

## 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

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|----------|--------|---|
| 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   |