

Session 114 - (2001-2002)

H*3601 (Rat #0456, Act #0336 of 2002) General Bill, By Huggins and Barfield

Summary: Residential Property Condition Act and Vacation Rental Act enacted; rental property, property tax assessment provisions and tenants' responsibility regarding utilities

A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLASSIFICATION OF PROPERTY SUBJECT TO AD VALOREM TAXATION, SO AS TO PROVIDE THAT THE PURCHASE OF A PRIMARY RESIDENCE SUBJECT TO VACATION RENTAL OF NO MORE THAN NINETY DAYS MAY APPLY FOR THE FOUR PERCENT TAX ASSESSMENT APPLICABLE TO LEGAL RESIDENCES WHICH APPLIES RETROACTIVELY TO THE DATE OF ACQUIRING OWNERSHIP IF THE OWNER OCCUPIED THE RESIDENCE WITHIN NINETY DAYS OF SUCH ACQUISITION; TO AMEND TITLE 27, RELATING TO PROPERTY AND CONVEYANCES, BY ADDING CHAPTER 50 BY ENACTING "THE RESIDENTIAL PROPERTY CONDITION ACT" AND "THE SOUTH CAROLINA VACATION RENTAL ACT" SO AS TO REQUIRE A WRITTEN PROPERTY CONDITION DISCLOSURE STATEMENT UPON THE SALE OF CERTAIN RESIDENTIAL PROPERTY, TO PROVIDE EXEMPTIONS FROM THIS REQUIREMENT, TO IMPOSE DUTIES ON OWNERS AND REAL ESTATE LICENSEES IN REGARD TO THESE REQUIREMENTS, TO REGULATE THE BUSINESS OF RENTAL MANAGEMENT OF VACATION TIME RENTAL PROPERTY, TO PROVIDE DEFINITIONS AND EXCEPTIONS WITH REGARD TO THIS REGULATION, TO PROVIDE FOR THE STATUS OF VACATION RENTALS ON TRANSFERRED PROPERTY AND THE RIGHTS OF PARTIES TO SUCH TRANSFERS, TO PROVIDE THAT A TENANT IN POSSESSION OF PROPERTY UNDER A VACATION RENTAL IS SUBJECT TO A MANDATORY EVACUATION ORDER, AND TO PROVIDE SANCTIONS FOR VIOLATIONS; AND TO ADD SECTION 27-33-50 SO AS TO PROVIDE THAT UNLESS OTHERWISE AGREED TO IN WRITING A TENANT IS RESPONSIBLE FOR UTILITIES, WATER, SEWERAGE, AND GARBAGE SERVICE AND TO PROHIBIT ENTITIES PROVIDING THESE SERVICES FROM REQUIRING A LANDLORD TO EXECUTE AN AGREEMENT ASSUMING THESE RESPONSIBILITIES OR FROM DISCONTINUING SERVICE IF A LANDLORD REFUSES TO EXECUTE SUCH AN AGREEMENT.-amended title

02/20/01	House	Introduced and read first time HJ-10
02/20/01	House	Referred to Committee on Labor, Commerce and Industry HJ-10
04/04/01	House	Committee report: Favorable with amendment Labor, Commerce and Industry HJ-3
04/10/01	House	Requests for debate-Rep(s). Easterday, Knotts, Whatley, JE Smith and Miller HJ-25
04/11/01	House	Amended HJ-46
04/11/01	House	Read second time HJ-48
04/11/01	House	Roll call Yeas-100 Nays-7 HJ-48
04/18/01	House	Read third time and sent to Senate HJ-48
04/19/01	Senate	Introduced and read first time SJ-8
04/19/01	Senate	Referred to Committee on Judiciary SJ-8
03/20/02	Senate	Committee report: Favorable with amendment Judiciary SJ-30
03/21/02	Senate	Amended SJ-16
04/30/02	Senate	Special order SJ-31
05/01/02	Senate	Amended SJ-28
05/01/02	Senate	Read second time SJ-28
05/01/02	Senate	Ordered to third reading with notice of amendments SJ-28
05/02/02	Senate	Special order SJ-38
05/08/02	Senate	Amended SJ-54
05/15/02	Senate	Amended SJ-38
05/15/02	Senate	Read third time and returned to House with amendments SJ-38
05/22/02	House	Debate adjourned until Thursday, May 23, 2002 HJ-75
05/23/02	House	Debate adjourned until Tuesday, May 28, 2002 HJ-34
05/28/02	House	Senate amendment amended HJ-122
05/28/02	House	Returned to Senate with amendments HJ-126
05/30/02	House	Recalled from Senate HJ-56
06/04/02	Senate	Concurred in House amendment and enrolled SJ-14
06/06/02		Ratified R 456
07/01/02		Signed By Governor
07/16/02		Effective date 01/01/03
07/16/02		Copies available

07/25/02

Act No. 336