**South Carolina General Assembly**

125th Session, 2023-2024

**S. 887**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Tedder and McLeod

Document Path: SMIN-0097AA23.docx

Introduced in the Senate on January 9, 2024

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

Summary: Tenant Right to Counsel

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/30/2023 Senate Prefiled

11/30/2023 Senate Referred to Committee on **Judiciary**

1/9/2024 Senate Introduced and read first time ([Senate Journal‑page 72](h:\sj\20240109.docx))

1/9/2024 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 72](h:\sj\20240109.docx))

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**VERSIONS OF THIS BILL**

[11/30/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/887_20231130.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27‑40‑680 SO AS TO PROVIDE THAT A TENANT HAS THE RIGHT TO COUNSEL IN AN EVICTION PROCEEDING BETWEEN THE TENANT AND A LANDLORD AND TO AUTHORIZE THE COURT TO APPOINT COUNSEL TO DEFEND A TENANT IF IT DETERMINES THE TENANT IS UNABLE TO FINANCIALLY RETAIN ADEQUATE LEGAL COUNSEL.

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

SECTION 1. Subarticle 1, Article 7, Chapter 40, Title 27 of the 1976 Code is amended by adding:

Section 27‑40‑680. A tenant is entitled to legal counsel in an eviction proceeding arising from the termination or alleged noncompliance with a rental agreement with the landlord. If the magistrate or circuit court judge determines that the tenant is financially unable to retain adequate legal counsel, then the court shall appoint qualified and experienced counsel to defend the tenant throughout the eviction proceeding. Such counsel must be paid fees and costs that the court deems appropriate.

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

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