**South Carolina General Assembly**

118th Session, 2009-2010

**A229, R279, H4505**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Nanney

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Introduced in the House on February 2, 2010

Introduced in the Senate on April 29, 2010

Passed by the General Assembly on May 25, 2010

Governor's Action: June 7, 2010, Signed

Summary: Registers of deeds

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/2/2010 House Introduced and read first time [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C02-02-10.docx)‑87

 2/2/2010 House Referred to Committee on **Judiciary** [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C02-02-10.docx)‑87

 4/14/2010 House Committee report: Favorable **Judiciary** [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-14-10.docx)‑2

 4/20/2010 House Requests for debate‑Rep(s). Kennedy, Ott, Cobb‑Hunter, Hutto, Jefferson, Clyburn, RL Brown, Nanney, Allison, JR Smith, and Millwood [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-20-10.docx)‑59

 4/27/2010 House Read second time [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-27-10.docx)‑122

 4/27/2010 House Roll call Yeas‑104 Nays‑3 [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-27-10.docx)‑122

 4/28/2010 House Read third time and sent to Senate [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-28-10.docx)‑62

 4/29/2010 Senate Introduced and read first time [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-29-10.docx)‑15

 4/29/2010 Senate Referred to Committee on **Judiciary** [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-29-10.docx)‑15

 5/3/2010 Senate Referred to Subcommittee: L.Martin (ch), Rankin, Hutto, Bright, Davis

 5/19/2010 Senate Committee report: Favorable **Judiciary** [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C05-19-10.docx)‑280

 5/20/2010 Senate Read second time [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C05-20-10.docx)‑15

 5/25/2010 Senate Read third time and enrolled [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C05-25-10.docx)‑23

 6/1/2010 Ratified R 279

 6/7/2010 Signed By Governor

 6/16/2010 Effective date 06/07/10

 6/23/2010 Act No. 229

**VERSIONS OF THIS BILL**

[2/2/2010](file:///p%3A%5Cpprever%5C2009-10%5C4505_20100202.docx)

[4/14/2010](file:///p%3A%5Cpprever%5C2009-10%5C4505_20100414.docx)

[5/19/2010](file:///p%3A%5Cpprever%5C2009-10%5C4505_20100519.docx)

(A229, R279, H4505)

**AN ACT TO AMEND SECTION 14‑1‑214, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PAYMENT OF FINES, FEES, AND COURT COSTS BY CREDIT OR DEBIT CARD, SO AS TO INCLUDE REGISTERS OF DEEDS IN THE LIST OF PERSONS ASSOCIATED WITH THE COURTS WHO MAY ACCEPT PAYMENT BY CREDIT OR DEBIT CARD.**

Be it enacted by the General Assembly of the State of South Carolina:

**Court fees and fines, payment by credit or debit card, include register of deeds**

SECTION 1. Section 14‑1‑214 of the 1976 Code, as added by Act 295 of 2002, is amended to read:

 “Section 14‑1‑214. (A) Clerks of court, registers of deeds, magistrates, and municipal court judges may:

 (1) accept payment by credit card or debit card of a fine, fee, assessment, court cost, or other surcharge; and

 (2) impose a fee for processing payment by credit card. Notwithstanding fees imposed by other provisions of law, the clerk of court, register of deeds, magistrate, and municipal court judge must impose a separate fee on the person making a payment by credit card that wholly offsets the amount of administrative fees charged to the court.

 (B) If a payment by credit card is not honored by the credit card company on which the funds are drawn, the:

 (1) court or register of deeds, may collect a service charge from the person who owes the fine, fee, assessment, court cost, or other surcharge. The service charge is an addition to the original fine, fee, assessment, court cost, or other surcharge and is for the collection of that original amount. The amount of the service charge must be the same amount as the fee charged for the collection of a check drawn on an account with insufficient funds; and

 (2) underlying obligation survives and the state or local government retains all remedies for enforcement which would have applied if the credit card transaction had not occurred.

 (C) The court or register of deeds, collecting a fee or service charge pursuant to this section must deposit the credit card fee or service charge in the general fund of the court’s respective governmental unit.

 (D) The clerk of court, register of deeds, magistrate, or municipal court judge who accepts payment by credit card or debit card pursuant to this section may refuse acceptance of credit or debit cards of an individual if, the:

 (1) individual has been convicted of a violation of Chapter 14, Title 16;

 (2) individual has previously tendered to the court a credit or debit card or credit or debit card information which did not ultimately result in payment by the credit or debit card issuer;

 (3) bank or credit card issuer does not authorize payment; or

 (4) validity of the credit or debit card is not verifiable.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 1st day of June, 2010.

Approved the 7th day of June, 2010.

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