**South Carolina General Assembly**

118th Session, 2009-2010

**A256, R325, H4239**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Miller, Wylie, J.E. Smith and Anderson

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Introduced in the House on January 12, 2010

Introduced in the Senate on January 21, 2010

Passed by the General Assembly on June 2, 2010

Governor's Action: June 11, 2010, Signed

Summary: Power of attorney

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2009 House Prefiled

12/15/2009 House Referred to Committee on **Judiciary**

1/12/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑41

1/12/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑41

1/13/2010 House Member(s) request name added as sponsor: J.E.Smith, Anderson

1/14/2010 House Recalled from Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-14-10.docx)‑542

1/19/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\01-19-10.docx)‑17

1/19/2010 House Roll call Yeas‑111 Nays‑0 [HJ](file:///h:\HJ%20Archive\2010\01-19-10.docx)‑18

1/20/2010 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2010\01-20-10.docx)‑13

1/21/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-21-10.docx)‑12

1/21/2010 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\01-21-10.docx)‑12

2/1/2010 Senate Referred to Subcommittee: Campsen (ch), Cleary, Scott

5/5/2010 Senate Committee report: Favorable with amendment **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\05-05-10.docx)‑16

5/26/2010 Senate Committee Amendment Adopted [SJ](file:///h:\SJ%20Archive\2010\05-26-10.docx)‑56

5/26/2010 Senate Read second time [SJ](file:///h:\SJ%20Archive\2010\05-26-10.docx)‑56

5/27/2010 Senate Read third time and returned to House with amendments [SJ](file:///h:\SJ%20Archive\2010\05-27-10.docx)‑28

6/2/2010 House Debate adjourned on amendments [HJ](file:///h:\HJ%20Archive\2010\06-02-10.docx)‑57

6/2/2010 House Concurred in Senate amendment and enrolled [HJ](file:///h:\HJ%20Archive\2010\06-02-10.docx)‑77

6/7/2010 Ratified R 325

6/11/2010 Signed By Governor

7/1/2010 Effective date 06/11/10

7/8/2010 Act No. 256

**VERSIONS OF THIS BILL**

[12/15/2009](file:///p:\pprever\2009-10\4239_20091215.docx)

[1/14/2010](file:///p:\pprever\2009-10\4239_20100114.docx)

[5/5/2010](file:///p:\pprever\2009-10\4239_20100505.docx)

[5/26/2010](file:///p:\pprever\2009-10\4239_20100526.docx)

(A256, R325, H4239)

**AN ACT TO AMEND SECTION 8‑21‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SCHEDULE OF FEES AND COSTS COLLECTED BY COUNTY CLERKS OF COURT AND REGISTERS OF DEEDS, SO AS TO WAIVE THE RECORDING FEE OTHERWISE REQUIRED FOR A POWER OF ATTORNEY FILED BY A MEMBER OF THE ARMED FORCES OF THE UNITED STATES PREPARATORY TO DEPLOYMENT TO A COMBAT ZONE UPON PRESENTATION OF COPIES OF THE DEPLOYMENT ORDER, TO WAIVE THE RECORDING FEE FOR A REVOCATION OF A POWER OF ATTORNEY FILED BY OR ON BEHALF OF A MEMBER OF THE ARMED FORCES AND TO PROVIDE THE CIRCUMSTANCES UNDER WHICH THE REVOCATION FEE IS WAIVED, AND TO DEFINE “COMBAT ZONE”.**

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

**Recording and revocation filing fee for power of attorney waived, eligibility**

SECTION 1. Section 8‑21‑310(10) of the 1976 Code, as last amended by Act 329 of 2002, is further amended to read:

“(10) for filing power of attorney, trustee qualification, or other appointment, fifteen dollars, and an additional one dollar a page for a document containing more than four pages. However, upon presentation of a copy of deployment orders to a combat zone by or on behalf ofa member of the Armed Forces of the United States, the filing fee for a power of attorney for the person deployed is waived. In addition, the filing fee for a revocation of power of attorney filed by or on behalf of a member of the armed forces of the United States is waived if the revocation is filed: (i) within three years from the date of filing the power of attorney; and (ii) a copy of the deployment orders to a combat zone is presented. For purposes of this item, ‘combat zone’ has the meaning provided in Internal Revenue Service Publication 3 and includes service in a qualified hazardous duty area;”

**Time effective**

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

Ratified the 7th day of June, 2010.

Approved the 11th day of June, 2010.

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