

Session 112 - (1997-1998)

H*4755 (Rat #0515, Act #0382 of 1998) General Bill, By Cobb-Hunter

A BILL TO AMEND SECTION 27-40-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCLUSIONS FROM COVERAGE OF THE SOUTH CAROLINA RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO ADD TO THE LIST OF EXCLUSIONS "RESIDENCE, WHETHER TEMPORARY OR NOT, AT A CHARITABLE OR EMERGENCY PROTECTIVE SHELTER, PUBLIC OR PRIVATE"; TO AMEND SECTION 27-40-710, AS AMENDED, RELATING TO THE SOUTH CAROLINA RESIDENTIAL LANDLORD AND TENANT ACT, LANDLORD REMEDIES, NONCOMPLIANCE WITH RENTAL AGREEMENT, FAILURE TO PAY RENT, AND REMOVAL OF AN EVICTED TENANT'S PERSONAL PROPERTY, SO AS TO PROVIDE THAT THE WRITTEN NOTICE REQUIREMENT FOR THE LANDLORD SHALL BE CONSIDERED COMPLIED WITH IF THE RENTAL AGREEMENT CONTAINS THE NEW LANGUAGE SET FORTH IN THIS SECTION, OR THE SUBSTANTIAL EQUIVALENT, PROVIDE THAT THE PRESENCE OF THIS PROVISION IN THE RENTAL AGREEMENT FULLY SATISFIES THE "WRITTEN NOTICE" REQUIREMENT AND APPLIES TO A MONTH-TO-MONTH TENANCY FOLLOWING THE SPECIFIED LEASE TERM IN THE ORIGINAL RENTAL AGREEMENT, AND PROVIDE FOR RELATED MATTERS; TO AMEND SECTION 27-47-110, RELATING TO THE SOUTH CAROLINA MANUFACTURED HOME PARK TENANCY ACT AND THE APPLICABILITY OF THIS ACT, SO AS TO PROVIDE THAT THE PROVISIONS OF THE SOUTH CAROLINA RESIDENTIAL LANDLORD AND TENANT ACT IN CHAPTER 40 OF TITLE 27 APPLY TO TENANCIES IN MANUFACTURED HOME PARKS IF SUCH APPLICATION IS NOT INCONSISTENT WITH OR CONTRARY TO THE PROVISIONS OF THE SOUTH CAROLINA MANUFACTURED HOME PARK TENANCY ACT; AND TO AMEND SECTION 27-47-530, RELATING TO THE SOUTH CAROLINA MANUFACTURED HOME PARK TENANCY ACT, RESIDENT'S OBLIGATIONS, GROUNDS FOR EVICTION, AND NOTICE OF EVICTION, SO AS TO PROVIDE THAT NOTWITHSTANDING SECTION 27-37-100, WHICH RELATES TO THE EFFECT OF A VERDICT FOR THE PLAINTIFF UNDER THE PROVISIONS OF LAW REGARDING THE EJECTMENT OF TENANTS, A WRIT OF EJECTMENT MAY NOT ISSUE UNTIL TEN DAYS AFTER A VERDICT FOR THE PLAINTIFF, RATHER THAN "WITHIN THIRTY DAYS OF WRITTEN NOTICE TO THE RESIDENT OF THE COMMENCEMENT OF THE EVICTION ACTION", EXCEPT FOR EVICTION PURSUANT TO CERTAIN OTHER PROVISIONS OF THIS SECTION, PROVIDE THAT IF A MANUFACTURED HOME REMAINS ON THE LOT TWENTY DAYS AFTER THE RESIDENT HAS BEEN EVICTED, THE PROCEDURE IN SECTION 29-15-10, WHICH RELATES TO THE LIEN FOR REPAIRS OR STORAGE, MAY BE COMMENCED IN ORDER TO SELL THE HOME IN A COMMERCIALLY REASONABLE SALE AT PUBLIC AUCTION, AND PROVIDE THAT THE MANUFACTURED HOME OWNER OR RESIDENT IS NOT PROHIBITED FROM MOVING THE HOME BEFORE THE DAY OF SALE BUT THAT HE MUST PAY ANY FILING FEE OR ADVERTISING COSTS INCURRED FOR INITIATING THE PROCEDURE IN SECTION 29-15-10.-AMENDED TITLE

03/04/98	House	Introduced and read first time HJ-6
03/04/98	House	Referred to Committee on Labor, Commerce and Industry HJ-6
03/25/98	House	Committee report: Favorable Labor, Commerce and Industry HJ-15
03/26/98	House	Read second time HJ-15
03/31/98	House	Read third time and sent to Senate HJ-13
04/01/98	Senate	Introduced and read first time SJ-5
04/01/98	Senate	Referred to Committee on Judiciary SJ-5
04/29/98	Senate	Committee report: Favorable Judiciary SJ-19
05/13/98	Senate	Read second time SJ-46
05/27/98	Senate	Amended SJ-99
05/27/98	Senate	Read third time and returned to House with amendments SJ-99
06/03/98	House	Senate amendment amended HJ-19
06/03/98	House	Returned to Senate with amendments HJ-19
06/03/98	Senate	Non-concurrence in House amendment
06/03/98	House	House insists upon amendment and conference committee appointed Reps. Sandifer, Cobb-Hunter & Law HJ-107
06/04/98	Senate	Conference committee appointed Sens. Bryan, Hayes, Rankin SJ-211
06/04/98	House	Free conference powers granted HJ-195
06/04/98	House	Free conference committee appointed Reps. Sandifer, Cobb-Hunter & Law HJ-196
06/04/98	House	Free conference report received and adopted HJ-196
06/04/98	Senate	Free conference powers granted SJ-211
06/04/98	Senate	Free conference committee appointed Sens. Bryan, Hayes, Rankin SJ-211

06/04/98	Senate	Free conference report received and adopted SJ-211
06/04/98	Senate	Ordered enrolled for ratification SJ-215
06/10/98		Ratified R 515
06/12/98		Signed By Governor
06/12/98		Effective date 06/12/98
06/19/98		Copies available
06/30/98		Act No. 382