**South Carolina General Assembly**

125th Session, 2023-2024

**S. 844**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senator Rankin

Document Path: SR-0502KM24.docx

Introduced in the Senate on January 9, 2024

Currently residing in the Senate

Summary: Study Committee

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/30/2023 Senate Prefiled

 11/30/2023 Senate Referred to Committee on **Judiciary**

 1/9/2024 Senate Introduced and read first time (Senate Journal‑page 54)

 1/9/2024 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 54)

 1/16/2024 Senate Referred to Subcommittee: Malloy (ch), Hutto,
 Campsen, Talley, Harpootlian, Garrett, M.Johnson

 3/27/2024 Senate Committee report: Favorable **Judiciary** (Senate Journal‑page 12)

 3/28/2024 Scrivener's error corrected

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=844&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/30/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/844_20231130.docx)

[03/27/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/844_20240327.docx)

[03/28/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/844_20240328.docx)

Committee Report

March 27, 2024

S. 844

Introduced by Senator Rankin

S. Printed 03/27/24--S. [SEC 3/28/2024 3:10 PM]

Read the first time January 09, 2024

\_\_\_\_\_\_\_\_

The committee on Senate Judiciary

To whom was referred a Joint Resolution (S. 844) to create a review and study committee, to provide that the review and study committee shall conduct a thorough study and review of South Carolina’s civil justice, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass:

LUKE RANKIN for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This joint resolution creates a committee to study and review South Carolina’s civil justice and insurance laws regarding coverage availability, premium rates, and deductibles for property and casualty insurance for the following categories:

single‑family dwellings, multi‑family units, condominium complexes, and commercial buildings;

automobiles and trucks;

commercial general liability;

business; and

restaurant, tavern, and bar liquor liability.

The committee will also review how other states’ civil justice and insurance laws compare with South Carolina’s laws regarding coverage availability, premium rates, and deductibles. The committee is to provide a report on its findings and recommendations to the General Assembly and the Governor and make the report available to the public on the General Assembly's website by January 31, 2025, at which time the committee will be dissolved.

The committee will be comprised of the following nine members:

a member of the Senate, appointed by the President of the Senate;

a member of the Senate, appointed by the Chairman of the Senate Banking and Insurance committee;

a member of the Senate, appointed by the Chairman of the Senate Judiciary committee;

three members of the House, appointed by the Speaker of the House;

a member of the public at large with substantial academic or professional experience in the insurance industry, appointed by the Governor;

a member of the public at large who is a practicing attorney with extensive experience representing plaintiffs in insurance‑related litigation, appointed by the Governor; and

a member of the public at large who is a practicing attorney with extensive insurance defense experience.

The resolution specifies that committee members will serve without compensation and are ineligible for the usual mileage, subsistence, and per diem generally provided to members of state boards, committees, and commissions. The Senate Judiciary Committee, Senate Banking and Insurance Committee, House Judiciary Committee, and House Labor, Commerce, and Industry Committee are to provide staffing for the committee. Any other expenses incurred by the committee will be paid equally from each chamber’s approved account subject to the approval of the Senate Operations and Management Committee and the Speaker of the House.

House of Representatives and Senate. This resolution is not expected to impact expenditures for participation on the committee. The resolution specifies that committee members will serve without compensation, and are ineligible for the usual mileage, subsistence, and per diem generally provided to members of state boards, committees, and commissions. The Senate and the House anticipate that they will manage any staffing responsibilities and other expenses incurred by the committee with existing resources.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

\_\_\_\_\_\_\_\_

A joint Resolution

TO CREATE A REVIEW AND STUDY COMMITTEE, TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL CONDUCT A THOROUGH STUDY AND REVIEW OF SOUTH CAROLINA’S CIVIL JUSTICE AND INSURANCE LAWS REGARDING COVERAGE AVAILABILITY, PREMIUM RATES, AND DEDUCTIBLES; AND TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR.

Whereas, concern has been raised that coverage availability, premium rates, and deductibles for residential and commercial property and casualty, automobile and truck, commercial general, business, and liquor liability insurance have been under pressure in South Carolina and nationwide; and

Whereas, the lack of coverage availability and sharply higher premium rates and deductibles can be detrimental to the fiscal well‑being of individuals and businesses currently located in or considering relocation to our State; and

Whereas, the causes of and effect regarding pressures placed on coverage availability, premium rates, and deductibles has been the subject of increasing debate both in South Carolina and nationally; and

Whereas, the General Assembly must thoroughly study the civil justice and insurance laws in this State to fully understand the causal effect, if any, that those laws are having on current coverage availability, premium rates, and deductibles. Now, therefore,

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

SECTION 1. (A)(1) There is created a review and study committee to be comprised of nine members:

 (a) one Senator appointed by the President of the Senate, one Senator appointed by the Chairman of the Senate Banking and Insurance Committee, and one Senator appointed by the Chairman of the Senate Judiciary Committee;

 (b) three members of the House of Representatives appointed by the Speaker of the House of Representatives; and

 (c) three members of the public at large appointed by the Governor.

 (2) Of the members appointed by the Governor, one member must have substantial academic or professional experience in the insurance industry, one member must be a practicing attorney with extensive experience representing plaintiffs in insurance‑related litigation, and one member must be a practicing attorney with extensive insurance defense experience.

 (B) The members of the committee:

 (1) must meet as soon as practicable after appointment and organize by electing one of the committee’s members as chairman and other officers as the committee may consider necessary. Thereafter, the committee must meet as necessary to fulfill the duties required by this act at the call of the chairman or by a majority of the members. A quorum consists of five members;

 (2) shall serve without compensation, and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions. Staffs of the Senate Judiciary Committee, Senate Banking and Insurance Committee, the House of Representatives Judiciary Committee, and the House of Representatives Labor, Commerce and Industry Committee shall be available to assist the committee in its work. Any other expenses incurred by the committee shall be paid equally from each respective house’s approved account subject to the approval of the Senate Operations and Management Committee and the Speaker of the House; and

 (3) unless authorized by a further or subsequent enactment, shall conclude the committee’s business by January 31, 2025, at which time the committee is dissolved. The General Assembly may extend the dates by which the committee shall submit reports required by this act.

 (C) The committee shall conduct a thorough review of this state's civil justice and insurance laws from the standpoint of adequacy, equity, and efficiency with the goal of continuing to maintain and enhance South Carolina as an optimum competitor in its effort to both retain and attract new individuals and business to re‑locate, live, work, and invest in South Carolina. The committee shall address coverage availability, premium rates, and deductibles in the following five categories: (1) property and casualty for single‑family dwellings, multi‑family units, and condominium complexes and commercial buildings; (2) automobiles and trucks; (3) commercial general liability; (4) business; and (5) restaurant /tavern/bar liability liquor liability. The committee shall review how other states’ civil justice and insurance laws compare with South Carolina’s laws regarding coverage availability, premium rates, and deductibles. No later than January 31, 2025, the committee shall submit a report on its findings and recommendations to the full General Assembly and the Governor and make the report available to the public on the General Assembly's website.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