**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4006**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Teeple, Crawford, Hartnett, Bustos, B. Newton, Landing, Pope and Guest

Document Path: LC-0214SA25.docx

Introduced in the House on February 13, 2025

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

Summary: Homeowners Associations

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/13/2025 House Introduced and read first time (House Journal‑page 44)

 2/13/2025 House Referred to Committee on **Judiciary** (House Journal‑page 44)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4006&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/13/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4006_20250213.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27‑30‑350 SO AS TO PROVIDE THAT MEETINGS OF THE BOARD OF A HOMEOWNERS ASSOCIATION MUST BE OPEN; BY ADDING SECTION 27‑30‑360 SO AS TO PROVIDE THAT A HOMEOWNERS ASSOCIATION MAY NOT PROHIBIT A PROPERTY OWNER FROM DISPLAYING CERTAIN POLITICAL SIGNS; BY ADDING SECTION 27‑30‑370 SO AS TO PROVIDE THAT A HOMEOWNERS ASSOCIATION MAY NOT IMPLEMENT FINES FOR AN EXPIRED TAG ON PARKED VEHICLES; AND BY AMENDING SECTION 27‑1‑60, RELATING TO THE RIGHTS OF HOMEOWNERS AND TENANTS TO FLY THE UNITED STATES FLAG, SO AS TO PROVIDE THAT HOMEOWNERS AND TENANTS HAVE THE RIGHT TO FLY THE SOUTH CAROLINA STATE FLAG.

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

SECTION 1. Article 1, Chapter 30, Title 27 of the S.C. Code is amended by adding:

 Section 27‑30‑350. (A) All meetings of the board of a homeowners association, including any subcommittee or other committee of the board, where the business of the association is discussed or transacted must be open to all members of record. The board may not use work sessions or other informal gatherings of the board to circumvent the open meeting requirements of this section. Minutes of the meetings of the board of directors must be recorded and must be available.

 (B)(1) Notice of the time, date, and place of each meeting of the board or of any subcommittee or other committee of the board must be published where it is reasonably calculated to be available to a majority of the lot owners.

 (2) A lot owner may make a request to be notified on a continual basis of any such meetings. Such request must be made at least once a year in writing and include the lot owner’s name, address, zip code, and any email address as appropriate. Notice of the time, date, and place must be sent to any lot owner requesting notice by first‑class mail or email in the case of meetings of the board or by email in the case of meetings of any subcommittee or other committee of the board of directors.

 (3) Notice, reasonable under the circumstances, of special or emergency meetings must be given contemporaneously with the notice provided to members of the association’s board or any subcommittee or other committee of the board of directors conducting the meeting.

 (4) Unless otherwise exempt as relating to an executive session pursuant to subsection (C), at least one copy of all agenda packets and materials furnished to members of an association’s board or subcommittee or other committee of the board for a meeting must be made available for inspection by the membership of the association at the same time such documents are furnished to the members of the board or any subcommittee or committee of the board.

 (5) Any member may record any portion of a meeting that is required to be open. The board or subcommittee or other committee of the board conducting the meeting may adopt rules governing the placement and use of equipment necessary for recording a meeting to prevent interference with the proceedings and requiring the member recording the meeting to provide notice that the meeting is being recorded.

 (6) Except for the election of officers, voting by secret or written ballot in an open meeting is a violation of this section.

 (C)(1) Upon the affirmative vote in an open meeting to assemble in executive session, the board or any subcommittee or other committee of the board may:

 (a) convene in executive session to consider personnel matters;

 (b) consult with legal counsel;

 (c) discuss and consider contracts, pending or probable litigation, and matters involving violations of the declaration or rules and regulations; or

 (d) discuss and consider the personal liability of members to the association.

