**South Carolina General Assembly**

125th Session, 2023-2024

**S. 620**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Davis

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Introduced in the Senate on March 14, 2023

Last Amended on February 28, 2024

Currently residing in the Senate Committee on **Transportation**

Summary: Electronic Tax Sales

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/14/2023 Senate Introduced and read first time (Senate Journal‑page 5)

 3/14/2023 Senate Referred to Committee on **Finance** (Senate Journal‑page 5)

 1/24/2024 Senate Committee report: Favorable with amendment **Finance**

 2/28/2024 Senate Committee Amendment Adopted (Senate Journal‑page 36)

 5/8/2024 Senate Recommitted to Committee on **Transportation**

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**VERSIONS OF THIS BILL**

[03/14/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/620_20230314.docx)

[01/24/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/620_20240124.docx)

[02/28/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/620_20240228.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Amendment Adopted

February 28, 2024

S. 620

Introduced by Senator Davis

S. Printed 02/28/24--S.

Read the first time March 14, 2023

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12‑51‑50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12‑51‑60, RELATING TO PAYMENT BY the SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

 Amend Title To Conform

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

SECTION 1. Section 12‑51‑50 of the S.C. Code is amended to read:

 Section 12‑51‑50. (A) The property duly advertised must be sold, by the person officially charged with the collection of delinquent taxes, at public auction at the courthouse or other convenient place within the county, electronically, as provided in subsection (B), or a combination of both, if designated and advertised, on the advertised date for legal tender payable in full by cash, cashier's check, certified check, credit card, wire or automated clearing house transfer of cash funds, or money order on the date of the sale. If the defaulting taxpayer or the grantee of record of the property has more than one item advertised to be sold, as soon as sufficient funds have been accrued to cover all of the delinquent taxes, assessments, penalties, and costs, further items must not be sold.

 (B) Should the person officially charged with the collection of delinquent taxes decide to conduct the sale of real or personal property pursuant to this section by electronic means, then such electronic sales must comply with the following:

 (1) Electronic proxy bidding may be allowed, and bidders may be required to advance sufficient funds to pay a deposit. The deposit method and amount must be determined by the person officially charged with the collection of delinquent taxes;

 (2) Additional charges may be levied for services in conducting or contracting for the electronic sale; and

 (3) Notice of the electronic sale must be given in the same manner required by Section 12‑51‑40(d) and a link to the sale must be posted on the county’s website.

SECTION 2. Section 12‑51‑60 of the S.C. Code is amended to read:

 Section 12‑51‑60. The successful bidder at the delinquent tax sale shall pay legal tender as provided in Section 12‑51‑50 to the person officially charged with the collection of delinquent taxes in the full amount of the bid on thewithin one business day after the end of the sale. Upon payment, the person officially charged with the collection of delinquent taxes shall furnish the purchaser a receipt for the purchase money. He must attach a copy of the receipt to the execution with the endorsement of his actions, which must be retained by him. Expenses of the sale must be paid first, and the balance of all delinquent tax sale monies collected must be turned over to the treasurer. If using an auction vendor to conduct a tax sale, the delinquent tax collector may permit successful bidders to pay the full amount of the bid to the auction vendor within three business days after the end of the electronic sale, and such funds must be deposited from the auction vendor to the county treasurer within five business days after the end of the electronic sale. Upon receipt of the funds, the treasurer shall mark immediately the public tax records regarding the property sold as follows: Paid by tax sale held on (insert date). All other monies received, including any excess after payment of delinquent taxes, assessments, penalties, and costs, must be retained, paid out, and accounted for by the delinquent tax collector. Once a tax deed has been issued, the defaulting taxpayer and the owner of record immediately before the end of the redemption period must be notified in writing by the delinquent tax collector of any excess due. The notice must be addressed and mailed in the manner provided in Section 12‑51‑40(b) for taking exclusive possession of real property. Expenses of providing this notice are considered costs of the sale for purposes of determining the amount, if any, of the excess.

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

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