COMMITTEE REPORT

February 24, 2010

**S. 1142**

Introduced by Judiciary Committee

S. Printed 2/24/10--H.

Read the first time February 16, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Joint Resolution (S. 1142) to approve regulations of the Secretary of State, relating to Uniform Real Property Recording Act, designated as Regulation Document Number 4078, pursuant to the provisions, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

JAMES H. HARRISON for Committee.

**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO UNIFORM REAL PROPERTY RECORDING ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4078, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

SECTION 1. The regulations of the Secretary of State, relating to Uniform Real Property Recording Act, designated as Regulation Document Number 4078, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

The Secretary of State proposes to create new regulations to adopt standards to implement Act 210 of 2008 (South Carolina Code Section 30‑6‑10, et seq.) creating the Uniform Real Property Electronic Recording Act. The Act provides that the Secretary of State shall promulgate regulations to adopt standards to implement this chapter based upon the recommendations of the Electronic Recording Committee. The proposed regulations were previously published in the *State Register* on May 22, 2009. No public hearing was requested.

The purpose of these standards are as follows:

A**.** To keep the standards and practices of registers in South Carolina in agreement with the standards of national standard‑setting bodies, such as the Property Records Industry Association (PRIA), and in agreement with nationally accepted best practices in electronic real property recording.

B**.** To keep the technology used by registers in South Carolina compatible with technology used by recording offices nationally that have enacted the Uniform Real Property Electronic Recording Act.

C**.** To keep the standards and practices of registers in South Carolina in agreement with professional standards and best practices in electronic records management.

D**.** To ensure accessibility of electronic instruments filed and recorded by a register as public records.

E. To manage and retain real property records in accordance with established records management standards for electronic records.

The Notice of Drafting was published in the South Carolina *State Register* on February 27, 2009.

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