**South Carolina General Assembly**

125th Session, 2023-2024

**A108, R109, H3977**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Sandifer, Hardee and Anderson

Companion/Similar bill(s): 544

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Introduced in the House on February 16, 2023

Introduced in the Senate on March 30, 2023

Currently residing in the House

Governor's Action: February 5, 2024, Signed

Summary: Property and casualty insurance

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/16/2023 House Introduced and read first time (House Journal‑page 13)

 2/16/2023 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 13)

 2/23/2023 House Member(s) request name added as sponsor: Anderson

 3/28/2023 House Committee report: Favorable **Labor, Commerce and Industry** (House Journal‑page 13)

 3/29/2023 House Read second time (House Journal‑page 21)

 3/29/2023 House Roll call Yeas-101 Nays-0 (House Journal‑page 21)

 3/30/2023 House Read third time and sent to Senate (House Journal‑page 32)

 3/30/2023 Senate Introduced and read first time (Senate Journal‑page 9)

 3/30/2023 Senate Referred to Committee on **Banking and Insurance** (Senate Journal‑page 9)

 5/3/2023 Senate Committee report: Favorable **Banking and Insurance** (Senate Journal‑page 13)

 5/8/2023 Scrivener's error corrected

 5/11/2023 Senate Read second time (Senate Journal‑page 153)

 5/11/2023 Senate Roll call Ayes-43 Nays-0 (Senate Journal‑page 153)

 1/11/2024 Senate Read third time and enrolled (Senate Journal‑page 9)

 1/30/2024 Ratified R 109

 2/5/2024 Signed By Governor

 2/9/2024 Effective date 02/05/24

 2/9/2024 Act No. 108

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3977&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3977_20230216.docx)

[03/28/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3977_20230328.docx)

[05/04/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3977_20230504.docx)

[05/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3977_20230508.docx)

(A108, R109, H3977)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38‑55‑730 SO AS TO ALLOW INSURERS TO POST AN INSURANCE POLICY OR ENDORSEMENT ON THEIR WEBSITE IF CERTAIN CONDITIONS ARE MET.

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

Posting an insurance policy or endorsement by electronic means

SECTION 1. Article 7, Chapter 55, Title 38 of the S.C. Code is amended by adding:

 Section 38‑55‑730. Notwithstanding another provision of this section, if a standard property and casualty insurance policy or endorsement does not contain personally identifiable information, an insurer may mail, deliver, or post the policy or endorsement on the insurer’s website. If the insurer elects to post an insurance policy or endorsement on the insurer’s website in lieu of mailing or delivering the document to the insured, the insurer must comply with the following conditions:

 (1) The policy and endorsement must be accessible as long as the policy or endorsement is in force.

 (2) After the policy expires, the insurer must maintain and archive the policy and endorsement for five years after the expiration of the policy and shall make the documents available to the party upon request.

 (3) The insurer must post the policy and endorsement in a manner that allows the insured to print and save the policy and endorsement using a program or application that is widely available on the Internet and free to use.

 (4) The insurer provides the following information in, or simultaneous with, each declarations page provided at the time of issuance of the initial policy and any renewals of that policy:

 (a) a description of the exact policy and endorsement form purchased by the insured;

 (b) a method by which the insured may obtain, upon request and without charge, a paper copy of the policy; and

 (c) the Internet address where the insured’s policy and endorsement is posted.

 (5) The insurer provides notice, in the format preferred by the insured, of any changes to the form or endorsement, the insured’s right to obtain, upon request without charge, a paper copy of a form, and the Internet address where the form and endorsement is posted.

Time effective

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

Ratified the 30th day of January, 2024.

Approved the 5th day of February, 2024.

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