**South Carolina General Assembly**

123rd Session, 2019-2020

**A174, R175, H3755**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Sandifer, Spires and Anderson

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Introduced in the House on January 24, 2019

Introduced in the Senate on March 20, 2019

Last Amended on September 22, 2020

Passed by the General Assembly on September 23, 2020

Governor's Action: September 30, 2020, Signed

Summary: Auto insurance coverage

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/24/2019 House Introduced and read first time ([House Journal‑page 43](file:///h%3A%5Chj%5C20190124.docx))

 1/24/2019 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 43](file:///h%3A%5Chj%5C20190124.docx))

 2/27/2019 House Member(s) request name added as sponsor: Anderson

 2/28/2019 House Committee report: Favorable **Labor, Commerce and Industry** ([House Journal‑page 52](file:///h%3A%5Chj%5C20190228.docx))

 3/6/2019 House Read second time ([House Journal‑page 46](file:///h%3A%5Chj%5C20190306.docx))

 3/6/2019 House Roll call Yeas‑78 Nays‑15 ([House Journal‑page 47](file:///h%3A%5Chj%5C20190306.docx))

 3/7/2019 House Debate adjourned until Tues., 3‑19‑19 ([House Journal‑page 10](file:///h%3A%5Chj%5C20190307.docx))

 3/19/2019 House Amended ([House Journal‑page 8](file:///h%3A%5Chj%5C20190319.docx))

 3/19/2019 House Read third time and sent to Senate ([House Journal‑page 8](file:///h%3A%5Chj%5C20190319.docx))

 3/19/2019 House Roll call Yeas‑92 Nays‑4 ([House Journal‑page 10](file:///h%3A%5Chj%5C20190319.docx))

 3/20/2019 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20190320.docx))

 3/20/2019 Senate Referred to Committee on **Banking and Insurance** ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20190320.docx))

 5/1/2019 Senate Committee report: Favorable **Banking and Insurance** ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20190501.docx))

 5/7/2019 Senate Amended ([Senate Journal‑page 154](file:///h%3A%5Csj%5C20190507.docx))

 5/7/2019 Senate Read second time ([Senate Journal‑page 154](file:///h%3A%5Csj%5C20190507.docx))

 9/15/2020 Senate Amended ([Senate Journal‑page 24](file:///h%3A%5Csj%5C20200915.docx))

 9/15/2020 Senate Read third time and returned to House with amendments ([Senate Journal‑page 24](file:///h%3A%5Csj%5C20200915.docx))

 9/22/2020 House Senate amendment amended ([House Journal‑page 73](file:///h%3A%5Chj%5C20200922.docx))

 9/22/2020 House Roll call Yeas‑103 Nays‑2 ([House Journal‑page 73](file:///h%3A%5Chj%5C20200922.docx))

 9/22/2020 House Returned to Senate with amendments ([House Journal‑page 73](file:///h%3A%5Chj%5C20200922.docx))

 9/23/2020 Scrivener's error corrected

 9/23/2020 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 141](file:///h%3A%5Csj%5C20200923.docx))

 9/23/2020 Senate Roll call Ayes‑33 Nays‑0 ([Senate Journal‑page 141](file:///h%3A%5Csj%5C20200923.docx))

 9/25/2020 Ratified R 175

 9/30/2020 Signed By Governor ([Senate Journal‑page 6](file:///h%3A%5Csj%5C20200930.docx))

 10/7/2020 Effective date 09/30/20

 10/7/2020 Act No.  174

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**VERSIONS OF THIS BILL**

[1/24/2019](file:///p%3A%5Cpprever%5C2019-20%5C3755_20190124.docx)

[2/28/2019](file:///p%3A%5Cpprever%5C2019-20%5C3755_20190228.docx)

[3/19/2019](file:///p%3A%5Cpprever%5C2019-20%5C3755_20190319.docx)

[5/1/2019](file:///p%3A%5Cpprever%5C2019-20%5C3755_20190501.docx)

[5/7/2019](file:///p%3A%5Cpprever%5C2019-20%5C3755_20190507.docx)

