

Session 120 - (2013-2014)

S 0018 General Bill, By Hayes

**Summary:** Uniform Partition of Heirs Property Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 61, TITLE 15 SO AS TO ENACT THE "UNIFORM PARTITION OF HEIRS PROPERTY ACT"; TO PROVIDE RELATED DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE ARTICLE, THE OBLIGATION OF A COURT TO DETERMINE WHETHER SUBJECT PROPERTY IS HEIRS PROPERTY, AND TO PROVIDE INCONSISTENCIES IN CHAPTER 61, TITLE 15 BE RESOLVED IN FAVOR OF PROVISIONS IN ARTICLE 3; TO PROVIDE FOR NOTICE BY PUBLICATION AND THE EFFECT OF THE ARTICLE ON RELATED LIMITATIONS; TO IMPOSE CERTAIN REQUIREMENTS FOR COMMISSIONERS APPOINTED BY THE COURT; TO PROVIDE PROCEDURES FOR THE COURT TO FOLLOW IN DETERMINING THE VALUE OF HEIRS PROPERTY; TO PROVIDE A PROCEDURE FOR A COTENANT BUYOUT; TO PROVIDE PETITION ALTERNATIVES; TO PROVIDE CONSIDERATIONS APPLICABLE TO A PARTITION IN KIND; TO PROVIDE PROCEDURES FOR OPEN-MARKET SALES, SEALED BIDS, OR AUCTIONS; TO IMPOSE A REPORTING REQUIREMENT ON A BROKER APPOINTED TO OFFER HEIRS PROPERTY FOR OPEN-MARKET SALE; TO REQUIRE CERTAIN CONSIDERATIONS BE MADE TO PROMOTE UNIFORMITY OF THE APPLICATION AND CONSTRUCTION OF THIS ACT; TO SPECIFY HOW THE ACT MODIFIES CERTAIN FEDERAL ACTS PERTAINING TO ELECTRONIC SIGNATURES; AND TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 61 AS ARTICLE 1.

12/13/12	Senate	Prefiled
12/13/12	Senate	Referred to Committee on Judiciary
01/08/13	Senate	Introduced and read first time (Senate Journal-page 33)
01/08/13	Senate	Referred to Committee on Judiciary (Senate Journal-page 33)
02/28/13	Senate	Referred to Subcommittee: Malloy (ch), Massey, S.Martin, Bennett, Johnson