**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4533**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Hart

Document Path: l:\council\bills\agm\19823ab10.docx

Introduced in the House on February 4, 2010

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

Summary: Mortgage payment

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\02-04-10.docx)‑21

2/4/2010 House Referred to Committee on **Labor, Commerce and Industry** [HJ](file:///h:\HJ%20Archive\2010\02-04-10.docx)‑22

**VERSIONS OF THIS BILL**

[2/4/2010](file:///p:\pprever\2009-10\4533_20100204.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29‑1‑60 SO AS TO PROVIDE NOTWITHSTANDING ANOTHER PROVISION OF LAW OR CONTRACT, WHEN A MORTGAGEE MAKES A PAYMENT ON A LOAN SECURED BY A MORTGAGE, THE MORTGAGOR SHALL APPLY AT LEAST THIRTY PERCENT OF THE PAYMENT RECEIVED TOWARD THE PRINCIPAL BALANCE OF THE LOAN SECURED BY THE MORTGAGE, AND TO PROVIDE A PENALTY.

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

SECTION 1. Chapter 1, Title 29 of the 1976 Code is amended by adding:

“Section 29‑1‑60. (A) Notwithstanding another provision of law or contract, when a mortgagee makes a payment on a loan secured by a mortgage, the mortgagor shall apply at least thirty percent of the payment received toward the principal balance of the loan secured by the mortgage.

(B) A violation of this section must result in a civil penalty against the mortgagor and payable to the mortgagee in an amount equal to treble the amount of the mortgage payment.”

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

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