**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3117**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Herbkersman and Pendarvis

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Introduced in the House on January 8, 2019

Currently residing in the House Committee on **Ways and Means**

Summary: Overpayment collections

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Ways and Means**

1/8/2019 House Introduced and read first time ([House Journal‑page 94](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Ways and Means** ([House Journal‑page 94](file:///h:\hj\20190108.docx))

4/23/2019 House Member(s) request name added as sponsor: Pendarvis

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3117&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3117_20181218.docx)

**A** **BILL**

TO AMEND SECTION 41-41-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COLLECTION OF CERTAIN OVERPAYMENTS, SO AS TO MAKE A CONFORMING CHANGE; TO REPEAL CHAPTER 56 OF TITLE 12 RELATING TO THE SETOFF DEBT COLLECTION ACT; AND TO REPEAL SECTION 12‑4‑580 RELATING TO THE DEPARTMENT OF REVENUE COLLECTING DEBTS ON BEHALF OF A GOVERNMENTAL ENTITY.

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

SECTION 1. Chapter 56 of Title 12 of the 1976 Code is repealed.

SECTION 2. Section 12‑4‑580 of the 1976 Code is repealed.

SECTION 3. Section 41‑41‑40(A)(3) of the 1976 Code is amended to read:

“(3) ~~The department may attempt collection of overpayments through the South Carolina Department of Revenue in accordance with Section 12‑56‑10, et seq. If the overpayment is collectible in accordance with Section 12‑56‑60, the department shall add to the amount of the overpayment a collection fee of not more than fifty dollars for each collection attempt to defray administrative costs. Notwithstanding another provision of law, a final decision of the department or court establishing the character and amount of overpayment is final for all purposes and proceedings~~ Reserved.”

SECTION 4. This act takes effect upon approval by the Governor.

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