

**Session 122 - (2017-2018)**

**H\*3886 (Rat #0245, Act #0245 of 2018) General Bill, By Crawford, Ryhal, Hamilton, Sandifer, Fry, Putnam, Clemmons, Yow, Anderson, Johnson, Hardee, Huggins, Hewitt, Duckworth, Bowers, Sottile, Crosby, Felder, Bennett, Thigpen, Whipper, Brown, Hixon, Taylor, King, Daning, Spires, Henderson, Pitts, Kirby, White, McCravy, Hill, Gagnon, West, Wheeler, Davis, Murphy, Hayes, Ott, V.S. Moss, Lowe, Jordan and McKnight**

**Similar (S 0082, S 0104, S 0122, S 0576, H 3301)**

**Summary:** Homeowner's Associations

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 30 TO TITLE 27 SO AS ENACT THE "SOUTH CAROLINA HOMEOWNERS ASSOCIATION ACT", TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE RECORDING REQUIREMENTS FOR THE ENFORCEABILITY OF HOMEOWNERS ASSOCIATION GOVERNING DOCUMENTS, TO PROVIDE REQUIREMENTS CONCERNING HOMEOWNERS ASSOCIATION RULES AND REGULATIONS, TO PROVIDE HOMEOWNERS ASSOCIATIONS MUST COMPLY WITH CERTAIN NOTICE REQUIREMENTS BEFORE ADOPTING ANNUAL BUDGET INCREASES, AND TO PROVIDE MAGISTRATES COURTS HAVE JURISDICTION TO ADJUDICATE CERTAIN MONETARY DISPUTES BETWEEN HOMEOWNERS ASSOCIATIONS AND HOMEOWNERS; AND TO ENACT THE "DEPARTMENT OF CONSUMER AFFAIRS SERVICES FOR HOMEOWNERS AND HOMEOWNERS ASSOCIATIONS ACT", TO PROVIDE RELATED DEFINITIONS, TO PROVIDE REQUIREMENTS OF THE DEPARTMENT OF CONSUMER AFFAIRS CONCERNING THE RECEIPT AND PROCESSING OF COMPLAINTS INVOLVING HOMEOWNERS ASSOCIATIONS, TO AUTHORIZE THE DEPARTMENT TO INCLUDE CERTAIN RELATED INFORMATION AND EDUCATIONAL MATERIALS ON ITS INTERNET WEBSITE, TO PROVIDE THE DEPARTMENT SHALL COMPILE AND ANNUALLY REPORT CERTAIN RELATED DATA TO THE GOVERNOR AND THE GENERAL ASSEMBLY, TO PROVIDE THE DEPARTMENT SHALL POST THESE REPORTS ON ITS INTERNET WEBSITE, TO PROHIBIT THE DEPARTMENT FROM PROMULGATING CERTAIN RELATED REGULATIONS OR ISSUING CERTAIN RELATED GUIDELINES, AND TO PROHIBIT THE DEPARTMENT FROM ARBITRATING DISPUTES BETWEEN HOMEOWNERS AND HOMEOWNERS ASSOCIATIONS; AND TO AMEND SECTION 27-50-40, RELATING TO RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENTS, SO AS TO REQUIRE THESE STATEMENTS INCLUDE WHETHER PROPERTY IS SUBJECT TO GOVERNANCE OF A HOMEOWNERS ASSOCIATION WHICH CARRIES CERTAIN RIGHTS AND OBLIGATIONS THAT MAY LIMIT USE OF THE PROPERTY AND INVOLVE FINANCIAL OBLIGATIONS. - ratified title

