**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4269**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Sandifer

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Introduced in the House on May 25, 2011

Last Amended on April 19, 2012

Rejected by the House on April 19, 2012

Summary: Consumer loans

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/25/2011 House Introduced and read first time ([House Journal‑page 6](file:///h:\hj%20archive\2011\05-25-11.docx))

5/25/2011 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 6](file:///h:\hj%20archive\2011\05-25-11.docx))

3/8/2012 House Committee report: Favorable with amendment **Labor, Commerce and Industry** ([House Journal‑page 4](file:///h:\hj%20archive\2012\03-08-12.docx))

3/20/2012 House Debate adjourned until Wed., 03‑21‑12 ([House Journal‑page 69](file:///h:\hj%20archive\2012\03-20-12.docx))

3/21/2012 House Debate adjourned until Thur., 03‑22‑12 ([House Journal‑page 13](file:///h:\hj%20archive\2012\03-21-12.docx))

3/22/2012 House Debate adjourned until Tues., 03‑27‑12 ([House Journal‑page 26](file:///h:\hj%20archive\2012\03-22-12.docx))

3/27/2012 House Debate adjourned until Wed., 03‑28‑12 ([House Journal‑page 17](file:///h:\hj%20archive\2012\03-27-12.docx))

3/28/2012 House Debate adjourned until Tues., 04‑17‑12 ([House Journal‑page 20](file:///h:\hj%20archive\2012\03-28-12.docx))

4/18/2012 House Debate interrupted ([House Journal‑page 25](file:///h:\hj%20archive\2012\04-18-12.docx))

4/19/2012 House Amended ([House Journal‑page 20](file:///h:\hj%20archive\2012\04-19-12.docx))

4/19/2012 House Rejected ([House Journal‑page 20](file:///h:\hj%20archive\2012\04-19-12.docx))

4/19/2012 House Roll call Yeas‑46 Nays‑57 ([House Journal‑page 22](file:///h:\hj%20archive\2012\04-19-12.docx))

**VERSIONS OF THIS BILL**

[5/25/2011](file:///p:\pprever\2011-12\4269_20110525.docx)

[3/8/2012](file:///p:\pprever\2011-12\4269_20120308.docx)

[4/19/2012](file:///p:\pprever\2011-12\4269_20120419.docx)

AMENDED

April 19, 2012

**H. 4269**

Introduced by Rep. Sandifer

S. Printed 4/19/12--H.

Read the first time May 25, 2011.

**A** **BILL**

TO AMEND SECTION 37‑3‑202, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADDITIONAL CHARGES ASSOCIATED WITH CONSUMER LOANS, SO AS TO INCLUDE A CHARGE FOR THE ACTUAL COST INCURRED BY A LICENSEE FOR PROCESSING AN AUTOMATED CLEARING HOUSE PAYMENT AND A CHARGE FOR THE ACTUAL COST INCURRED BY A LICENSEE FOR PAYMENTS MADE BY CONSUMERS VIA CREDIT OR DEBIT CARDS.

Amend Title To Conform

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

SECTION 1. Section 37‑3‑202(1) of the 1976 Code, as last amended by Act 234 of 2004, is amended by adding the following subitems at the end to read:

“(g) five dollars for processing an automated clearing house payment unless:

(i) the licensee requires the consumer to use the payment method;

(ii) the payment was authorized by the consumer in advance to recur at regular intervals; or

(iii) the payment does not clear the consumer’s bank account within three business days after the payment authorization by the consumer;

(h) five dollars for accepting payment made via debit or credit card. This charge must be equal to the difference in the amount of payment made by the debit or credit card holder on a consumer loan and the actual amount received by the licensee from the credit card processing company unless:

(i) the licensee requires the consumer to use the payment method;

(ii) the payment was authorized by the consumer in advance to recur at regular intervals; or

(iii) the payment does not clear the consumer’s bank account within three business days after the payment authorization by the consumer.”

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

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