

## Session 124 - (2021-2022)

### H\*4983 (Rat #0223, Act #0197 of 2022) General Bill, By Sandifer

**Summary:** Continuing care retirement communities

AN ACT TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY. - ratified title

02/16/22	House	Introduced and read first time (House Journal-page 37)
02/16/22	House	Referred to Committee on Labor, Commerce and Industry (House Journal-page 37)
02/24/22	House	Committee report: Favorable Labor, Commerce and Industry (House Journal-page 15)
02/28/22		Scrivener's error corrected
03/02/22	House	Read second time (House Journal-page 21)
03/02/22	House	Roll call Yeas-108 Nays-0 (House Journal-page 21)
03/03/22	House	Read third time and sent to Senate (House Journal-page 6)
03/03/22	Senate	Introduced and read first time (Senate Journal-page 6)
03/03/22	Senate	Referred to Committee on Banking and Insurance (Senate Journal-page 6)
04/26/22	Senate	Committee report: Favorable Banking and Insurance (Senate Journal-page 8)
05/05/22	Senate	Read second time (Senate Journal-page 26)
05/05/22	Senate	Roll call Ayes-37 Nays-0 (Senate Journal-page 26)
05/10/22	Senate	Read third time and enrolled (Senate Journal-page 43)
05/12/22		Ratified R 223
05/16/22		Signed By Governor
05/31/22		Effective date 05/16/22
05/31/22		Act No. 197