

## Session 113 - (1999-2000)

**H\*4450 (Rat #0316, Act #0287 of 2000) General Bill, By Harrison, Cato, Wilkins, Sharpe, Jennings, Allison, Altman, Askins, Bailey, Barfield, Barrett, Battle, Bowers, G.A. Brown, H. Brown, Carnell, Cooper, Dantzler, Davenport, Easterday, Edge, Gamble, Harrell, Harris, Harvin, Haskins, Hawkins, Hinson, Huggins, Keegan, Kelley, Kirsh, Klauber, Knotts, Koon, Lanford, Leach, Lee, Limehouse, Littlejohn, Loftis, Lourie, Mack, Maddox, Martin, McCraw, McGee, M. McLeod, W. McLeod, McMahan, Meacham-Richardson, Miller, Ott, Phillips, Quinn, Rhoad, Rice, Riser, Robinson, Rodgers, Sandifer, Seithel, Simrill, D. Smith, J. Smith, R. Smith, Taylor, Townsend, Tripp, Trotter, Walker, Wilder, Wilkes, Witherspoon, Woodrum, Young-Brickell, Vaughn, Law, Stuart, Emory and Whatley**

**Similar (S 1044)**

**Summary:** Motor vehicle dealerships, manufacturer not to own or operate; Lemon law, title; Electronic sales; Consumer Affairs

A BILL TO AMEND CHAPTER 15, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, BY ADDING SECTION 56-15-45 SO AS TO PROHIBIT OWNERSHIP, OPERATION, OR CONTROL OF COMPETING DEALERSHIPS BY A MANUFACTURER OR FRANCHISOR EXCEPT UNDER CERTAIN CIRCUMSTANCES, PROHIBIT UNFAIR COMPETITION BY A MANUFACTURER OR FRANCHISOR AGAINST A FRANCHISEE, DEFINE PREFERENTIAL TREATMENT GIVING RISE TO A PRESUMPTION OF UNFAIR COMPETITION, EXEMPT SALES BY MANUFACTURERS OR FRANCHISORS TO THEIR EMPLOYEES AND TO THE FEDERAL GOVERNMENT, AND TO ALLOW SALES BY LESSORS TO LESSEES AND ELECTRONIC REFERRALS BY WAY OF A MANUFACTURER'S OR FRANCHISOR'S WEBSITE; BY ADDING SECTION 56-15-46 SO AS TO REQUIRE WRITTEN NOTICE TO A CURRENT DEALERSHIP OF THE INTENTION OF A FRANCHISOR TO RELOCATE AN EXISTING DEALERSHIP OR TO ESTABLISH A NEW DEALERSHIP WITHIN A TEN-MILE RADIUS OF THE CURRENT DEALERSHIP, PROVIDE GROUNDS FOR INJUNCTION OF THAT ESTABLISHMENT OR RELOCATION, AND PROVIDE FOR EXCEPTIONS; TO AMEND SECTION 56-15-60, RELATING TO DEALERS' CLAIMS FOR COMPENSATION, SO AS TO LIMIT THE AUDIT PERIOD FOR INCENTIVE COMPENSATION PROGRAMS AND ALLOW FOR REIMBURSEMENT OF A CLAIM PAYMENT IF THE CLAIM IS MATERIALLY DEFECTIVE; BY ADDING SECTION 56-15-85 SO AS TO PROVIDE FOR THE ELECTRONIC SALE OF MOTOR VEHICLES TO CONSUMERS IN THIS STATE BY A DEALERSHIP LOCATED IN THIS STATE; BY ADDING SECTION 56-15-140 SO AS TO PROVIDE FOR VENUE FOR ACTIONS FILED PURSUANT TO THIS ACT IN THIS STATE, NOTWITHSTANDING AN AGREEMENT TO THE CONTRARY; AND BY ADDING SECTION 56-19-490 SO AS TO REQUIRE THAT THE TITLE OF A MOTOR VEHICLE REFLECT THAT IT WAS RETURNED TO A MANUFACTURER PURSUANT TO A "LEMON LAW" OR SIMILAR PROCEEDING.-AMENDED TITLE

<b>01/18/00</b>	<b>House</b>	<b>Introduced and read first time HJ-15</b>
<b>01/18/00</b>	<b>House</b>	<b>Referred to Committee on Labor, Commerce and Industry HJ-15</b>
<b>02/16/00</b>	<b>House</b>	<b>Committee report: Favorable Labor, Commerce and Industry HJ-3</b>
<b>02/17/00</b>	<b>House</b>	<b>Member(s) request name removed as sponsor: McKay</b>
<b>02/22/00</b>	<b>House</b>	<b>Requests for debate-Rep(s). Scott, JH Neal, Bales, Breeland, Mack and Hayes HJ-14</b>
<b>02/24/00</b>	<b>House</b>	<b>Debate interrupted HJ-50</b>
<b>02/29/00</b>	<b>House</b>	<b>Requests for debate removed-Rep(s). Hayes HJ-40</b>
<b>03/01/00</b>	<b>House</b>	<b>Amended HJ-36</b>
<b>03/01/00</b>	<b>House</b>	<b>Read second time HJ-45</b>
<b>03/01/00</b>	<b>House</b>	<b>Roll call Yeas-96 Nays-3 HJ-45</b>
<b>03/02/00</b>	<b>House</b>	<b>Read third time and sent to Senate HJ-17</b>
<b>03/07/00</b>	<b>Senate</b>	<b>Introduced and read first time SJ-6</b>
<b>03/07/00</b>	<b>Senate</b>	<b>Referred to Committee on Transportation SJ-6</b>
<b>03/22/00</b>	<b>Senate</b>	<b>Recalled from Committee on Transportation SJ-2</b>
<b>03/29/00</b>	<b>Senate</b>	<b>Read second time SJ-18</b>
<b>03/29/00</b>	<b>Senate</b>	<b>Ordered to third reading with notice of amendments SJ-18</b>
<b>04/11/00</b>	<b>Senate</b>	<b>Special order SJ-13</b>
<b>04/25/00</b>	<b>Senate</b>	<b>Debate adjourned SJ-62</b>
<b>04/26/00</b>	<b>Senate</b>	<b>Amended SJ-63</b>
<b>04/26/00</b>	<b>Senate</b>	<b>Read third time and returned to House with amendments SJ-63</b>
<b>05/03/00</b>	<b>House</b>	<b>Debate adjourned until Thursday, May 4, 2000 HJ-37</b>
<b>05/04/00</b>	<b>House</b>	<b>Concurred in Senate amendment and enrolled HJ-88</b>

05/16/00

05/17/00

05/17/00

06/08/00

06/08/00

Ratified R 316

Signed By Governor

Effective date 05/17/00

Copies available

Act No. 287