H._____

A BILL

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-44-200 SO AS TO ESTABLISH A FRAMEWORK FOR THE IDENTIFICATION AND COORDINATION OF STRATEGIC ENERGY AND COMPUTE DEVELOPMENT SITES, TO ENCOURAGE THE CO-LOCATION OF ENERGY GENERATION AND LARGE-LOAD INFRASTRUCTURE, TO ALIGN STATE POLICY WITH FEDERAL ENERGY AND NATIONAL SECURITY INITIATIVES, AND TO PROVIDE FOR INTERAGENCY COORDINATION WITHOUT CREATING NEW REGULATORY AUTHORITY.

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

SECTION 1. Chapter 44

Title 58 of the S.C. Code is amended by adding:

Section 58-44-200. Strategic Energy and Compute Development.

(A) The Department of Commerce may identify and maintain a list of strategic energy and compute development sites suitable for large-load infrastructure, including data centers, artificial intelligence systems, digital infrastructure, and other high-energy-use industrial operations.

(B) In identifying such sites, the Department shall give consideration to:

(1) brownfield sites and formerly developed industrial properties;

(2) underutilized industrial parks and legacy manufacturing locations;

(3) proximity to existing or planned electric generation and transmission infrastructure;

(4) availability of water, wastewater, transportation, and broadband infrastructure;

(5) locations where infrastructure capacity can be efficiently restored or expanded.

(C) The Department may recognize areas where energy generation, storage, and large-load infrastructure may be co-located and coordinated for planning and economic development purposes. Such configurations may include shared or coordinated infrastructure and may be referred to as energy park or infrastructure cluster configurations.

(D) Nothing in this section shall be construed to:

(1) create a regulatory program or permitting requirement;

(2) supersede or preempt local zoning, land use, or permitting authority; or

(3) require designation or approval of any site by the State.

(E) State agencies, including the Department of Commerce, Public Service Commission, Office of Regulatory Staff, and Department of Environmental Services, may coordinate to support the development of large-load infrastructure in a manner that:

(1) promotes grid reliability and efficient infrastructure utilization;

(2) supports demand response, flexible load, and behind-the-meter generation where appropriate;

(3) aligns with existing state economic development objectives.

(F) The State may consider alignment of strategic energy and compute development with applicable federal initiatives, including programs related to energy resilience, advanced energy technologies, and national security infrastructure, to the extent such alignment does not conflict with state law.

(G) Existing economic development incentives, including fee-in-lieu of tax agreements and other lawful incentives, may be applied to qualifying projects consistent with current law. Nothing in this section creates a new incentive program.

(H) The Department of Commerce may provide an annual summary to the General Assembly regarding:

(1) identified sites and development activity;

(2) trends in large-load infrastructure investment;

(3) coordination efforts among state agencies.

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