**South Carolina General Assembly**

122nd Session, 2017-2018

**A250, R261, H4673**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.M. Smith, Brawley and Weeks

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Introduced in the House on January 24, 2018

Introduced in the Senate on January 31, 2018

Last Amended on April 26, 2018

Passed by the General Assembly on May 2, 2018

Governor's Action: May 18, 2018, Signed

Summary: Revocation of certain beneficiary designations

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/24/2018 House Introduced and read first time ([House Journal‑page 26](file:///h%3A%5Chj%5C20180124.docx))

 1/24/2018 House Referred to Committee on **Judiciary** ([House Journal‑page 26](file:///h%3A%5Chj%5C20180124.docx))

 1/25/2018 House Member(s) request name added as sponsor: Brawley, Weeks

 1/25/2018 House Recalled from Committee on **Judiciary** ([House Journal‑page 51](file:///h%3A%5Chj%5C20180125.docx))

 1/30/2018 House Amended ([House Journal‑page 21](file:///h%3A%5Chj%5C20180130.docx))

 1/30/2018 House Read second time ([House Journal‑page 21](file:///h%3A%5Chj%5C20180130.docx))

 1/30/2018 House Roll call Yeas‑114 Nays‑0 ([House Journal‑page 22](file:///h%3A%5Chj%5C20180130.docx))

 1/31/2018 House Read third time and sent to Senate ([House Journal‑page 7](file:///h%3A%5Chj%5C20180131.docx))

 1/31/2018 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20180131.docx))

 1/31/2018 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20180131.docx))

 3/1/2018 Senate Referred to Subcommittee: Massey (ch), McElveen, Senn

 4/18/2018 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20180418.docx))

 4/26/2018 Senate Committee Amendment Adopted ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20180426.docx))

 4/26/2018 Senate Read second time ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20180426.docx))

 4/26/2018 Senate Roll call Ayes‑39 Nays‑1 ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20180426.docx))

 5/1/2018 Senate Read third time and returned to House with amendments ([Senate Journal‑page 22](file:///h%3A%5Csj%5C20180501.docx))

 5/2/2018 House Concurred in Senate amendment and enrolled ([House Journal‑page 82](file:///h%3A%5Chj%5C20180502.docx))

 5/2/2018 House Roll call Yeas‑93 Nays‑0 ([House Journal‑page 83](file:///h%3A%5Chj%5C20180502.docx))

 5/14/2018 Ratified R 261

 5/18/2018 Signed By Governor

 5/30/2018 Effective date 05/18/18

 5/31/2018 Act No. 250

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4673&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/24/2018](file:///p%3A%5Cpprever%5C2017-18%5C4673_20180124.docx)

[1/25/2018](file:///p%3A%5Cpprever%5C2017-18%5C4673_20180125.docx)

[1/25/2018-A](file:///p%3A%5Cpprever%5C2017-18%5C4673_20180125A.docx)

[1/30/2018](file:///p%3A%5Cpprever%5C2017-18%5C4673_20180130.docx)

[4/18/2018](file:///p%3A%5Cpprever%5C2017-18%5C4673_20180418.docx)

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(A250, R261, H4673)

**AN ACT TO AMEND SECTION 62‑2‑507, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OF CERTAIN BENEFICIARY DESIGNATIONS BY DIVORCE, ANNULMENT, OR AN ORDER TERMINATING MARITAL PROPERTY RIGHTS, SO AS TO EXCLUDE FROM THE DEFINITION OF THE TERM “GOVERNING INSTRUMENT” A BENEFICIARY DESIGNATION MADE IN CONNECTION WITH A GOVERNMENTAL EMPLOYEE BENEFIT PLAN ESTABLISHED OR MAINTAINED FOR EMPLOYEES OF THE GOVERNMENT OF THE STATE OR A POLITICAL SUBDIVISION THEREOF, OR BY ONE OF THEIR COMPONENT AGENCIES OR INSTRUMENTALITIES; AND TO AMEND SECTION 30‑5‑30, RELATING TO PREREQUISITES TO RECORDING, SO AS TO SPECIFY CERTAIN METHODS OF PROOF OR ACKNOWLEDGMENT NECESSARY FOR RECORDING DEEDS OR OTHER WRITTEN INSTRUMENTS.**

Be it enacted by the General Assembly of the State of South Carolina:

**Definition of governing instrument**

SECTION 1. Section 62‑2‑507(a)(4) of the 1976 Code is amended to read:

 “(4) ‘Governing instrument’ means an instrument executed by the divorced individual before the divorce or annulment of the individual’s marriage to the individual’s former spouse including, but not limited to wills, revocable inter vivos trusts, powers of attorney, life insurance beneficiary designations, annuity beneficiary designations, retirement plan beneficiary designations and transfer on death accounts. ‘Governing instrument’ does not include a beneficiary designation made in connection with a governmental employee benefit plan established or maintained for employees of the government of the State or a political subdivision thereof, or by an agency or instrumentality of any of the foregoing.”

**Prerequisites to recording**

SECTION 2. The first undesignated paragraph, before subsection (A), of Section 30‑5‑30 of the 1976 Code is amended to read:

 “Except as otherwise provided by statute, before any deed or other instrument in writing can be recorded in this State, it must be acknowledged or proved by the method described in subsection (A)(1), (A)(2), or (B).”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 14th day of May, 2018.

Approved the 18th day of May, 2018.

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