**South Carolina General Assembly**

124th Session, 2021-2022

**A25, R37, H3664**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton

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Introduced in the House on January 14, 2021

Introduced in the Senate on March 3, 2021

Passed by the General Assembly on April 20, 2021

Governor's Action: April 26, 2021, Signed

Summary: Criminal background checks

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/14/2021 House Introduced and read first time ([House Journal‑page 540](file:///h%3A%5Chj%5C20210114.docx))

 1/14/2021 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 540](file:///h%3A%5Chj%5C20210114.docx))

 2/2/2021 House Member(s) request name added as sponsor: Crawford

 2/18/2021 House Member(s) request name added as sponsor: Kirby, B.Cox, Anderson

 2/24/2021 House Committee report: Favorable **Labor, Commerce and Industry** ([House Journal‑page 4](file:///h%3A%5Chj%5C20210224.docx))

 2/25/2021 House Member(s) request name added as sponsor: Erickson, Bradley, Murray

 3/2/2021 House Member(s) request name added as sponsor: B.Newton

 3/2/2021 House Read second time ([House Journal‑page 37](file:///h%3A%5Chj%5C20210302.docx))

 3/2/2021 House Roll call Yeas‑114 Nays‑0 ([House Journal‑page 38](file:///h%3A%5Chj%5C20210302.docx))

 3/3/2021 House Read third time and sent to Senate ([House Journal‑page 13](file:///h%3A%5Chj%5C20210303.docx))

 3/3/2021 Senate Introduced and read first time ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20210303.docx))

 3/3/2021 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20210303.docx))

 4/8/2021 Senate Committee report: Favorable **Labor, Commerce and Industry** ([Senate Journal‑page 15](file:///h%3A%5Csj%5C20210408.docx))

 4/14/2021 Senate Read second time ([Senate Journal‑page 20](file:///h%3A%5Csj%5C20210414.docx))

 4/14/2021 Senate Roll call Ayes‑41 Nays‑1 ([Senate Journal‑page 20](file:///h%3A%5Csj%5C20210414.docx))

 4/20/2021 Senate Read third time and enrolled ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20210420.docx))

 4/22/2021 Ratified R 37

 4/26/2021 Signed By Governor

 4/28/2021 Effective date 04/26/21

 4/28/2021 Act No.  25

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3664&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/14/2021](file:///p%3A%5Cpprever%5C2021-22%5C3664_20210114.docx)

[2/24/2021](file:///p%3A%5Cpprever%5C2021-22%5C3664_20210224.docx)

[4/8/2021](file:///p%3A%5Cpprever%5C2021-22%5C3664_20210408.docx)

(A25, R37, H3664)

**AN ACT TO AMEND SECTION 40‑57‑115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER‑BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.**

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

**Initial licensure background check criteria, social security numbers**

SECTION 1. Section 40‑57‑115 of the 1976 Code is amended to read:

 “Section 40‑57‑115. In addition to other requirements established by law and for the purpose of determining an applicant’s eligibility for licensure as a salesman, broker, broker‑in‑charge, property manager, and property manager‑in‑charge, the commission shall require initial applicants and applicants for licensure renewal to submit to a state fingerprint‑based criminal records check, to be conducted by the State Law Enforcement Division (SLED); a national criminal records check, supported by fingerprints, by the FBI; and a social security number‑based criminal records check from a source approved by the commission. Costs of conducting a criminal records check must be borne by the applicant. The commission shall keep information received pursuant to this section confidential, except that information relied upon in denying licensure may be disclosed as necessary to support the administrative action.”

**Time effective**

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

Ratified the 22nd day of April, 2021.

Approved the 26th day of April, 2021.

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