**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27‑40‑460 SO AS TO ALLOW A TENANT WHO IS THE VICTIM OF A CRIME TO REQUEST A NEW LOCK AND TO PROVIDE A PROCEDURE IF THE PERPETRATOR OF THE CRIME IS A TENANT, TO ALLOW A VICTIM OF DOMESTIC VIOLENCE TO TERMINATE A RENTAL AGREEMENT UNDER CERTAIN CIRCUMSTANCES, AND TO PROHIBIT A LANDLORD FROM UNDERTAKING CERTAIN ACTIONS.

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

SECTION 1. Article 3, Chapter 40, Title 27 of the 1976 Code is amended by adding:

“Section 27‑40‑460. (A) As used in this section:

(1) ‘Acceptable form of documentation’ means a:

(a) valid order of protection or restraining order; or

(b) police report documenting the commission of a crime subject to the provisions of this section in the rental dwelling.

(2) ‘Dating violence’ means physical, sexual, psychological, or emotional violence between persons, whether heterosexual or same gender, within a dating relationship.

(3) ‘Public safety agency’ means a governmental entity that provides fire protection, law enforcement, medical services, or other similar service.

(4) ‘Victim of a crime’ means a tenant who is a victim of the following within the rental property during his tenancy:

(a) domestic violence;

(b) harassment;

(c) stalking;

(d) criminal sexual conduct in any degree; or

(e) dating violence.

(B)(1) A tenant who is a victim of a crime may request that the landlord install a new lock to the rental unit if the tenant:

(a) provides the landlord with an acceptable form of documentation; and

(b) covers the cost of installing the new lock.

(2) A landlord may comply with the request by either rekeying the lock if the lock is in good working condition or changing the entire locking mechanism with a locking mechanism of equal or greater quality than the lock being replaced.

(3) A landlord who installs a new lock may retain a copy of the key that opens the new lock. The landlord may not provide a copy of the key that opens the new lock to the perpetrator of the crime. If the perpetrator is not barred from the rental unit and also a tenant on the rental agreement, the perpetrator may file a petition with a court of competent jurisdiction within thirty days to:

(a) establish whether he should be given a key and allowed access to the rental unit; or

(b) whether he should be relieved of further obligations under the rental agreement because of his exclusion from the rental unit.

The perpetrator may not be relieved from further obligations under the rental agreement if the perpetrator is found by the court to have committed the act upon which the landlord’s exclusion is based.

(C) A tenant who is a victim of domestic violence may terminate his rental agreement if the tenant:

(1) is in compliance with the obligations provided for in Article 5;

(2) provides the landlord written notice of the termination and a written copy of an acceptable form of documentation; and

(3) pays the landlord an equivalent of forty‑five days rent on the date the renter provides a notice of termination.

(D) A landlord may not:

(1) impose a restriction on a tenant’s ability to request assistance from a public safety agency; or

(2) penalize a tenant because the tenant makes reasonable requests for assistance from a public safety agency.”

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

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