

## Session 124 - (2021-2022)

### H\*4048 (Rat #0210, Act #0161 of 2022) General Bill, By G.M. Smith

**Summary:** Duty to defend and indemnify

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS TO PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE. - ratified title

03/09/21	House	Introduced and read first time (House Journal-page 34)
03/09/21	House	Referred to Committee on Ways and Means (House Journal-page 34)
03/31/22	House	Committee report: Favorable with amendment Ways and Means (House Journal-page 31)
04/01/22		Scrivener's error corrected
04/06/22	House	Amended (House Journal-page 87)
04/06/22	House	Read second time (House Journal-page 87)
04/06/22	House	Roll call Yeas-107 Nays-2 (House Journal-page 89)
04/07/22	House	Read third time and sent to Senate
04/07/22	Senate	Introduced and read first time (Senate Journal-page 7)
04/07/22	Senate	Referred to Committee on Judiciary (Senate Journal-page 7)
04/25/22	Senate	Referred to Subcommittee: Talley (ch), Hutto, Matthews, Climer, Senn, Cash, Harpootlian
05/04/22	Senate	Committee report: Favorable with amendment Judiciary (Senate Journal-page 13)
05/05/22		Scrivener's error corrected
05/10/22	Senate	Committee Amendment Adopted (Senate Journal-page 61)
05/10/22	Senate	Read second time (Senate Journal-page 61)
05/10/22	Senate	Roll call Ayes-44 Nays-0 (Senate Journal-page 61)
05/11/22	Senate	Read third time and returned to House with amendments (Senate Journal-page 13)
05/12/22	House	Concurred in Senate amendment and enrolled (House Journal-page 74)
05/12/22	House	Roll call Yeas-102 Nays-0 (House Journal-page 75)
05/12/22		Ratified R 210
05/13/22		Signed By Governor
05/31/22		Effective date 05/13/22
05/31/22		Act No. 161