**A** **BILL**

TO AMEND SECTION 6‑9‑80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PENALTIES FOR VIOLATIONS OF THE BUILDING CODES OR REGULATIONS, SO AS TO PROVIDE CRIMINAL PENALTIES FOR THOSE PERSONS FOUND TO BE IN VIOLATION OF A BUILDING CODE OR REGULATION ADOPTED PURSUANT TO THE PROVISIONS OF CHAPTER 9, TITLE 6, AND TO PROVIDE THAT THOSE PERSONS CHARGED WITH VIOLATING A BUILDING CODE OR REGULATION MUST BE TRIED EXCLUSIVELY IN THE APPROPRIATE MAGISTRATES OR MUNICIPAL COURT.

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

SECTION 1. Section 6‑9‑80 of the 1976 Code, as last amended by Act 83 of 2003, is further amended to read:

“Section 6‑9‑80. (A) For a violation of the building codes or regulations adopted pursuant to this chapter, the local building officials, municipal or county attorneys, or other appropriate authorities of a political subdivision, or an adjacent or neighboring property owner who would be damaged by the violation, in addition to other remedies, may apply for injunctive relief, mandamus, or other appropriate proceeding. A court may grant temporary injunctive relief upon receipt of a verified complaint of an imminent danger or emergency situation.

(B) A person found to be in violation of a building code or regulation adopted pursuant to the provisions of this chapter ~~must be cited and fined, by civil fine,~~ is guilty of a misdemeanor and, upon conviction of a first offense, may be fined in an amount ~~not~~ of no more than two hundred dollars or imprisoned for no more than thirty days, or both. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit a plan for correcting the violation.

(C) A person who fails to correct a violation or submit a plan for correcting a violation within seven calendar days after ~~citation or written notice must be cited and fined, by civil fine, in an amount not to exceed two thousand dollars~~ being charged with the initial offense may be charged with a second or subsequent offense and upon conviction, is guilty of a misdemeanor and must be fined in an amount no less than two hundred dollars nor more than five hundred dollars, or imprisoned for no more than thirty days, or both. Each day a violation continues is a separate offense.

(D) A person charged with a first offense violation of a building code or regulation pursuant to subsection (B) or with a second or subsequent offense violation of a building code or regulation pursuant to subsection (C) must be tried exclusively in the appropriate magistrates or municipal court.”

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

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