**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4635**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. White and Felder

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Introduced in the House on January 9, 2024

Currently residing in the House

Summary: Automobile glass repair insurance coverage

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/16/2023 House Prefiled

 11/16/2023 House Referred to Committee on **Labor, Commerce and Industry**

 1/9/2024 House Introduced and read first time (House Journal‑page 105)

 1/9/2024 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 105)

 1/10/2024 House Member(s) request name added as sponsor: Felder

 2/7/2024 House Member(s) request name added as sponsor: Guffey

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**VERSIONS OF THIS BILL**

[11/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4635_20231116.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38‑77‑285 SO AS TO PROVIDE AUTOMOBILE INSURANCE APPRAISERS AND INSURERS MAY NOT REQUIRE INSUREds TO USE CERTAIN FACILITIES TO REPAIR OR REPLACE DAMAGED AUTOMOBILE SAFETY GLASS, AND TO PROVIDE PENALTIES FOR VIOLATIONS, AMONG OTHER THINGS.

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

SECTION 1. Article 3, Chapter 77, Title 38 of the S.C. Code is amended by adding:

 Section 38‑77‑285. (A) An automobile physical damage appraiser may not require that automobile safety glass repair or replacement work be performed or not be performed in or by a specified facility or glass shop.

 (B) An insurance company doing business in this State or third‑party claims administrator, agent, or adjuster for such company may not:

 (1) require any insured to use a specific person for the provision of automobile safety glass repair or replacement work; or

 (2) state that choosing a facility other than a glass shop participating in an automobile safety glass repair or replacement work program established by such company will or may result in delays in or a lack of guarantee for the automobile safety glass work.

 (C)(1) If there is any communication between a glass claims representative for an insurance company doing business in this State or a third‑party claims administrator for such company and an insured regarding automobile safety glass repair or replacement work or automobile glass products, in the initial contact with the insured, such representative or claims administrator shall state or disclose to the insured a statement substantially similar to the following: “You have the right to choose a licensed glass shop where the damage to your motor vehicle will be repaired. If you have a preference, please let us know.”

 (2) A glass claims representative for an insurance company doing business in this State or a third‑party claims administrator for such company may not provide an insured with the name of, schedule an appointment for an insured with, or direct an insured to, a licensed glass shop that is owned by:

 (a) such company,

 (b) such claims administrator; or

 (c) the same parent company as such insurance company or claims administrator, unless such representative or claims administrator provides the insured with the name of at least one additional licensed glass shop in the area where the automobile safety glass work is to be performed.

 (D) In addition to penalties available under Section 38‑2‑10, a violation of this section constitutes an unfair trade practice under the South Carolina Unfair Trade Practices Act and is subject to remedies and penalties available under Article 1, Chapter 5, Title 39.

 (E) For purposes of this section, “automobile safety glass” means automobile glass for which no deductible may be applied pursuant to pursuant to Section 38‑77‑285(B) when being repaired or replaced.

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

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