- 03/02/17 House Introduced and read first time (House Journal-page 9)**
- 03/02/17 House Referred to Committee on Labor, Commerce and Industry (House Journal-page 9)**
- 03/09/17 House Member(s) request name added as sponsor: Bowers**
- 03/13/17 House Member(s) request name added as sponsor: Sottile**
- 03/13/17 House Committee report: Favorable with amendment Labor, Commerce and Industry (House Journal-page 3)**
- 03/14/17 House Member(s) request name added as sponsor: Crosby**
- 03/14/17 Scrivener's error corrected**
- 03/14/17 House Member(s) request name added as sponsor: Felder**
- 03/21/17 House Member(s) request name added as sponsor: Bennett, Thigpen**
- 03/21/17 House Debate adjourned until Wed., 3-22-17 (House Journal-page 134)**
- 03/22/17 House Requests for debate-Rep(s). Crawford, Sandifer, B Newton, Tallon, Norrell, Mack, Whitmire, Forester, Hamilton, GR Smith, Loftis, Crosby, Clary, Magnuson, McKnight, Hosey, Kirby, Clemmons, W Newton, Douglas, Williams, Jefferson, Ott, King, Cobb-Hunter, Finlay, Hart, Thigpen, Yow, Johnson, Henegan, West, Caskey, Hewitt (House Journal-page 33)**
- 03/28/17 House Member(s) request name added as sponsor: S.Rivers**
- 03/29/17 House Member(s) request name added as sponsor: Whipper, Brown**
- 03/29/17 House Member(s) request name removed as sponsor: S.Rivers**
- 03/29/17 House Member(s) request name added as sponsor: Hixon, Taylor, King, Daning, Spires, Henderson, Pitts, Kirby, White, McCravy, Hill, Gagnon, West, Wheeler, Davis, Murphy, Hayes, Ott, V.S.Moss, Lowe, McKnight, Jordan**
- 03/29/17 House Debate adjourned until Thur., 3-30-17 (House Journal-page 79)**
- 03/30/17 House Amended (House Journal-page 62)**
- 03/30/17 House Read second time (House Journal-page 62)**
- 03/30/17 House Roll call Yeas-91 Nays-0 (House Journal-page 71)**
- 03/30/17 House Unanimous consent for third reading on next legislative day (House Journal-page 72)**

03/31/17 House Read third time and sent to Senate (House Journal-page 2)  
04/04/17 Senate Introduced and read first time (Senate Journal-page 10)  
04/04/17 Senate Referred to Committee on Judiciary (Senate Journal-page 10)  
04/07/17 Senate Referred to Subcommittee: Rankin (ch), Hutto, Johnson, Turner, Gambrell  
04/19/17 Senate Committee report: Favorable Judiciary (Senate Journal-page 9)  
03/29/18 Senate Amended (Senate Journal-page 30)  
03/29/18 Senate Read second time (Senate Journal-page 30)  
03/29/18 Senate Roll call Ayes-39 Nays-0 (Senate Journal-page 30)  
04/03/18 Scrivener's error corrected  
04/09/18 Senate Read third time and returned to House with amendments (Senate Journal-page 31)  
04/11/18 House Debate adjourned until Tues., 4-17-18 (House Journal-page 16)  
04/17/18 House Debate adjourned until Wed., 4-18-18 (House Journal-page 16)  
04/18/18 House Debate adjourned until Thur., 4-19-18 (House Journal-page 69)  
04/19/18 House Debate adjourned until Wed., 4-25-18 (House Journal-page 48)  
04/25/18 House Debate adjourned until Thur., 4-26-18 (House Journal-page 69)  
04/26/18 House Senate amendment amended (House Journal-page 28)  
04/26/18 House Roll call Yeas-104 Nays-0 (House Journal-page 37)  
04/26/18 House Returned to Senate with amendments (House Journal-page 28)  
05/01/18 Senate Concurred in House amendment and enrolled (Senate Journal-page 19)  
05/01/18 Senate Roll call Ayes-41 Nays-0 (Senate Journal-page 19)  
05/14/18 Ratified R 245  
05/17/18 Signed By Governor  
05/30/18 Effective date 05/17/18  
05/31/18 Act No. 245