**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3082**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Thayer

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Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Judiciary**

Summary: Civil remedies

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 62](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 62](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3082&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3082_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15‑39‑35 SO AS TO PROVIDE THAT A PERSON MAY SUBMIT A WRITTEN NOTICE OF PUBLIC EFFORT TO REVIVE OR RENEW A FINAL JUDGMENT OR DECREE AND TO ESTABLISH PROCEDURES FOR RENEWING OR REVIVING SUCH JUDGMENTS OR DECREES.

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

SECTION 1. Article 1, Chapter 39, Title 15 of the 1976 Code is amended by adding:

“Section 15‑39‑35. (A) Notwithstanding any other provision of law, a final judgment or decree may be revived or renewed for a period not to exceed ten years when the party in whose favor judgment has been given, or a duly appointed personal representative, files a written notice of public effort showing a bona fide public effort to enforce the execution of such judgment in the office of the clerk of court in the county where the judgment was obtained. Notice must be given to all parties to the original judgment by certified mail, return receipt requested. The renewal or revival must be entered upon the book of abstracts and indexed in the record.

(B) The written notice of public effort must be submitted within one year from the expiration of the period of ten years from the original entry date of the final judgment or decree. If renewed, the judgment is deemed effective from the date of the entry of the renewed judgment.

(C) The written notice of public effort must include the specific actions undertaken to enforce the judgment, the dates of these actions, the original judgment or decree, the date such judgment was filed, and the named parties, a certificate that the judgment is unpaid in full or in part, a copy of the return receipt showing that the judgment debtor or debtors were notified by mail, and a notice to such judgment debtor or debtors that the judgment will be revived or renewed automatically unless such judgment debtor contests the renewal of such judgment or decree within thirty days of service or notice. If so contested, the party seeking renewal may motion the court for enforcement.”

SECTION 2. This act takes effect upon approval by the Governor and applies retroactively to final judgments or decrees that expired between April 1, 2020 and the effective date of this act.

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