

Session 121 - (2015-2016)

H'3325 (Rat #0158, Act #0153 of 2016) General Bill, By J.E. Smith, Hodges, Weeks, Whipper, Mitchell, Govan and Gilliard

Summary: Uniform Partition of Heirs Property Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 61, TITLE 15 SO AS TO ENACT THE "CLEMENTA C. PINCKNEY UNIFORM PARTITION OF HEIRS' PROPERTY ACT"; TO DEFINE NECESSARY TERMS; TO PROVIDE FOR A PRELIMINARY HEARING TO DETERMINE WHETHER THE PROPERTY IN AN ACTION TO PARTITION REAL PROPERTY IS HEIRS' PROPERTY; TO PROVIDE FOR NOTICE BY PUBLICATION IN A PARTITION ACTION; TO PROVIDE PROCEDURES FOR A COURT TO FOLLOW IN DETERMINING THE VALUE OF THE PROPERTY AND FACTORS FOR A COURT TO CONSIDER FOR DIFFERENT TYPES OF PARTITIONS; TO PROVIDE FOR OPEN-MARKET SALES, SEALED BIDS, OR AUCTIONS, TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 61 AS ARTICLE 1; TO AMEND SECTION 15-61-10, RELATING TO PARTITION ACTIONS, SO AS TO PROVIDE FOR A COURT HEARING TO DETERMINE IF THE PARTITION ACTION CONCERNS HEIRS' PROPERTY; AND TO AMEND SECTION 15-61-100, RELATING TO WRITS OF PARTITION, SO AS TO DELETE OBSOLETE REFERENCES. - ratified title

01/15/15	House	Introduced and read first time (House Journal-page 324)
01/15/15	House	Referred to Committee on Judiciary (House Journal-page 324)
01/27/15	House	Member(s) request name added as sponsor: Hodges
04/22/15	House	Member(s) request name added as sponsor: Weeks, Whipper
05/06/15	House	Committee report: Favorable with amendment Judiciary (House Journal-page 39)
05/07/15	House	Member(s) request name added as sponsor: Mitchell, Govan
05/12/15	House	Member(s) request name added as sponsor: Gilliard
05/12/15	House	Amended (House Journal-page 24)
05/12/15	House	Read second time (House Journal-page 24)
05/12/15	House	Roll call Yeas-104 Nays-0 (House Journal-page 34)
05/13/15	House	Read third time and sent to Senate (House Journal-page 13)
05/13/15	Senate	Introduced and read first time (Senate Journal-page 8)
05/13/15	Senate	Referred to Committee on Judiciary (Senate Journal-page 8)
05/15/15	Senate	Referred to Subcommittee: Malloy (ch), Massey, S.Martin, Bennett, Johnson
01/19/16	Senate	Referred to Subcommittee: Malloy (ch), Massey, Bennett, Johnson, Thurmond
03/02/16	Senate	Committee report: Favorable with amendment Judiciary (Senate Journal-page 8)
03/03/16		Scrivener's error corrected
03/08/16	Senate	Committee Amendment Adopted (Senate Journal-page 13)
03/08/16	Senate	Read second time (Senate Journal-page 13)
03/08/16	Senate	Roll call Ayes-34 Nays-1 (Senate Journal-page 13)
03/09/16		Scrivener's error corrected
03/09/16	Senate	Read third time and returned to House with amendments (Senate Journal-page 9)
03/16/16	House	Read third time and enrolled (House Journal-page 85)
03/16/16	House	Roll call Yeas-100 Nays-0 (House Journal-page 86)
04/19/16		Ratified R 158
04/21/16		Signed By Governor
04/27/16		Effective date 01/01/17
05/02/16		Act No. 153