**South Carolina General Assembly**

124th Session, 2021-2022

**S. 440**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Shealy

Document Path: l:\s-res\ks\013remo.kmm.ks.docx

Introduced in the Senate on January 12, 2021

Currently residing in the Senate Committee on **Judiciary**

Summary: False or fraudulent documents

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 312](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 312](file:///h:\sj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=440&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/12/2021](file:///p:\pprever\2021-22\440_20210112.docx)

**A** **BILL**

TO AMEND SECTION 30-9-30(B)(2) OF THE 1976 CODE, RELATING TO THE REMOVAL OF FALSE OR FRAUDULENT DOCUMENTS, TO PROVIDE THAT A PERSON PROVIDED WITH A NOTICE OF DOCUMENT REMOVAL MAY COMMENCE A SUIT TO PREVENT THE REMOVAL OF THE DOCUMENT.

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

SECTION 1. Section 30-9-30(B)(2) of the 1976 Code is amended to read:

“(2) If the clerk of court or the register of deeds reasonably believes that a conveyance, mortgage, judgment, lien, contract, or other document is materially false or fraudulent, or is a sham legal process, the clerk of court or the register of deeds may remove the document from the public records after giving thirty days' written notice to the person on whose behalf the document was filed at the return address provided in the document. Within thirty days written notice of the proposed removal, the person ~~providing~~ provided with the notice may commence a suit in a state court of competent jurisdiction preventing the clerk of court or the register of deeds from removing the document.”

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

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