**South Carolina General Assembly**

120th Session, 2013-2014

**S. 461**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Fair

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Introduced in the Senate on February 28, 2013

Currently residing in the Senate Committee on **Banking and Insurance**

Summary: Automobile insurance property damage

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/28/2013 Senate Introduced and read first time ([Senate Journal‑page 5](file:///h:\SJ%20Archive\2013\02-28-13.docx))

2/28/2013 Senate Referred to Committee on **Banking and Insurance** ([Senate Journal‑page 5](file:///h:\SJ%20Archive\2013\02-28-13.docx))

**VERSIONS OF THIS BILL**

[2/28/2013](file:///p:\pprever\2013-14\461_20130228.docx)

**A** **BILL**

TO AMEND SECTION 38‑77‑720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPENSATION AND FEES CONCERNING AUTOMOBILE INSURANCE PROPERTY DAMAGE LIABILITY CLAIMS ARBITRATION, SO AS TO INCREASE THE MAXIMUM AMOUNT OF COMPENSATION AND TO INCREASE CERTAIN FEES.

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

SECTION 1. Section 38‑77‑720 of the 1976 Code is amended to read:

“Section 38‑77‑720. (~~a~~A) The order of reference shall establish a panel of arbitrators each of whom must be a member of the bar and the members must be selected for service in particular cases on some fair rotation basis. Three arbitrators shall hear and determine each case and the decision of two of the three arbitrators shall determine the issue. However, the parties to the dispute may, by agreement, provide for determination of the disputed claim by one arbitrator.

(~~b~~B) Each arbitrator assigned to determine the claim may be compensated, not to exceed ~~thirty‑five~~ one hundred dollars for his services and time, payable out of the funds of the court and which may not be taxable as costs to either party.

(~~c~~C) The claimant who is the moving party in seeking arbitration shall pay to the clerk of court a fee of ~~ten~~ twenty dollars. ~~Five~~ Ten dollars must be retained by the clerk as the cost of filing the claim and final judgment and ~~five~~ ten dollars must be used to pay the cost of service on the other party or parties.”

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

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