**A** **BILL**

TO AMEND SECTION 30-9-30(B)(2) OF THE 1976 CODE, RELATING TO THE REMOVAL OF FALSE OR FRAUDULENT DOCUMENTS, TO PROVIDE THAT A PERSON PROVIDED WITH A NOTICE OF DOCUMENT REMOVAL MAY COMMENCE A SUIT TO PREVENT THE REMOVAL OF THE DOCUMENT.

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

SECTION 1. Section 30-9-30(B)(2) of the 1976 Code is amended to read:

“(2) If the clerk of court or the register of deeds reasonably believes that a conveyance, mortgage, judgment, lien, contract, or other document is materially false or fraudulent, or is a sham legal process, the clerk of court or the register of deeds may remove the document from the public records after giving thirty days' written notice to the person on whose behalf the document was filed at the return address provided in the document. Within thirty days written notice of the proposed removal, the person ~~providing~~ provided with the notice may commence a suit in a state court of competent jurisdiction preventing the clerk of court or the register of deeds from removing the document.”

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

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