

Session 113 - (1999-2000)

H*3329 (Rat #0151, Act #0083 of 1999) General Bill, By Harrison

Summary: Mechanics' liens, prevailing party redefined, value of counterclaim; Attorneys, fees; Property, Businesses

A BILL TO AMEND SECTION 29-5-10 AND SECTION 29-5-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SETTLEMENT OF ACTIONS TO ENFORCE MECHANICS' LIENS AND THE AWARD OF ATTORNEY'S FEES TO THE PREVAILING PARTY, SO AS TO FURTHER DEFINE THE TERM "PREVAILING PARTY", TO PROVIDE THAT THE VALUE OF A DEFENDANT'S COUNTERCLAIM IS CONSIDERED A NEGATIVE OFFER OF SETTLEMENT IF THE DEFENDANT DOES NOT MAKE A WRITTEN OFFER OF SETTLEMENT, AND TO PROVIDE TIME FRAMES FOR MAKING OFFERS OF SETTLEMENT OR AMENDED OFFERS IF THE ACTION IS CARRIED OVER TO A SUBSEQUENT TERM OF COURT.-AMENDED TITLE

01/21/99	House	Introduced and read first time HJ-4
01/21/99	House	Referred to Committee on Judiciary HJ-4
02/24/99	House	Committee report: Favorable Judiciary HJ-11
03/02/99	House	Debate adjourned until Wednesday, March 3, 1999 HJ-29
03/03/99	House	Read second time HJ-17
03/04/99	House	Read third time and sent to Senate HJ-13
03/04/99	Senate	Introduced and read first time SJ-10
03/04/99	Senate	Referred to Committee on Banking and Insurance SJ-10
05/12/99	Senate	Recalled from Committee on Banking and Insurance SJ-6
05/13/99	Senate	Read second time SJ-34
05/13/99	Senate	Ordered to third reading with notice of amendments SJ-34
05/25/99	Senate	Amended SJ-21
05/25/99	Senate	Read third time and returned to House with amendments SJ-21
05/27/99	House	Concurred in Senate amendment and enrolled HJ-130
06/09/99		Ratified R 151
06/11/99		Signed By Governor
06/11/99		Effective date 06/11/99
07/01/99		Copies available
07/06/99		Act No. 83