

Session 120 - (2013-2014)

H 4742 General Bill, By G.M. Smith, Weeks, Bannister, Delleney, Lucas and Whipper

Summary: False lien

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29-1-60 SO AS TO PROHIBIT FILING A FALSE LIEN OR ENCUMBRANCE IN CERTAIN PUBLIC RECORDS AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER, A PUBLIC EMPLOYEE, OR AN IMMEDIATE FAMILY MEMBER OF THE PUBLIC OFFICER OR PUBLIC EMPLOYEE FOR THE PERFORMANCE OF THE OFFICIAL DUTIES OF THE PUBLIC OFFICER OR PUBLIC EMPLOYEE WHEN THE PARTY FILING THE LIEN KNOWS OR HAS REASON TO KNOW THAT THE LIEN OR ENCUMBRANCE IS FALSE OR CONTAINS A MATERIALLY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; TO PROVIDE A VIOLATION CONSTITUTES A FELONY AND TO PROVIDE RELATED PENALTIES; TO DEFINE NECESSARY TERMINOLOGY; TO PROVIDE A REGISTER OF DEEDS OR CLERK OF COURT MAY REFUSE TO FILE A LIEN OR ENCUMBRANCE WHEN HE HAS A REASONABLE SUSPICION THAT THE LIEN OR ENCUMBRANCE IS FALSE, TO LIMIT HIS LIABILITY FOR THIS REFUSAL, TO PROVIDE CIRCUMSTANCES WHEN A COURT MAY ORDER THE FILING, AND TO PROVIDE EXCEPTIONS FROM THE PROVISIONS OF THIS SECTION, AMONG OTHER THINGS.

02/20/14 House Introduced and read first time (House Journal-page 35)
02/20/14 House Referred to Committee on Judiciary (House Journal-page 35)
04/10/14 House Recalled from Committee on Judiciary (House Journal-page 110)
04/30/14 House Member(s) request name added as sponsor: Whipper
04/30/14 House Read second time (House Journal-page 91)
04/30/14 House Roll call Yeas-110 Nays-0 (House Journal-page 91)
05/01/14 House Read third time and sent to Senate (House Journal-page 28)
05/01/14 Senate Introduced and read first time (Senate Journal-page 12)
05/01/14 Senate Referred to Committee on Banking and Insurance (Senate Journal-page 12)