 (2) The motion must state specifically the purpose for the executive session. Reference to the motion and the stated purpose for the executive session must be included in the minutes. The board shall restrict the consideration of matters during such portions of meetings to only those purposes specifically exempted and stated in the motion. No contract, motion, or other action adopted, passed, or agreed to in executive session may become effective unless the board of directors or subcommittee or other committee of the board of directors, following the executive session, reconvenes in open meeting and takes a vote on such contract, motion, or other action, which must have its substance reasonably identified in the open meeting. The requirements of this section do not require the disclosure of information in violation of law.

 (D) Subject to reasonable rules adopted by the board, the board shall provide a designated period during each meeting to allow members an opportunity to comment on any matter relating to the association. During a meeting at which the agenda is limited to specific topics or at a special meeting, the board may limit the comments of members to the topics listed on the meeting agenda.

 (E) The requirements of this section govern the conduct of meetings of the board without regard to whether the homeowners association is incorporated or unincorporated but may not be interpreted to supersede corporate authorities otherwise established by law or the governing documents.

 Section 27‑30‑360. (A) Except as otherwise provided by this section, a homeowners association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner’s property one or more signs advertising a candidate or measure for an election:

 (1) on or after the ninetieth day before the date of the election to which the sign relates; or

 (2) before the tenth day after that election date.

 (B) This section does not prohibit the enforcement or adoption of a covenant that:

 (1) requires a sign to be ground‑mounted; or

 (2) limits a property owner to displaying only one sign for each candidate or measure.

 (C) This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:

 (1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;

 (2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;

 (3) includes the painting of architectural surfaces;

 (4) threatens the public health or safety;

 (5) is larger than twenty-four by thirty-six inches;

 (6) violates a law;

 (7) contains language, graphics, or any display that would be offensive to the ordinary person; or

 (8) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

 (D) A homeowners association may remove a sign displayed in violation of a restrictive covenant permitted by this section.

 Section 27‑30‑370. A homeowners association may not implement fines for an expired tag on parked vehicles, boats, trailers, or recreational vehicles.

SECTION 2. Section 27‑1‑60 of the S.C. Code is amended to read:

 Section 27‑1‑60. (A) Regardless of any restrictive covenant, declaration, rule, contractual provision, or other requirement concerning flags or decorations found in a deed, contract, lease, rental agreement, or homeowners’ association document, any homeowner or tenant may display one portable, removable United States or South Carolina State flag in a respectful manner, consistent with 36 U.S.C. Sections 171‑178, as amended, on the premises of the property of which he is entitled to use.

 (B)(1) No homeowners’ association document may preclude the display of one portable, removable United States or South Carolina State flag by homeowners. However, the flag must be displayed in a respectful manner, consistent with 36 U.S.C. Sections 171‑178, as amended.

 (2) No restrictive covenant in a deed may preclude the display of one portable, removable United States or South Carolina State flag on the property. However, the flag must be displayed in a respectful manner, consistent with 36 U.S.C. Sections 171‑178, as amended.

 (3) No rental agreement, lease, or contract may preclude the display of one portable, removable United States or South Carolina State flag on the premises of any tenant. However, the flag must be displayed in a respectful manner, consistent with 36 U.S.C. Sections 171‑178, as amended.

 (C) For purposes of this section:

 (1) “homeowner” means a person who holds title to real property, in fee simple or otherwise including, but not limited to, an owner of real property subject to a homeowners’ association, an owner of an interest in a vacation time sharing plan, and a co‑owner under a horizontal property regime;

 (2) “homeowners’ association” has the same meaning as provided in Section 12‑43‑230;

 (3) “homeowners association document” includes, but is not limited to, declarations of covenants, articles of incorporation, bylaws, or any similar document concerning the rights of property owners to use their property; and

 (4) “tenant” means any tenant under a rental agreement executed pursuant to Chapter 40, Title 27, any tenant under a rental agreement executed pursuant to Chapter 47, Title 27, any tenant under a vacation time sharing plan, any tenant under a horizontal property regime, and any person who leases commercial or residential real property under a contractual agreement.

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

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