**A** **BILL**

TO AMEND SECTION 40‑57‑720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REAL ESTATE COMMISSION DISCIPLINARY ACTIONS AND REDRESS FOR VIOLATIONS, SO AS TO PROVIDE SPECIFIC MONETARY PENALTIES FOR VIOLATIONS OF FAIR HOUSING LAWS.

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

SECTION 1. Section 40‑57‑720(E) of the 1976 Code is amended to read:

“(E)(1) The commission may impose disciplinary action in accordance with Section 40‑1‑120.

(2) Upon determination by the commission that one or more of the grounds for discipline exists, the commission may impose a fine of not less than five hundred or more than five thousand dollars for each violation and as provided in Section 40‑1‑120. The commission may recover the costs of the investigation and the prosecution as provided in Section 40‑1‑170.

(3) Upon determination by the commission that a grounds of discipline exists due to a violation of a federal, state, or local fair housing law, the commission shall:

(a) award compensatory damages to the person aggrieved by the violation; and

(b) to vindicate the public interest, assess a civil penalty:

(i) in an amount not exceeding twenty‑five thousand dollars if the licensee has not been adjudged to have committed any prior discriminatory housing practice;

(ii) in an amount not exceeding fifty thousand dollars if the licensee has been adjudged to have committed one other discriminatory practice during the five‑year period prior to the date of the filing of the complaint; and

(iii) in an amount not exceeding seventy‑five thousand dollars if the respondent has been adjudged to have committed two or more discriminatory housing practices during the seven‑year period prior to the date of the filing of the complaint, except that if the acts constituting the discriminatory practice that is the object of the complaint are committed by the same natural person who has been previously adjudged to have committed acts constituting a discriminatory housing practice, then the civil penalties provided in subsubitems (ii) and (iii) may be imposed without regard to the period of time within which any subsequent discriminatory practice occurred.

(4) Nothing in this section prevents a licensee from voluntarily entering into a consent order with the commission wherein violations are not contested and sanctions are accepted.”

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

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