**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑1‑100 SO AS TO PROVIDE THAT ANY COMPANY OR ENTITY DOING BUSINESS IN THIS STATE WHICH AWARDS CUSTOMERS OR MEMBERS WITH LOYALTY OR REWARD POINTS FOR TRANSACTING BUSINESS WITH IT MUST ALLOW ANY ACCUMULATED UNUSED POINTS TO BE TRANSFERRED BY A DECEDENT CUSTOMER OR MEMBER TO A SPECIFIED HEIR BY WILL OR OTHER WRITTEN DOCUMENT OR REDEEMED BY THE DESIGNATED HEIR AT DEATH.

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

SECTION 1. Chapter 1, Title 39 of the 1976 Code is amended by adding:

“Section 39‑1‑100. (A) Any company or entity doing business in this State which awards customers or members with loyalty or reward points for transacting business with it must allow any accumulated unused points to be transferred by a decedent customer or member to a specified heir by will or other written document or redeemed by the designated heir at death; provided, however, that the provisions of this section do not supersede any written contract entered into by an awarding company and a customer before the effective date of this section prohibiting the inheritance or redemption of loyalty or reward points at death. Any contract between the awarding company and a customer entered into on or after the effective date of this section providing for the receipt of loyalty or reward points may provide for reasonable transfer or redemption fees at death and other requirements such as the furnishing of a death certificate, but may not prohibit the inheritance or redemption of these points by an heir at death.

(B) Loyalty or reward points for purposes of this section means a bonus award expressed numerically for the conduct of business with the awarding company based on the dollar value of the business conducted or based on the customer establishing a membership or customer relationship with the awarding company where the loyalty or reward points may be used to acquire further goods or services without the payment of additional consideration.”

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

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