**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27‑40‑350 SO AS TO PROVIDE THAT A TENANT WHO IS A VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING MAY TERMINATE THE RENTAL AGREEMENT WITHIN SIXTY DAYS OF THE DOCUMENTED INCIDENT AND IS NOT REQUIRED TO PAY PENALTIES THAT MAY OTHERWISE BE IMPOSED FOR EARLY TERMINATION, TO PROVIDE NOTICE REQUIREMENTS FOR THE TENANT, TO ESTABLISH CERTAIN REQUIREMENTS FOR THE LANDLORD, AND TO PROHIBIT RETALIATORY ACTIONS AGAINST THE TENANT.

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

SECTION 1. Article 1, Chapter 40, Title 27 of the 1976 Code is amended by adding:

“Section 27‑40‑350. (A) If a residential tenant or a member of the residential tenant’s household is a victim of domestic violence, dating violence, sexual assault, or stalking, the tenant may:

(1) terminate the rental agreement within sixty days of the date of the documented incident of domestic violence, dating violence, sexual assault, or stalking due to safety issues. Accepted documentation includes, but is not limited to, a police report, medical documentation, or a restraining order.

(2) not be held liable for penalties or fees that might otherwise be imposed for the early termination of the rental agreement;

(B) A tenant must provide the landlord with written notice of the intent to terminate the rental agreement within sixty days after the documented incident and is entitled to remain at the residence for at least sixty days following the submission of the notice to the landlord. The tenant is still responsible for paying rent and other amounts owed, other than any fees imposed for early termination of the rental agreement, during the sixty days before the termination of the rental agreement.

(C) A landlord:

(1) may not require or force a residential tenant to vacate the residence before the expiration of the sixty days authorized by this section, but may enter into an agreement with the tenant to terminate the rental agreement earlier than what is required pursuant to this section; and

(2) is entitled to all remedies available arising from the destruction or damage of the rental unit caused by the tenant or permitted by the tenant while on the premises with the tenant’s permission.

(D) A landlord may not take any retaliatory action against a tenant in response to the early termination of the rental agreement including, without limitation, refusing to return the tenant’s security deposit unless the landlord is entitled to keep the deposit based on other violations of the agreement by the tenant or instituting an eviction action against the tenant.”

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

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