**South Carolina General Assembly**

124th Session, 2021-2022

**H. 5076**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hixon and G.R. Smith

Document Path: l:\council\bills\nbd\11341dg22.docx

Companion/Similar bill(s): 962

Introduced in the House on March 3, 2022

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

Summary: Record of sales and resulting changes in duplicates by auditor

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/3/2022 House Introduced and read first time ([House Journal‑page 23](file:///h:\hj\20220303.docx))

3/3/2022 House Referred to Committee on **Judiciary** ([House Journal‑page 23](file:///h:\hj\20220303.docx))

3/14/2022 House Member(s) request name added as sponsor: G.R.Smith

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=5076&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[3/3/2022](file:///p:\pprever\2021-22\5076_20220303.docx)

**A** **BILL**

TO AMEND SECTION 12‑39‑260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RECORD OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; TO AMEND SECTION 30‑5‑120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; TO REPEAL SECTION 30‑5‑80 RELATING TO THE REQUIREMENT OF THE AUDITOR’S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND TO REPEAL SECTION 8‑21‑130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

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

SECTION 1. Section 12‑39‑260(A) of the 1976 Code is amended to read:

“(A) Each county auditor may keep a record of all sales or conveyances of real property made in the county, in which he shall enter, in columns, the names of the purchaser and seller, the quantity of land conveyed and the location and price of such land, and from such record he shall correct the county duplicates annually. For the purpose of carrying out this provision, provided the county auditor chooses to keep a record of all sales or conveyances of real property made in the county, the clerk of court or register of deeds of each county may have the endorsement of the county auditor on each deed of conveyance for real property ~~that the conveyance has been entered in his office before such deed can be placed on record in the recording office, and the county auditor shall be entitled to a fee of twenty‑five cents, for his own use, for making such entry and endorsement~~ either before or after recording.”

SECTION 2. Section 30‑5‑120 of the 1976 Code is amended to read:

“Section 30‑5‑120. (A) All conveyances of real estate which were recorded by a clerk of court or register of deeds of any of the several counties between December 14, 1876 and May 1, 1882, without the endorsement of the auditor of the county, have heretofore been declared to be as valid and binding, to all intents and purposes, as if such conveyances had been endorsed by the auditor of the county, as required by law.

(B) All conveyances of real estate that were recorded by a clerk of court of register of deeds of any county that meet the prerequisite recording requirements established by Section 30‑5‑30, but are without the endorsement of the county auditor, are valid and binding.”

SECTION 3. Section 30‑5‑80 of the 1976 Code is repealed.

SECTION 4. Section 8‑21‑130 of the 1976 Code is repealed.

SECTION 5. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