**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3821**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Elliott

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Introduced in the House on January 26, 2023

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

Summary: Online auctions

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/26/2023 House Introduced and read first time (House Journal‑page 6)

 1/26/2023 House Referred to Committee on **Judiciary** (House Journal‑page 6)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3821&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/26/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3821_20230126.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12‑51‑50, RELATING TO SALE OF PROPERTY, SO AS TO PROVIDE FOR THE ELECTRONIC SALE OF CERTAIN PROPERTY BY THE PERSON OFFICIALLY CHARGED WITH THE COLLECTION OF DELINQUENT TAXES.

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

SECTION 1. Section 12‑51‑50 of the S.C. Code is amended to read:

 Section 12‑51‑50. (A) The property duly advertised must be sold, by the person officially charged with the collection of delinquent taxes, at public auction at the courthouse or other convenient place within the county or electronically as provided for in subsection (B), if designated and advertised, on the advertised date for legal tender payable in full by cash, cashier's check, certified check, or money order on the date of the sale. If the defaulting taxpayer or the grantee of record of the property has more than one item advertised to be sold, as soon as sufficient funds have been accrued to cover all of the delinquent taxes, assessments, penalties, and costs, further items must not be sold.

 (B) Should the person officially charged with the collection of delinquent taxes decide to conduct the sale of real or personal property under an order or judgment pursuant to this section by electronic means then such electronic sales must comply with the following:

 (1) Access to the electronic sale by computer terminals open to the public must be provided at a public location.

 (2) Electronic proxy bidding must be allowed, and bidders may be required to advance sufficient funds to pay a deposit. The deposit method and amount must be determined by the person officially charged with the collection of delinquent taxes.

 (3) An additional service charge may be levied for services in conducting or contracting for the electronic sale.

 (4) Notwithstanding any other provision of law, for any sales of property set forth in this section, no fee in excess of two hundred fifty dollars may be charged to a purchaser at the sale of property over and above the winning bid amount including, but not limited to, a buyer's premium.

SECTION 2. This act takes effect upon approval by the Governor.

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