

Session 121 - (2015-2016)

H 3248 General Bill, By Ryhal, Hardwick, Long, M.S. McLeod, Felder and Hardee

Summary: Homeowners Associations

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 28 TO TITLE 27 SO AS TO PROVIDE REQUIREMENTS CONCERNING THE GOVERNANCE OF HOMEOWNERS ASSOCIATIONS, TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE HOMEOWNERS ASSOCIATIONS MUST REGISTER WITH THE REAL ESTATE COMMISSION AND FILE COPIES OF ITS GOVERNING DOCUMENTS WITH THE CLERK OF COURT, REGISTER OF DEEDS, AND THE COMMISSION, TO PROVIDE HOMEOWNERS ASSOCIATIONS OTHERWISE ALSO MUST MAKE ITS GOVERNING DOCUMENTS AVAILABLE TO THE PUBLIC AND PROSPECTIVE BUYERS IN A CERTAIN MANNER, TO PROVIDE MECHANISMS FOR THE AUTOMATIC TRANSFER OF CONTROL OF PROPERTY GOVERNED BY A HOMEOWNERS ASSOCIATION FROM THE DECLARANT TO AN ELECTED BOARD OF THE HOMEOWNERS, TO PROVIDE RELATED NOTICE REQUIREMENTS, TO PROVIDE TRAINING REQUIREMENTS FOR HOMEOWNERS ASSOCIATION BOARD MEMBERS, TO PROVIDE HOMEOWNERS MAY INSPECT CERTAIN ASSOCIATION DOCUMENTS, TO PROVIDE HOMEOWNERS ASSOCIATIONS MUST PROVIDE CERTAIN NOTICE FOR BOARD MEETINGS, TO PROVIDE THAT HOMEOWNERS ASSOCIATIONS MAY NOT PLACE A LIEN AGAINST THE PROPERTY OF A HOMEOWNER OR OTHERWISE FINE OR ASSESS COSTS AGAINST A HOMEOWNER WITHOUT FIRST GIVING THE HOMEOWNER A HEARING BEFORE THE BOARD, AND TO PROVIDE HOMEOWNERS OR HOMEOWNERS ASSOCIATIONS MAY SEEK FROM MAGISTRATES COURT EQUITABLE RELIEF TO ENFORCE THE PROVISIONS OF THIS CHAPTER, AND TO PROVIDE THAT THE PREVAILING PARTY IN SUCH AN ACTION MAY RECOVER REASONABLE ATTORNEY'S FEES AND RELATED COSTS; AND BY ADDING SECTION 40-57-63 SO AS TO IMPOSE RELATED POWERS AND DUTIES ON THE REAL ESTATE COMMISSION, AND TO DEFINE NECESSARY TERMINOLOGY.

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| 12/18/14 | House | Prefiled |
| 12/18/14 | House | Referred to Committee on Judiciary |
| 12/22/14 | | Scrivener's error corrected |
| 01/13/15 | House | Introduced and read first time (House Journal-page 168) |
| 01/13/15 | House | Referred to Committee on Judiciary (House Journal-page 168) |
| 01/15/15 | House | Member(s) request name added as sponsor: Felder |
| 03/17/15 | House | Member(s) request name added as sponsor: Hardee |
| 04/22/15 | House | Recalled from Committee on Judiciary (House Journal-page 40) |
| 04/28/15 | House | Amended (House Journal-page 64) |
| 04/28/15 | House | Read second time (House Journal-page 64) |
| 04/28/15 | House | Roll call Yeas-88 Nays-14 (House Journal-page 66) |
| 04/29/15 | House | Read third time and sent to Senate (House Journal-page 13) |
| 04/29/15 | Senate | Introduced and read first time (Senate Journal-page 9) |
| 04/29/15 | Senate | Referred to Committee on Judiciary (Senate Journal-page 9) |
| 05/01/15 | Senate | Referred to Subcommittee: Rankin (ch), Coleman, Hembree, Johnson, Thurmond |