[9/15/2020](file:///p%3A%5Cpprever%5C2019-20%5C3755_20200915.docx)

[9/22/2020](file:///p%3A%5Cpprever%5C2019-20%5C3755_20200922.docx)

[9/23/2020](file:///p%3A%5Cpprever%5C2019-20%5C3755_20200923.docx)

(A174, R175, H3755)

**AN ACT TO AMEND SECTION 38‑77‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO AUTOMOBILE INSURANCE COVERAGE, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR THE RENEWAL OF AN AUTOMOBILE COVERAGE POLICY AND TO DEFINE THE TERM “REDUCTION IN COVERAGE”; TO AMEND SECTION 38‑77‑120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO RENEW A POLICY, SO AS TO ALLOW FOR AN INSURER TO RENEW A POLICY WITH A REDUCTION IN COVERAGE AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE REDUCTION IN COVERAGE; AND TO EXTEND THE REDEMPTION PERIOD FOR TWELVE MONTHS.**

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

**Definitions**

SECTION 1. Section 38‑77‑30(12) of the 1976 Code is amended to read:

 “(12) ‘Renewal’ or ‘to renew’ means the issuance and delivery by an insurer of a policy superseding at the end of the policy period a policy previously issued and delivered by the same insurer or the issuance and delivery of a certificate or notice extending the terms of a policy beyond its policy period or term. However, any policy with a policy period or term of less than six months or any period with no fixed expiration date is considered as if written for successive policy periods or terms of six months.

 (12.5) ‘Reduction in coverage’ means a change made by the insurer which results in a removal of coverage, diminution in scope or less coverage, or the addition of an exclusion. Reduction in coverage does not include any change, reduction, or elimination of coverage made at the request of the insured. The correction of a typographical or scrivener’s error or the application of mandated legislative changes may not be considered a reduction in coverage.”

**Automobile insurance, reduction in coverage**

SECTION 2. Section 38‑77‑120(b) of the 1976 Code is amended to read:

 “(b) Subsection (a) does not apply if the:

 (1) insurer has manifested to the insured its willingness to renew or to renew with a reduction in coverage by actually issuing or offering to the insured to issue a renewal policy, certificate, or other evidence of renewal, or has manifested such intention to the insured by any other means provided that in the case of a reduction in coverage, the insurer provides notice of a reduction in coverage to the named insured in a separate document entitled the ‘Notice of Reduction in Coverage’ no less than fifteen days prior to the effective date of the renewal that includes the proposed reduction in coverage. This notice must:

 (i) inform the insured of the reduction or elimination by the coverage section in the renewal policy or certificate; and

 (ii) provide that it is a notice of coverage changes.

 The Notice of Reduction in Coverage does not amend, extend, or alter coverage provided in a policy. An insurer’s Notice of Reduction in Coverage must be provided to the director or his designee upon request when investigating a consumer complaint or when otherwise requested. The director or his designee may direct the insurer to provide the renewal without the reduction in coverage if the insurer fails to meet the requirements of this section. The director or his designee may issue guidance to an insurer or to the industry regarding the form and contents of the Notice of Reduction in Coverage in response to consumer inquiries or complaints;

 (2) named insured has demonstrated by some overt action to the insurer or its agent that he expressly intends that the policy be canceled or that it not be renewed.”

**Redemption period extension**

SECTION 3. A. Notwithstanding any other provision of law, if real property was sold at a delinquent tax sale in 2019 and the twelve‑month redemption period has not expired as of the effective date of this section, then the redemption period for the real property is extended for twelve additional months. If the property is redeemed during the twelve‑month extension, additional interest shall accrue in the same manner and rate as interest accrues in the original redemption period, as set forth in Section 12‑51‑90(B). The provisions of Chapter 51, Title 12 of the 1976 Code, must be administered to account for the additional twelve months, mutatis mutandis including, but not limited to, the extension of affected deadlines.

B. This SECTION takes effect upon approval by the Governor.

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 25th day of September, 2020.

Approved the 30th day of September, 2020.

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