~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 20, 2022

**H. 3271**

Introduced by Reps. Henderson‑Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey

S. Printed 4/20/22--S.

Read the first time March 15, 2022.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3271) to amend Sections 15‑49‑10 and 15‑49‑20, Code of Laws of South Carolina, 1976, relating to petitions for a change of name, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Local Expenditure**

This bill establishes a six month residency requirement for a name change in South Carolina. A petition for a name change is presented in family court. According to Judicial, in FY 2020-21 there were a total of 1,783 overall case filings for name changes, but they are unable to estimate what impact, if any, this bill will have on the number of petitions that may be filed. RFA anticipates any change in the number of petitions filed in family court due to this bill can be managed within existing appropriations. Therefore, this bill will have no local expenditure impact.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTIONS 15‑49‑10 AND 15‑49‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

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

SECTION 1. Section 15‑49‑10(A) of the 1976 Code is amended to read:

“(A) A person who has been a resident of the State of South Carolina for at least six months and who desires to change his name may petition, in writing, a family court judge in the appropriate circuit, setting forth the reason for the change, his age, his place of residence and birth, and the name by which he desires to be known.”

SECTION 2. Section 15‑49‑20(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) an affidavit signed by the petitioner which provides that the petitioner is currently a resident of the State of South Carolina and has been a resident of the State for at least six months. The petitioner shall attach to the affidavit proof of residency in South Carolina of at least six months, which may be as documented on any form of proof of residency deemed acceptable by the South Carolina Department of Motor Vehicles when issuing a driver’s license.”

SECTION 3. This act takes effect upon approval by the Governor.

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