

Session 121 - (2015-2016)

H*3325 (Rat #0158, Act #0153 of 2016) General Bill, By J.E. Smith, Hodges, Weeks, Whipper, Mitchell, Govan and Gilliard

Summary: Uniform Partition of Heirs Property Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 61, TITLE 15 SO AS TO ENACT THE "CLEMENTA C. PINCKNEY UNIFORM PARTITION OF HEIRS' PROPERTY ACT"; TO DEFINE NECESSARY TERMS; TO PROVIDE FOR A PRELIMINARY HEARING TO DETERMINE WHETHER THE PROPERTY IN AN ACTION TO PARTITION REAL PROPERTY IS HEIRS' PROPERTY; TO PROVIDE FOR NOTICE BY PUBLICATION IN A PARTITION ACTION; TO PROVIDE PROCEDURES FOR A COURT TO FOLLOW IN DETERMINING THE VALUE OF THE PROPERTY AND FACTORS FOR A COURT TO CONSIDER FOR DIFFERENT TYPES OF PARTITIONS; TO PROVIDE FOR OPEN-MARKET SALES, SEALED BIDS, OR AUCTIONS, TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 61 AS ARTICLE 1; TO AMEND SECTION 15-61-10, RELATING TO PARTITION ACTIONS, SO AS TO PROVIDE FOR A COURT HEARING TO DETERMINE IF THE PARTITION ACTION CONCERNS HEIRS' PROPERTY; AND TO AMEND SECTION 15-61-100, RELATING TO WRITS OF PARTITION, SO AS TO DELETE OBSOLETE REFERENCES. - ratified title

01/15/15 House Introduced and read first time (House Journal-page 324)
01/15/15 House Referred to Committee on Judiciary (House Journal-page 324)
01/27/15 House Member(s) request name added as sponsor: Hodges
04/22/15 House Member(s) request name added as sponsor: Weeks, Whipper
05/06/15 House Committee report: Favorable with amendment Judiciary (House Journal-page 39)
05/07/15 House Member(s) request name added as sponsor: Mitchell, Govan
05/12/15 House Member(s) request name added as sponsor: Gilliard
05/12/15 House Amended (House Journal-page 24)
05/12/15 House Read second time (House Journal-page 24)
05/12/15 House Roll call Yeas-104 Nays-0 (House Journal-page 34)
05/13/15 House Read third time and sent to Senate (House Journal-page 13)
05/13/15 Senate Introduced and read first time (Senate Journal-page 8)
05/13/15 Senate Referred to Committee on Judiciary (Senate Journal-page 8)
05/15/15 Senate Referred to Subcommittee: Malloy (ch), Massey, S.Martin, Bennett, Johnson
01/19/16 Senate Referred to Subcommittee: Malloy (ch), Massey, Bennett, Johnson, Thurmond
03/02/16 Senate Committee report: Favorable with amendment Judiciary (Senate Journal-page 8)
03/03/16 Scrivener's error corrected
03/08/16 Senate Committee Amendment Adopted (Senate Journal-page 13)
03/08/16 Senate Read second time (Senate Journal-page 13)
03/08/16 Senate Roll call Ayes-34 Nays-1 (Senate Journal-page 13)
03/09/16 Scrivener's error corrected
03/09/16 Senate Read third time and returned to House with amendments (Senate Journal-page 9)
03/16/16 House Read third time and enrolled (House Journal-page 85)
03/16/16 House Roll call Yeas-100 Nays-0 (House Journal-page 86)
04/19/16 Ratified R 158
04/21/16 Signed By Governor
04/27/16 Effective date 01/01/17
05/02/16 Act No. 153