

## Session 107 - (1987-1988)

### **S\*0530 (Rat #0244, Act #0171 of 1987) General Bill, By Senate Judiciary**

A Bill to amend Act 539 of 1986, relating to the South Carolina Probate Code, so as to make certain technical and substantive changes in the Probate Code relating to jurisdiction, definitions, elective share provisions, probate proceedings and administration, distributions and devises, sale of real estate, protection of financial institutions, other procedural matters, and effective date, reconciliation, and transition provisions, to amend Section 14-23-650, Code of Laws of South Carolina, 1976, relating to the furnishing of descriptions of lands to the probate court where the will omits the description, so as to provide that this description must be furnished to the probate court of every county where the decedent owned real estate, to amend Section 20-1-50, relating to legitimacy of children of marriages after the absence of a spouse for a period of seven years, so as to reduce this time to five years, to amend Sections 20-7-1770, and 20-7-1820, both as amended, and 20-7-1825, relating to adoptions so as to revise and further provide for these adoption provisions, to amend Section 30-9-60, relating to indexing of passage of title to real property by will or inheritance, so as to change certain references in the Section to "personal representative" and to delete other references, to amend the 1976 Code by adding Section 21-21-25 so as to provide that the father or mother of a child, if one parent is dead, may dispose of custody of a child under certain conditions; by adding Section 21-21-35 so as to provide that the disposition of the custody of a child as authorized by Section 21-21-25 is effective against any person claiming custody of the child as guardian; by adding Section 21-21-45 so as to authorize damages to any person wrongfully detaining the child when custody has been so disposed; and by adding Section 21-21-55 so as to authorize certain powers to the person who has custody of the child; and to repeal Sections 12-15-1360, 12-15-1370, 12-15-1620, 12-15-1630, 12-15-1640 and 12-15-1650, relating to certain estate and estate tax provisions.-amended title

**03/17/87 Senate Introduced, read first time, placed on calendar without reference SJ-922**

**03/18/87 Senate Read second time**

**03/18/87 Senate Ordered to third reading with notice of amendments**

**04/23/87 Senate Amended SJ-1504**

**04/23/87 Senate Special order SJ-1504**

**04/29/87 Senate Motion to reconsider amendment; adj. deb. on motion SJ-1597**

**04/30/87 Senate Amendment reconsidered and tabled SJ-1634**

**04/30/87 Senate Read third time and sent to House SJ-1634**

**05/05/87 House Introduced and read first time HJ-2411**

**05/05/87 House Referred to Committee on Judiciary HJ-2412**

**05/27/87 House Committee report: Favorable with amendment Judiciary HJ-3227**

**06/01/87 House Amended HJ-3381**

**06/01/87 House Debate interrupted HJ-3388**

**06/02/87 House Amended HJ-3405**

**06/02/87 House Read second time HJ-3409**

**06/03/87 House Read third time HJ-3561**

**06/03/87 House Returned HJ-3561**

**06/03/87 Senate House amendment amended SJ-2682**

**06/03/87 Senate Returned SJ-2683**

**06/03/87 House Concurred in Senate amendment and enrolled HJ-3641**

**06/25/87 Ratified R 244**

**06/30/87 Signed By Governor**

**07/09/87 Effective date 07/01/87**

**07/09/87 Act No. 171**

**07/23/87 See act for exceptions to effective date**

**07/23/87 Copies available**