**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3290**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. King

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Introduced in the House on January 10, 2023

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Dead body transfers between funeral service providers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/8/2022 House Prefiled

12/8/2022 House Referred to Committee on **Labor, Commerce and Industry**

1/10/2023 House Introduced and read first time ([House Journal‑page 122](h:\hj\20230110.docx))

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View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3290&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3290_20221208.docx)

A bill

to amend the South Carolina Code of Laws by adding Section 40-19-105 so as to PROVIDE WHEN DEAD HUMAN BODIES ARE TRANSFERRED FROM ONE FUNERAL SERVICE PROVIDER TO ANOTHER FUNERAL SERVICE PROVIDER, THE TRANSFEROR MAY RECOVER CERTAIN UNPAID SERVICE FEES AND LEGAL FEES FROM THE TRANSFEREE IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THESE ACTIONS MUST BE HEARD IN MAGISTRATE’S COURT REGARDLESS OF THE JURISDICTIONAL AMOUNTS INVOLVED.

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

SECTION 1. Chapter 19, Title 40 of the S.C. Code is amended by adding:

Section 40‑19‑105. When a funeral home, funeral director, or embalmer (“transferor provider”) provides services for a dead human body and the body subsequently is transferred to another funeral home, funeral director, or embalmer (“transferee provider”) for additional services, the transferor provider has a cause of action against the transferee provider if the transferee fails to compensate the transferor for the services provided by the transferor. The transferor may recover its usual fee plus reasonable attorney fees and costs. An action brought pursuant to this section may be brought and tried in magistrate’s court regardless of the amount of money involved, and the monetary jurisdictional limits of magistrate’s court do not apply.

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

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