~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 17, 2021

**H. 3765**

Introduced by Reps. Burns, Chumley and Long

S. Printed 2/17/21--H.

Read the first time January 28, 2021.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 3765) to amend Section 27‑40‑20, Code of Laws of South Carolina, 1976, relating to the purposes and rules of construction for the Residential Landlord and Tenant Act, etc., respectfully

**REPORT:**

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

DAVID R. HIOTT for Committee.

**A** **BILL**

TO AMEND SECTION 27‑40‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; AND TO AMEND SECTION 45‑2‑60, RELATING TO THE EJECTMENT OF A PERSON FROM A LODGING ESTABLISHMENT, SO AS TO AUTHORIZE AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTMENT.

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

SECTION 1. Section 27‑40‑20 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) The provisions of this chapter do not apply to a tenancy where a rental space is offered for occupancy by a vehicle which primarily is designed as temporary living quarters for recreational camping or travel use that has its own motor or is mounted on or drawn by another vehicle.”

SECTION 2. Section 45‑2‑60 of the 1976 Code is amended to read:

“Section 45‑2‑60. (A) An innkeeper may eject a person from the lodging establishment premises for any of the following reasons:

(1) nonpayment of the lodging establishment’s charges for accommodations or services;

(2) the person is visibly intoxicated, or the person is disorderly so as to create a public nuisance;

(3) the innkeeper reasonably believes that the person is using the premises for unlawful purposes, including the unlawful use or possession of controlled substances by the person in violation of Chapter 53 of Title 44 or the use of the premises for the consumption of beer, wine, or alcoholic liquors by a person under the age of twenty‑one years in violation of Sections 63‑19‑2440 or 63‑19‑2450;

(4) the innkeeper reasonably believes that the person has brought property into the lodging establishment premises which may be dangerous to other persons including, but not limited to, firearms or explosives;

(5) violation of any federal, state, or local laws, or regulations relating to the lodging establishment;

(6) violation of a rule of the lodging establishment which is posted in a conspicuous place and manner in the lodging establishment in accordance with Section 45‑2‑70, but no rule may authorize the innkeeper to eject or to refuse or deny service or accommodations to a person because of race, creed, color, national origin, gender, disability, or marital status.

(B) An innkeeper may request assistance from local law enforcement to eject a guest, visitor of a guest, or a trespasser.

(C) A guest ejected from a campground has ten days from the date of lawful ejection made pursuant to the provisions of this chapter to make a valid claim for any property that was allegedly left behind. Once notice is issued to the innkeeper, the guest has ten days to collect the property. An innkeeper may keep or otherwise dispose of any property left uncollected after the passage of twenty days from an ejectment in the innkeeper’s sole discretion.”

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

‑‑‑‑XX‑‑‑‑