

## Session 111 - (1995-1996)

### **S 0267 General Bill, By Passailaigue**

A Bill to amend Article 7, Chapter 3, Title 29, Code of Laws of South Carolina, 1976, relating to mortgage foreclosure, by adding Section 29-3-800, so as to provide that contractual provisions for attorney fees in the amount of a specified percentage of the balance due upon default of a mortgage or note are unconscionable, that in foreclosure actions the court must make a finding as to the reasonableness of attorney fees notwithstanding any contractual provision that would award attorney fees as a specified percentage of the balance due upon default, and that parties to a foreclosure action may agree to the amount of attorney fees due, and in the event the parties reach such an agreement, the court is not required to make a finding as to the reasonableness of the attorney fees.

|                 |               |   |
|-----------------|---------------|---|
| <b>11/14/94</b> | <b>Senate</b> | <b>Prefiled</b>   |
| <b>11/14/94</b> | <b>Senate</b> | <b>Referred to Committee on Banking and Insurance</b>                         |
| <b>01/10/95</b> | <b>Senate</b> | <b>Introduced and read first time SJ-114</b>                                  |
| <b>01/10/95</b> | <b>Senate</b> | <b>Referred to Committee on Banking and Insurance SJ-114</b>                  |
| <b>03/09/95</b> | <b>Senate</b> | <b>Committee report: Favorable with amendment Banking and Insurance SJ-15</b> |
| <b>01/25/96</b> | <b>Senate</b> | <b>Amended SJ-28</b>  |
| <b>01/31/96</b> | <b>Senate</b> | <b>Read second time SJ-24</b>   |
| <b>01/31/96</b> | <b>Senate</b> | <b>Ordered to third reading with notice of amendments SJ-24</b>               |
| <b>02/08/96</b> | <b>Senate</b> | <b>Read third time and sent to House SJ-31</b>                                |
| <b>02/13/96</b> | <b>House</b>  | <b>Introduced and read first time HJ-23</b>                                   |
| <b>02/13/96</b> | <b>House</b>  | <b>Referred to Committee on Labor, Commerce and Industry HJ-23</b>            |