**South Carolina General Assembly**

124th Session, 2021-2022

**H. 4175**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bailey, Gilliam, Pope, McCravy, Rose, Bernstein, Hewitt, Hardee, Bamberg, Brittain, Gagnon, Jordan, Sandifer, G.M. Smith and J.L. Johnson

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Introduced in the House on April 7, 2021

Currently residing in the House Committee on **Judiciary**

Summary: Unfair Trade Practice - Choice of Law Provisions

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/7/2021 House Introduced and read first time ([House Journal‑page 65](file:///h:\hj\20210407.docx))

4/7/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 65](file:///h:\hj\20210407.docx))

4/14/2021 House Member(s) request name added as sponsor: J.L.Johnson

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4175&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/7/2021](file:///p:\pprever\2021-22\4175_20210407.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑5‑190 SO AS TO PROVIDE THAT IT IS AN UNFAIR TRADE PRACTICE FOR A CONTRACTING PARTY TO REQUIRE THE APPLICATION OF THE LAWS OF ANOTHER STATE IN DISPUTES ARISING FROM THE PERFORMANCE OF THE CONTRACT.

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

SECTION 1. Article 1, Chapter 5, Title 39 of the 1976 Code is amended by adding:

“Section 39‑5‑190. (A) Notwithstanding any other provision of law, it is an unfair trade practice for one party to a contract to require the application of the laws of another state for a dispute that arises related to the performance of the contract so long as this State is the place of performance of the contract.

(B) Nothing in this section may be construed to prohibit the use of a provision agreeing to apply the laws of another state for other disputes that may arise related to the contract.”

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

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