THE HOMEOWNERS ASSOCIATION OR
24 PROPERTY OWNERS ASSOCIATION.

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

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29 SECTION 1. Chapter 30, Title 27 of the 1976 Code is amended by
30 adding:

31
32 “Article 5

33
34 Transfer of Street Light Systems

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36 Section 27-30-500. Notwithstanding any other provision of law,
37 the South Carolina Public Service Authority or any other utility is
38 authorized to transfer ownership of any street light system to a
39 homeowners association or a property owners association.

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41 Section 27-30-510. When transferring any street light system to
42 either the homeowners association or property owners association,

1 the cumulative total of any payments must be considered sufficient
2 consideration if, as of May 1, 2021, the total exceeds 1.3 times the
3 original cost of the street light system. For transfers occurring after
4 May 1, 2021, when the total payment exceeds 1.3 times the original
5 cost of the street light system, at least seventy five percent of the
6 payments made after May 1, 2021 must be returned to the
7 association in the form of electricity credits which must be effected
8 within sixty (60) days of the transfer of the street light system.
9

10 Section 27-30-520. The South Carolina Public Service Authority
11 or utility may not require, as a condition of the transfer, installation
12 of new electricity meters, but shall continue using the existing
13 formula for computing energy usage set forth in South Carolina
14 Public Service Authority, Private Outdoor Lighting Services,
15 Schedule OL-17, Sections 4, 5, and Exhibit B.
16

17 Section 27-30-530. (A) Prior to transferring any street light
18 system, a certified electrical inspector shall inspect the street light
19 system. The inspector shall confirm that the street light system
20 meets the following standards or codes at the time of transfer:

- 21 (1) National Electric Code;
- 22 (2) National Electric Safety Code;
- 23 (3) Institute of Electrical and Electronic Engineers;
- 24 (4) Federal Energy Regulatory Commission; and
- 25 (5) local governing authority regulations.

26 (B) The inspection is the responsibility of the association
27 accepting the street lights and the association shall bear the cost of
28 the inspection.

29 (C) The South Carolina Public Service Authority or utility shall
30 remedy, at its expense, any deficiencies existing at or before the time
31 of the transfer.”
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33 SECTION 2. This act takes effect upon approval by the Governor.
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