**South Carolina General Assembly**

125th Session, 2023-2024

**S. 233**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Loftis

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate

Summary: In State Tuition

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/30/2022 Senate Prefiled

 11/30/2022 Senate Referred to Committee on **Education**

 1/10/2023 Senate Introduced and read first time (Senate Journal‑page 119)

 1/10/2023 Senate Referred to Committee on **Education** (Senate Journal‑page 119)

 2/8/2023 Scrivener's error corrected

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=233&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/30/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/233_20221130.docx)

[02/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/233_20230208.docx)

A bill

to amend the South Carolina Code of Laws by amending Section 59‑112‑10(D), relating to the definition for domicile, so as to provide factors to consider when making a determination concerning a person’s domicile; and by adding Section 59‑112‑15 so as to provide that temporary ABSENCE from one’s domiciliary solely for the purpose of employment does not change the meaning of a DOMICILE within the meaning of this section.

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

SECTION 1. Section 59‑112‑10(D) of the S.C. Code is amended to read:

 (D) The word “domicile” shall mean a person's true, fixed, principal residence and place of habitation; it shall indicate the place where such person intends to remain, and to which such person expects to return upon leaving without establishing a new domicile in another state. For purposes of thissection one may have only one legal domicile; one is presumed to abandon automatically an old domicile upon establishing a new one. Housing provided on an academic session basis for students at State Institutions shall be presumed not to be a place of principal residence, as residency in such housing is by nature temporary. When determining a person’s domicile, one must look to the totality of the circumstances and consider the following factors:

 (1) a person’s address reported on income tax returns;

 (2) a person’s real estate interests, including the address for which the legal residence tax assessment ratio is claimed pursuant to Section 12‑43‑220(c);

 (3) a person’s physical mailing address;

 (4) a person’s address on driver’s license or other identification issued by the Department of Motor Vehicles;

 (5) a person’s address on legal and financial documents;

 (6) a person’s address on an automobile registration;

 (7) a person’s address utilized for membership in clubs and organizations;

 (8) the location of a voter’s personal property; and

 (9) whether a person temporarily relocated due to medical care for himself or for a member of his immediate family.

SECTION 2. Chapter 112, Title 59 of the S.C. Code is amended by adding:

 Section 59‑112‑15. Temporary absence from one’s domiciliary state solely because of employment does not affect a change of domicile within the meaning of this section.

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

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